

A MESSAGE FROM THE STATE BOARD OF MASSAGE THERAPY CHAIR

BECKY LESIK, LMT

On a personal note, after 19 years as a Massage Therapist, I could not be more proud of where massage therapy has gone as a profession. The Commonwealth of Pennsylvania has come so far in supporting massage therapy and protecting the safety of the public by enacting the Massage Therapy Law. Granted, as in all new endeavors, understanding, interpreting, and enforcing the law is an ongoing challenge. Professions grow as the knowledge base changes, which may at times bring about the need to re-think what was first proposed, but it does not take away from why licensure is and was so important – public protection and recognizing Massage Therapy for the heights in professionalism it has attained. The Board works diligently to ensure public protection and to ensure appropriate standards of professionalism within the massage therapy profession, but the Board cannot do this alone. It takes all of you to recognize how important you are to our continued professional success. Be the best Massage Therapist that you can be by utilizing best practices; by knowing of and understanding current laws, rules, and regulations; and by being proactive when you observe someone practicing illegally or behaving inappropriately. By staying involved in current massage issues, you can make a difference. Please remember, the Board welcomes your input and attendance at its Board meetings.

CONTINUING EDUCATION

The Massage Therapy Law, Act 118 of October 9, 2008, *as amended*, 63 P.S. § 627.1 et seq. (Law), established a Massage Therapy Board (Board) and licensing requirements, including continuing education requirements. The Law requires the Board to establish standards of eligibility for license renewal. Pursuant to Section 4(6) of the Law, licensees are required to complete a minimum of 24 hours of continuing education related to the practice of massage therapy in accordance with Board regulations.

The Board's regulations address continuing education and provide in part:

- (a) Licensees shall complete a minimum of 24 hours of continuing education in the field of massage therapy as set forth in section 4(6) of the act (63 P. S. § 627.4(6)) and § 20.33 (related to continuing education content and providers) in the 2-year period immediately preceding the application for license renewal. To be creditable, continuing education must meet the requirements for Board approval set forth in this section and § 20.33.
- (b) Licensees shall complete a minimum of 4 hours of continuing education in professional ethics in each biennial renewal period.
- (c) A minimum of 16 hours of continuing education shall be earned through contact hours.

(d) Courses for the renewal of the licensee's CPR certification shall be earned through contact hours and may not be used to meet the biennial continuing education requirement.

(e) Licensees shall retain the certificates of completion from continuing education courses for a minimum of 5 years.

(f) A licensee who is unable to complete the required continuing education shall request a waiver or extension from the Board at least 60 days prior to the expiration of the license. The request must include details about the licensee's illness, emergency or hardship, including documentation such as a letter from the licensee's physician or a copy of the licensee's military orders. The Board will respond in writing either granting or denying a request for waiver or extension.

(g) Licensees may be audited to ensure their compliance with the continuing education requirements.

49 Pa. Code 20.32

Additionally, effective with the first license renewal after January 1, 2015, massage therapists applying for the renewal of a license issued by the Board are required to complete at least 2 hours of Board-approved continuing education in child abuse recognition and reporting requirements as a condition of renewal.

Exempted practices and modalities

Recently, the Board reviewed its rules and regulations. In doing so, the Board reviewed its practices and procedures regarding continuing education. As the discussion turned to continuing education for practices/modalities that are excluded from licensure, it became apparent there were many conflicting opinions and concerns regarding whether the Board's implementation of the Law was consistent with the Board's Law and regulations. As many licensees are aware, in April of 2016, the Board announced that effective the 2017 renewal cycle, it would no longer accept continuing education in courses that focus on practices/modalities that are excluded from licensure under section 13 of the Law.¹

¹ Section 13. Other professions.

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(4) The practice by an individual while performing reflexology.

(5) The practice of an individual who uses touch, words and directed movement to deepen awareness of existing patterns of movement in the body and to suggest new possibilities of movement, while engaged within the scope of practice of a profession with established standards and ethics.

(6) The practice of an individual who uses touch to affect the energy systems, acupoints, Qi meridians or channels of energy of the human body while engaged within the scope of practice of a profession with established standards and ethics. Such practices include acupressure, Asian bodywork therapy, polarity therapy bodywork, quigon, reiki, shiatsu and tui na.

After the Board's announcement in April of 2016, the Board received correspondence from licensees, professional associations, and other organizations regarding the Board's decision to exclude the exempted practices/modalities from continuing education. Additionally, at the Board's December of 2016 board meeting, numerous licensees and other individuals appeared at the meeting to voice their concerns about the Board's decision to exclude the exempted practices and modalities. In January of 2017, the Board received a letter from the Pennsylvania Chapter of the American Massage Therapy Association (AMTA) wherein the AMTA expressed its concerns regarding the Board's implementation of the continuing education provisions of the Law.

At the Board's February 23, 2017, meeting, given the response to the Board's decision, in addition to AMTA's request to reconsider the Board's decision, the Board reconsidered its position on continuing education related to the section 13 practices/modalities that are excluded from licensure. During the meeting, the Board unanimously voted to rescind its announcement that the Board will no longer approve continuing education courses in practices/modalities that are excluded from licensure under section 13 of the Massage Therapy Law. Therefore, the Board will continue to accept these courses for continuing education and renewal.

WAIVER REQUESTS

As Board Chair, I wish to emphasize the importance of complying with the Board's continuing education requirements. Continuing education is of the utmost importance for licensees. Licensees must stay current with the latest developments, skills, and technology, and must make continuing efforts to maintain the required competence. Additionally, a licensee puts his or her license in jeopardy of disciplinary action by failing to comply with the mandated continuing education requirements.

As reflected in Section 20.32(f) of the Board's regulations, a licensee who is unable to complete the required continuing education must request a waiver or extension from the Board at least 60 days prior to the expiration of the license. The request must include details about the licensee's illness, emergency, or hardship, including documentation such as a letter from the licensee's physician or a copy of the licensee's military orders. It is of the utmost importance to submit requests for waivers 60 days prior to the expiration of the license. The Board carefully reviews all waivers and reminds licensees that requests that do not reflect extreme circumstances such as illness and emergencies will not be granted.

I would like to stress the importance of being proactive with continuing education knowledge and acquisition of such knowledge. I urge all licensees to comply with continuing education requirements and review the applicable statutory and regulatory requirements for continuing education. You may access the Board's Law and regulations on its website at dos.pa.gov

Respectfully,
Becky D. Lesik LMT
Chair of the Pennsylvania State Board of Massage Therapy

Reflections of Board Member Donna Ponessa After Serving Two Terms

After serving on the State Board of Massage Therapy for two terms, I reflect on my eight years serving on the Pennsylvania Massage Therapy Board. I realize just how much our profession has gone through. I had the privilege of being in on the ground floor of implementation of licensing and regulating massage therapy in Pennsylvania. Along with that privilege, came hours upon hours, (some happy, some not so happy) spent on developing the regulations, always being very careful to stay within the law. Next came the grandfathering applications. Deciding who met the guidelines and who needed to go back to school was no easy task. Next were determining the parameters of continuing education – determining what acceptable continuing education is and who was qualified to teach those courses.

Throughout the past 8 years, thousands of names have graced our board room table; some who have made us proud, and some who have disgraced our profession. But none were taken lightly. As I step down from my position, if there is anything I would want to be heard, especially given the frustrations of the past year or so, it would be a reminder that the majority of the Board is made up of massage therapists; therapists from all walks of life, dealing with the same struggles and frustrations as everyone else in our profession. And just like every other therapist in Pennsylvania, we also are bound by the same rules and regulations. Decisions made by the Board do not reflect our personal wishes, but rather, reflect the Board's efforts to implement the Massage Therapy Law and regulations faithfully. That being said, we hear your frustrations and your concerns, because they are ours too. There are some things that can be changed and some things that cannot. And when something has been deemed changeable, and in the best interest of the profession, the Board has worked feverishly to bring it to fruition.

For the past 8 years, the Board has worked extremely hard representing massage therapists across the state. But we cannot do it without your help. We need therapists to be active in our profession. Know the rules and regulations. Attend Board meetings, review the Board's website and consider serving on the Board as I have done so proudly for the past eight years. Always make sure you follow the Massage Therapy Law and the regulations implementing the law. Be the ears and eyes of our profession in your community. If you hear rumors you know to be untrue, squash them. If you know of someone operating unlawfully or outside of our scope of practice, report them, and if you have a question, ask it. We need everyone working together in order to continue building and growing our amazing profession.

It has been a great privilege and honor to serve the massage therapists of Pennsylvania. I look forward to the continued growth and progression of our profession in the years to come.

Donna Ponessa, LMT