

SENATE BILL REPORT

SHB 1911

**AS REPORTED BY COMMITTEE ON HEALTH & LONG-TERM CARE,
APRIL 3, 1991**

Brief Description: Defining city and county licensing procedures for state licensed massage practitioners.

SPONSORS: House Committee on Local Government (originally sponsored by Representatives Haugen, Wynne, Anderson, Ferguson, Basich, Cooper, Belcher, Fraser, Zellinsky, Prince and Nelson).

HOUSE COMMITTEE ON LOCAL GOVERNMENT

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators West, Chairman; L. Smith, Vice Chairman; Amondson, Johnson, L. Kreidler, and Niemi.

Staff: Scott Plack (786-7409)

Hearing Dates: April 2, 1991; April 3, 1991

BACKGROUND:

Massage practitioners are licensed under the Massage Practitioner Practice Act (Chapter 18.108 RCW). The Washington State Board of Massage establishes the educational and training requirements for the massage practice and administers the state licensing examination. The Secretary of Health is the disciplining authority and the profession is subject to the Uniform Disciplinary Act. The regulatory program is financed solely from fees charged to the profession.

Local governments may also require registrations or licenses, and charge fees for these purposes, to regulate the massage businesses. Concerns have been expressed that the licensing and registration requirements imposed by some local governments on massage practitioners, and the fees associated with these requirements, are excessive when compared to other health care professionals. Excessive local regulatory requirements and fees are sometimes assessed in order to control prostitution associated with some massage parlors.

State and local law enforcement personnel are also authorized to inspect a massage practitioner's premises at any time including business hours.

SUMMARY:

A person seeking a license from a city or county to operate a massage business must verify that he or she is validly licensed as a massage practitioner by the state.

A city or county may not subject a state licensed massage practitioner to additional licensing requirements that are not imposed on other similar health care providers, such as physical therapists or occupational therapists.

A city or county may not charge a state licensed massage practitioner a licensing or operation fee that exceeds licensing or operation fees imposed on similar health care providers, such as physical therapists or occupational therapists operating in the same city or county.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

Some of the current local government requirements regarding massage practitioners are excessive and unreasonable. These requirements limit consumer access to a legitimate and recognized therapeutic treatment.

TESTIMONY AGAINST: None

TESTIFIED: PRO: Lee Nusebaum, Gloria Layton, Teresa Tellesbo, Ray Schindler, American Massage Therapy Assn.