

# HOUSE BILL REPORT

## ESSB 5403

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**As Passed House:**

April 5, 2007

**Title:** An act relating to certifying animal massage practitioners.

**Brief Description:** Certifying animal massage practitioners.

**Sponsors:** By Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen, Brandland and Jacobsen).

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 3/21/07, 3/26/07 [DP];

Appropriations: 3/29/07 [DP].

**Floor Activity:**

Passed House: 4/5/07, 95-2.

**Brief Summary of Engrossed Substitute Bill**

- Creates the profession of certified animal massage practitioner.
- Prescribes the instructional and competency evaluation requirements for certification in large or small animal massage.
- Authorizes the Secretary of the Department of Health to adopt rules, establish fees, approve education and training programs and approve or deny certifications.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 15 members: Representatives B. Sullivan, Chair; Blake, Vice Chair; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Dickerson, Eickmeyer, Grant, Hailey, Kagi, Lantz, McCoy, Newhouse, Orcutt, Strow and VanDeWege.

**Staff:** Meg Van Schoorl (786-7105).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 32 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Buri, Chandler, Cody, Conway, Darneille, Dunn, Ericks, Fromhold, Grant, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Kretz, Linville, McDermott, McDonald, Morrell, Pettigrew, Priest, Schual-Berke, Seaquist and Walsh.

**Staff:** Alicia Dunkin (786-7178).

### **Background:**

#### Veterinary Medicine

The practice of veterinary medicine is defined in statute to include a variety of activities such as: diagnosing animal diseases, deformities, defects, wounds, or injuries; prescribing or administering drugs or treatments; and performing operations, manipulations, or applications of any apparatus for the cure, amelioration, correction, or reduction of any animal disease, deformity, defect, wound, or injury. Education, training, and examination requirements for licensing as a veterinarian are specified in statutes and rules of the Veterinary Board of Governors.

#### Human Massage

Massage practitioners in Washington must be licensed. The Washington State Board of Massage administers massage practitioner licensing and adopts rules regarding standards for educational programs, examination, and licensing. Licensing is required for performing or offering services incorporating terms or designations implying a massage technique or method, including but not limited to massage therapy, massage technology, myotherapy, therapeutic massage, or body therapy. To qualify for licensing as a massage practitioner, a person must be at least 18 years old, and have successfully completed: (1) a course of study in an approved massage program or approved apprenticeship program; and (2) an examination administered or approved by the Washington State Board of Massage.

#### Animal Massage Practitioner Endorsement

In 2001, a bill was enacted authorizing a licensed massage practitioner to apply for an endorsement as a small or large animal massage practitioner. An "animal massage practitioner" is defined to mean a person licensed to practice massage therapy with additional training in animal therapy. Animal massage therapy does not include diagnosis, prognosis, or treatment of animal diseases, deformities, defects, wounds, or injuries. To apply for the endorsement, a licensed massage practitioner must have completed 100 hours of training in either large or small animal massage. This training must include animal massage techniques, kinesiology, anatomy, physiology, first aid care, and proper handling techniques. The Washington State Board of Massage is authorized to adopt rules for endorsement of licensed massage practitioners as small or large animal massage practitioners.

### **Summary of Bill:**

The Legislature finds that while veterinarians and certain massage practitioners may perform animal massage techniques, meeting all the requirements of those professions may be unnecessarily cumbersome for individuals wishing to limit their practice to animal massage.

"Certified animal massage practitioner" is defined. Techniques that may be included as animal massage are specified. Activities that are not included as animal massage are also specified.

To practice as a certified animal massage practitioner, a person must be certified by the Secretary (Secretary) of the Department of Health (Department). To receive such certification, an individual must complete a Secretary-approved program including 300 hours of specialized instruction, and complete a Secretary-approved competency evaluation in either large or small animal massage, or both.

- For a certificate to practice animal massage on large animals, the 300 hours of specialized instruction must be related to performance of massage on large animals.
- For a certificate to practice animal massage on small animals, the 300 hours must be related to performance of massage on small animals.
- For course work or training taken by an applicant in another state, the Secretary may determine its equivalency to the requirements of this chapter and whether additional course work or training is necessary prior to taking the competency examination.

The Secretary may adopt rules, establish certification and renewal fees, establish forms and procedures, certify or deny certification to an applicant, hire staff, maintain the official department record, approve education and training programs, and convene temporary advisory workgroups as necessary. Animal massage practitioners are added to the list of professions covered by the Uniform Disciplinary Act, administered by the Secretary.

This chapter does not prohibit or restrict:

- the practice of veterinary medicine;
- the practice of animal massage by persons who have the additional endorsement under their human massage license;
- the practice of animal massage therapy by a student under general supervision of an educational program instructor; or
- the use of animal massage techniques by the animal's owner, an owner's employee, or another person providing massage for free.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:** (Agriculture & Natural Resources)

(In support) This bill walks a fine line between human massage, the work of veterinarians, and animal massage. Dogs in K-9 units are an example of animals other than equines that have a

need for this service. It has been a struggle to agree on the requisite minimum number of instructional hours. There should be a distinction made between the number of hours required for someone who will be working under the supervision of a veterinarian or a certified therapist as compared with the number of hours required for someone to practice as an independent expert and charge fees. Current law requires an animal massage practitioner to be either a veterinary technician or a human massage therapist with a license endorsement of 100 hours in animal massage instruction. The 300 hours required by this bill is supported by both human massage and veterinary medicine associations as providing protection for the animals and equity among entry routes to the profession. Sixty percent of states restrict or regulate animal massage. Many do not allow independent practitioner certification. Several programs in this state provide opportunities to obtain necessary training.

(Opposed) I am grateful that this bill separates out animal from human massage training. Requiring 300 hours of instruction is not consistent with the standards in other states, which typically range between 60 and 150 hours. Only one school in Washington even offers a 300 hour curriculum. The quantity of hours does not necessarily equate to quality of instruction. I could not afford 300 hours of training in price or time. I recommend the 150 hour level.

**Staff Summary of Public Testimony:** (Appropriations)

(In support) There was unanimous support for this bill in both the House and Senate policy committees and we worked closely with the veterinarian and massage practitioners' associations on this bill. Those that are certified by the bill will pay for the program. We support the number of hours that are required to be certified and think this is the minimum amount. The bill bifurcates the program and one may pick the human or animal track.

(Opposed) None.

**Persons Testifying:** (Agriculture & Natural Resources) (In support) Senator Rasmussen, prime sponsor; Charlie Brown, Cheryl Gordon, and Lola Michelin, Washington Animal Massage Association; and Greg Hanon, Washington State Veterinary Medical Association.

(Opposed) Vaughn Brown; and John Bockmeyer.

**Persons Testifying:** (Appropriations) Greg Hanon, Washington State Veterinary Medical Association; and Charlie Brown, Washington Animal Massage Association.

**Persons Signed In To Testify But Not Testifying:** (Agriculture & Natural Resources) None.

**Persons Signed In To Testify But Not Testifying:** (Appropriations) None.