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**H.870 Professional Regulation
Regulation of Massage Therapists
Senate Government Operations Committee
April 19, 2024**

Thank you for the opportunity to testify on behalf of the Vermont Chapter of the American Massage Therapy Association (AMTA-VT). A few years have passed since Registration of massage therapists went into effect. We would like to present some information to you related to both regulation and fees.

Regulation - Licensure

The American Massage Therapy Association advocates for fair and consistent professional licensing in all 50 states, promotes public education on the efficacy of massage therapy, fosters professional ethics and standards, and supports the advancement of clinical massage therapy research. We represent more than 104,000 members nationwide, and more than 340 in Vermont.

The Vermont Chapter of the American Massage Therapy Association (AMTA-VT) strongly advocated for licensure in 2020. At that time, the profession was not regulated by the state. The Legislature decided to go in the direction of Registration instead of Licensure, with Rules to be promulgated. The Rules, to our knowledge, have yet to be promulgated.

After a couple of years of Registration, AMTA-VT continues to strongly believe that Licensure is the appropriate level of regulation, joining 45 other states, the District of Columbia, U.S. Virgin Islands, Guam, and Puerto Rico, which all license massage therapists. Vermont remains behind the curve in the licensure of a profession that is recognized by the Department of Defense and the Department of Veteran's Affairs as an effective treatment for chronic pain. Similarly, the Centers for Medicare and Medicaid Services (CMS) has recommended, in their plan benefit guidance, therapeutic massage provided by state licensed massage therapists to be a supplemental benefit within Medicare Advantage plans. A state-mandated license would require a minimum standard of state-specific requirements that would include a clear scope of practice, determined set

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of educational hours/experience, study approved curriculum, and passing a psychometrically valid examination. A mandatory licensure is essential for public protection, as well as title protection for massage therapists.

We understand that it is late in the session and that this would be a longer conversation for next session, but we hope we can have continued discussions regarding this issue.

Fees

The biennial renewal for Massage Therapy Registration recently increased to \$275, taking most of the profession by surprise. Our initial fee in 2020 was \$90. Massage therapists are now expected to pay the same fee as other professions which are *licensed* by OPR. In addition, we are paying significantly higher fees than the renewal for many other *licensed* professions, including:

- Social workers, OTs, and PTs (\$180)
- Cosmetologists (\$155)
- Radiologist therapists and technicians (\$175)
- Unarmed private investigators (registration - \$95)

The biennial renewal fees of \$275 are not commensurate with the level of regulation and are overly burdensome for Massage Therapists. OPR, in their April 2024 report to the Legislature, contends that the fees are necessary to offset the cost of administration and of unusually high enforcement activity for this profession. However, current publicly available information shows only 4 individuals have had their registrations removed, out of 1,200 individuals. In addition, records show that there are currently around 400 massage therapists who have allowed their registration to expire, many, to our knowledge, due to the high fees and lack of any significant regulation (or return on their investment into their profession).

High enforcement activity has not been reported by OPR to date. However, in the event that there is in fact high enforcement activity, we strongly feel that this would support our contention that our profession does indeed need licensure, rather than registration.

Thank you. We look forward to continuing the conversation regarding licensure next year and we hope to see a reduction in fees in statute this legislative session.