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**Date:** 2-6-11

**To:** Rep. Brenda Landwehr

915 S.W. Harrison

Topeka, KS 66612-1274

**Re:** Grandfathering Bill HB2564/Keeping Regulation Free

Dear Rep. Brenda Landwehr & Committee Members,

Rep. Brenda Landwehr & Committee members, thank you for taking the time to review my letter & the letters of all those who have sent in or voiced their concern in reference to the proposed bill that AMTA, AMBP & FSMTB have applied for. Watching all that goes on in the world I have to chuckle to myself thinking, certainly there's much bigger fish to fry than this in the world. I would like to express my thoughts on this proposed bill.

From what I understand one of the main reasons the groups listed above are trying to pass this bill is because they say they are concerned that someone will be harmed by a therapist who has not gone to one of their schools. Where they have become the authority on this, I'm not sure however I challenge anyone to look back over the last say 50 years in the state of Kansas and see if they can find a person whom has died at the hand of a massage therapist. Massage therapy is ancient medicine, an art used in ancient days to promote relaxation, to loosen tight muscles & to help with ailments. It has been practiced since the ancient of days and has never required such elaborate expense and schooling to be a prerequisite. Furthermore the requirements they are suggesting will only cost the practitioners more money which will be passed on to the client.

I also feel that they are lumping everyone in one category. **I for one am a Licensed Registered Nurse;** I have more schooling than a massage therapy school even comes close to offering. They are asking for 12 CEU's a year, I do 15 CEU's a year already, they want CPR & Standard First Aid, there I also qualify, they want malpractice insurance, I have that as well. (Not sure they have even stepped back to check qualification many of us

already have and keep up with, they have just assumed we are all uneducated fly by night self taught practitioners of massage therapy.) I have been in business for 12 years (as of January 2012), we have been voted #1 again & again, have a very successful business, have very loyal clients, offer a very safe, private & competent business. My 12 years of service exceeds far more hours than any massage school & I have every certificate for every hour I have studied which the total of both well **exceeding 500 hours.** **We have local Doctors that refer their patients to us. I am a HUGE believer in the fact that your clients will credential you! If you are not good you WILL NOT stay open, guarantee.**

The fact that there may not be a very practical grandfather clause is also not understandable to me. When nursing requirements changed many years ago Diploma nurses were not required to go back to school, they were **grandfathered in---** NURSES who work with people in life & death situations **were NOT** made to go back to school. Making massage therapists who have been in business for some time go back to school because now they are deciding to make accredited schools and guidelines does not make sense. When Colleges, Universities, Vo-techs, Trade schools ..... change guidelines, credit hours, class courses, class content, they do not go back to every Lawyer, Judge, Policeman, Accountant, Nurse, Doctor, Chiropractor, Teacher, Marketing.... (you get the picture) and say ok, now that we have decided to change the guidelines & regulations regarding you career field we want all of you to close down your business and go back to school. **That's LUDICROUS!**

My intent is not to prevent people from being educated. I think people need to be educated! But my intent is to say the following:

1. It is not about someone being harmed or killed at the hand of a massage therapist, it is motivated by money.
2. Most massage therapists are not motivated by money, they have chosen their profession because they love what they do, because they care about people, because they want to help people and make people feel better. I have looked at massage schools, they run anywhere from \$5,000-\$8,000 in which many cannot afford.
3. Affordability of schools is an issue as well as location. Many of us do not have massage schools in our small towns in Kansas as well as can not travel hours to go daily.
4. We do not want to be regulated; we do not want to be told how, when & where we can practice.
5. There are approx. 4,200 massage therapists practicing in the state of Kansas, if this law goes into affect it WILL put nearly half if not more of these practitioners out of business. This will make a huge impact financially for families & affect cities economy as well. In a time when

our economy is hurting this would be a huge mistake & cause the unemployment to rise even higher. As is in the bigger cities massage therapy business's are suffering from the economic impact.

Things I wish the Chairman & Committee to consider:

1. I do not think Registered Nurses & Physical Therapists should be included in a bill such as the one being proposed. We have put in our schooling time and know more about the body than a 500 hour massage course teaches. We should be exempt from the schooling given the fact we did go to school to learn **ALL** about the body. I went to school, I took State Licensing Examination. If keeping CEU hours & CPR is important I have no problem with this as I do it already. (In hospitals CPR renewal is not required every year; it's every 2 years to be recertified).
2. I believe all those who have been in practice (longer than 3 years) should be grandfathered in, again, we grandfathered Diploma nurses, and our clients credential us and we don't ask any other degree to go back to school when we have decided to enforce new regulations. Those who have been in business less than 3 years could be looked at to take a 150 hour refresher course while continuing their practice.
3. I would also suggest if looking at such a bill that practitioners have unlimited time to take classes in a pace that meets their time & budget as long as they are taking classes. This will also ensure that they will not have to close up their successful business in order to go to school. Many of us also have outstanding gift certificates in which good business practice would be to allow us to honor all those for 1 year in the event this bill puts the massage therapist out of business.

If our massage schools are starving for business then we can possibly help them out by proposing that anyone desiring to be a massage therapist starting from 2013 on will be required to attend their school, again, I do not think this is necessary. I think they should be able to choose the type of schooling they wish to take whether that be through weekend courses (that accommodate their schedule) or to a school of choice, some schooling in reference to the body is important. In their place of business they can be required to post their level of education & the community can decide for themselves where & whom they want to go to.

Sincerely,

Janell Nease  
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KATMB Member