

HOUSE BILL REPORT

SHB 1133

As Passed House:
March 2, 2011

Title: An act relating to the display of massage practitioner licenses.

Brief Description: Requiring massage practitioners to include their license numbers on advertising and display a copy of their license or make it available upon request.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Jinkins, Goodman, Warnick, Rodne, Ladenburg and Maxwell).

Brief History:

Committee Activity:

Health Care & Wellness: 1/26/11, 2/3/11 [DPS];

Health & Human Services Appropriations & Oversight: 2/16/11 [DPS(HCW)].

Floor Activity:

Passed House: 3/2/11, 92-3.

Brief Summary of Substitute Bill

- Requires a massage practitioner's name and license number to conspicuously appear on all advertisements.
- Requires a massage practitioner to display his or her license in his or her place of business.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hinkle, Assistant Ranking Minority Member; Bailey, Clibborn, Green, Harris, Kelley, Moeller and Van De Wege.

Staff: Jim Morishima (786-7191).

HOUSE COMMITTEE ON HEALTH & HUMAN SERVICES APPROPRIATIONS & OVERSIGHT

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.

Majority Report: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Dickerson, Chair; Johnson, Ranking Minority Member; Schmick, Assistant Ranking Minority Member; Cody, Green, Harris, Kagi, Pettigrew and Walsh.

Minority Report: Do not pass. Signed by 1 member: Representative Overstreet.

Staff: Amy Skei (786-7109).

Background:

A massage practitioner is an individual licensed to provide massage therapy, which is a health care service involving the external manipulation or pressure of soft tissue for therapeutic purposes. Massage therapy includes techniques such as tapping, compressions, friction, Swedish gymnastics or movements, gliding, kneading, shaking, and facial or connective tissue stretching. Massage therapists are licensed by the Department of Health.

A massage therapist is required to print his or her license number in display advertisements.

Summary of Substitute Bill:

A massage practitioner's name and license number must conspicuously appear on all of the massage practitioner's advertisements. A massage practitioner must also display his or her license conspicuously in his or her principal place of business. If the practitioner does not have a principal place of business or conducts business in any other location, he or she must have a copy of his or her license available for inspection while performing any activities related to massage therapy.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony (Health Care & Wellness):

(In support) There has been an explosion of unlicensed practice involving massage practitioners. This is a simple bill that will give consumers the tools to know whether they are dealing with a licensed practitioner and are getting a safe, legitimate, and licensed massage. The bill will resolve confusion over when a practitioner must put his her license number on advertisements and will require practitioners to display their licenses. Most practitioners already think this is the law. A lot of online practitioners who do not display their license numbers are actually engaging in criminal activity.

(Opposed) None.

Staff Summary of Public Testimony (Health & Human Services Appropriations & Oversight):

(In support) It is currently the law to put massage practitioner's licenses on a display advertisement, but the Department of Health has yet to define what a display advertisement is. The massage profession has been fighting illegal activities, namely prostitution, for many years. Adding license numbers in every kind of advertisement and business area would make it easier for the unlicensed folks to be discovered. This is out of the Professions Account, the 02G Fund. The fund has a surplus of almost \$400,000, and the practitioners hope that this would not lead to an increase in fees. This would be a way for people to find out if they are getting a real massage therapist who has been trained in the proper way and is properly licensed.

(Opposed) None.

Persons Testifying (Health Care & Wellness): Representative Jinkins, prime sponsor; and Marybeth Berney and Lavon M. Watson, American Massage Therapy Association.

Persons Testifying (Health & Human Services Appropriations & Oversight): Melanie Stewart, American Massage Therapy Association Washington Chapter.

Persons Signed In To Testify But Not Testifying (Health Care & Wellness): None.

Persons Signed In To Testify But Not Testifying (Health & Human Services Appropriations & Oversight): None.