

HOUSE BILL REPORT

HB 2291

As Reported by House Committee On:
Health Care & Wellness

Title: An act relating to the licensure and certification of massage therapists and reflexologists.

Brief Description: Concerning the licensure and certification of massage therapists and reflexologists.

Sponsors: Representatives Kraft, Wylie, Jinkins and Harris.

Brief History:

Committee Activity:

Health Care & Wellness: 1/10/18, 1/17/18 [DPS].

Brief Summary of Substitute Bill

- Requires a licensed massage therapist and certified reflexologist to have government-issued photo identification that bears the same name as his or her massage therapy license or reflexology certification whenever he or she practices massage therapy or reflexology.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier, Clibborn, DeBolt, Harris, Jinkins, MacEwen, Maycumber, Riccelli, Robinson, Rodne, Slatter, Stonier and Tharinger.

Staff: Sydney Sullivan (786-7290) and Jim Morishima (786-7191).

Background:

Massage Therapy Licenses.

Massage therapists are licensed to practice massage, which involves the external manipulation or pressure of soft tissue for therapeutic purposes. To be issued a massage

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therapy license an applicant must provide proof to the Secretary of Health (Secretary) that he or she:

- successfully completed an approved massage therapy program or apprenticeship;
- successfully completed an examination; and
- is 18 years of age or older.

A massage therapist must clearly display his or her massage therapy license at his or her place of business or have his or her license on display wherever he or she practices.

Reflexology Certifications.

Reflexologists are certified to practice reflexology, which is a health care service limited to applying alternating pressure with thumb and finger techniques to reflexive areas of the lower extremities, feet, hands, and outer ears based on reflex maps. To be issued a reflexology certification an applicant must provide proof to the Secretary that he or she:

- successfully completed an approved reflexology program;
- successfully completed an examination by the secretary; and
- is 18 years of age or older.

A reflexologist must clearly display his or her reflexology certification at his or her place of business or have the certification on display wherever he or she practices.

Summary of Substitute Bill:

Beginning January 1, 2020, a licensed massage therapist or a certified reflexologist must have government-issued photo identification that bears the same name as his or her massage therapy license or reflexology certification whenever he or she practices massage therapy or reflexology.

Substitute Bill Compared to Original Bill:

The substitute bill: (1) removes the requirement that all massage therapy licenses or reflexology certifications issued by the Secretary of Health (Secretary) must contain a photograph of the applicant; (2) removes the requirement that massage therapy licenses and reflexology certifications be designed and constructed in a manner that, to the Secretary's satisfaction, avoids unreasonable risk of unauthorized alteration or duplication; (3) removes the requirement that the Secretary must adopt rules establishing the appropriate guidelines and procedures to create and issue photo licenses and photo certificates to existing license and certificate holders who were licensed and certified prior to January 1, 2021; and (4) requires that a licensed massage therapist or a certified reflexologist must have government-issued photo identification that bears the same name as his or her massage therapy license or reflexology certification whenever he or she practices massage therapy or reflexology.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Bipartisan support has led to the prevention of sex trafficking and prostitution. The professions of massage therapy and reflexology are prone to abuse by criminals pretending to run such businesses in order to engage in sex trafficking. There needs to be a law that requires photo identification of licensed massage therapists and certified reflexologists so that the Legislature and police can combat sex trafficking appropriately. Sex trafficking is an issue that affects all communities. Requiring photo identification on massage therapy licenses and reflexology certifications will combat the problem of not knowing if a person presenting a massage therapy license or reflexology certificate is the actual person licensed or certified. The intent behind the bill is good, but the money to fund these changes should come from the Legislature out of the General Fund since the bill tries to solve a public safety issue.

(Opposed) None.

(Other) The money that will have to go into setting up a program to make all massage therapy licenses and reflexology certifications meet the requirements of the bill should come out of the money allotted in the General Fund, and not from the professionals themselves through licensing fees; this is a public safety issue and the public should pay for these changes.

Persons Testifying: (In support) Representative Kraft, prime sponsor; Anne McEnerny Ogle, City of Vancouver; Joe Graff, Vancouver Police Department; and Melanie Stewart, American Massage Therapy Association.

(Other) Liz Pyle, Washington Reflexology Association; and Kristin Peterson, Department of Health.

Persons Signed In To Testify But Not Testifying: None.