

Need for KS licensure

I own a small massage therapy business in Roeland Park, KS. I want to help you to understand the limitations the lack of state licensure has had on my business, as well as explain how lack of any regulations hurts all Kansans.

First, without state licensure cities are left to have to regulate the massage industry. The cities do not have the resources or knowledge base to effectively do that. In Johnson County there are 17 cities, and nearly every city has a massage license requirement. The city clerk of Mission, Roeland Park, and Lenexa all told me they didn't understand their ordinance as they had just cut and paste the ordinance from another city's website and presented to the council for approval. In nearly every city charter in order to provide massage in the city you must have a brick and mortar facility that is licensed, as well as all individuals working in that city to be licensed in that city. You can see, in order for me to open a building in all 17 cities and pay all the fees to do that it would be impossible. They pay no deference for the fact that I have a licensed facility in an adjoining city. I would like to participate in festivals and health fairs in my area, but I am strictly prohibited from crossing out of my city to offer my services to other Johnson County residents outside the confines of my studio.

Most Johnson County massage laws also restrict massage therapists from performing massage on persons in hospice care, nursing homes or in a private residence. Massage Therapy is a beneficial holistic health care modality, and I am prohibited from offering my services to residents that wish to have therapy who are unable to travel. In Missouri, I am licensed in the entire state and am able to go to hospice facilities as well as do in home therapy for anyone, in any city in Missouri. I cannot find one example of another health care industry where cities license individuals, and not the state. I cannot find one example of an industry that does not have the ability to practice their business without a physical space in EVERY city. Kansas is out of date with regard to massage laws and has an obligation catch up.

Outside of Johnson County, only one other city has licensure. Not having minimum standards and background checks can pose a health risk to anyone receiving massage. Massage schools require extensive education in anatomy, physiology, structural dysfunction and pathology. A massage therapist can cause a lot of damage if they aren't educated enough to know the function and structure of the body. Also, without background checks, there is no way to know if someone is a predator.

A few months ago I had a client come to my studio who had been attacked sexually by a man posing as a massage therapist. She had been scarred physically and mentally. She found our website and noted that our therapists were all listed as licensed. She said she wish she could have checked a database to verify that status. Sadly in most of KS, there are no requirements for being a massage therapist- no

background checks, no education- nothing. Anybody can pose as a massage therapist and prey on unsuspecting victims. We know there have been a higher number of predators moving to KS since most other states require state licenses.

Providing a statewide database will help law enforcement officials to crack down on these offenders. Anyone who advertises as such can quickly and easily be verified and tracked down. With a system like this, perpetrators might stop using the title, and consumers will get the protection they need to verify the status of a massage therapist.

You will hear testimony from a body of individuals on why you should vote against state massage licensing. They will say it is too costly for the individuals, onerous, and unnecessary. For all of the reasons I have stated- this is inaccurate. That very argument is exactly why we need licensure. They all live in cities that currently do not have licensure- otherwise they are breaking the law by practicing with no license. If their city adopts licensure- they likely won't even know about it until it is adopted. In the city council's I have been involved with, I have found that they adopt resolutions and don't ask for public scrutiny or advice. Unlicensed massage therapists will likely at some point find themselves unable to continue their practice should their city put into place minimum competency tests and educational requirements. City council's generally lack the body of knowledge necessary to pass legitimate licensing rules, and they lack resources to adequately enforce them. The bill before you today allows any individual who has been practicing massage to get licensed- regardless of their education for the next 2 years. That is very generous and should be adopted.

In closing, Kansas needs to join 44 other states in adopting state license laws. In the past KS has protected Kansans by requiring minimum competency testing and licensure for most skilled trades. You can't cut someone's hair, or give them a facial without first getting training and state licensure. Law enforcement deserves to have a central database to ascertain whether or not someone advertising massage is credible and safe. Business owners like myself deserve to be protected from onerous and over reaching regulations from city licensure that actually stifle the ability of businesses to grow. All Kansans deserve to be protected from the predators posing as massage therapists. For these reasons and many more I implore you to adopt this bill.

Julia K. Thomas
Owner Imagine Wholeness Massage Therapy Studio
5460 Buena Vista St. Suite 101
Roeland Park, KS 66205
816-694-1611
Julia@imaginewholeness.com