



128 State Street, Montpelier, VT 05633
802-828-2363 | sos.vermont.gov

State of Vermont
Office of the Secretary of State
Office of Professional Regulation
89 Main Street, 3rd Floor
Montpelier, VT 05633-3402

Sarah Copeland Hanzas, Secretary of State
S. Lauren Hibbert, Deputy Secretary
Jennifer B. Colin, Director

February 11, 2026

To: Hon. Matthew Birong, Chair
House Committee on Government Operations and Military Affairs

From: Michael Warren, Chief Investigator, Office of Professional Regulation

Re: H.588, An act relating to professions and occupations regulated by the Office of Professional Regulation

Thank you for the opportunity to provide supplemental testimony in support of H.588, this year's OPR Bill.

The testimony I will be providing today will be specifically about the proposed registration of massage establishments in the state of Vermont.

Background and Experience

I am currently the Chief Investigator at the Office of Professional Regulation (OPR). I have been employed by the Office of Professional Regulation since January of 2019, just over 7 years now. Prior to my time at OPR, I was employed by the Burlington Police Department for just shy of 21 years. I served as a patrol officer, patrol supervisor (Rank of Sergeant), detective investigating major crimes/Internet Crimes Against Children, DEA Drug Task Force investigator, and eventually Lieutenant. As Lieutenant, I oversaw the detective bureau, which investigated all major crimes in the city of Burlington, as well as the Police Department Drug Unit.

I also served as Director of the Chittenden Unit for Special Investigations (CUSI), a county-wide sex crimes unit supervised by the Burlington Police Department. In that role, I was a member of the VT Human Trafficking Task Force and received training

related to Human and Sex Trafficking. I conducted and supervised CUSI investigations of Human and Sex Trafficking. I also assisted other state agencies with investigations.

Massage Establishment Registration (Sec. 8 and 9)

Background: Registration vs. Certification vs. Licensure

There are three types of professional regulation available to OPR: Registration, Certifications, and Licensure.

Registration is when all folks practicing a profession are required to register with OPR. As part of the registration, consumers can search our website to verify that someone is properly registered, they can see if there has been any discipline against the registrant, and they can review the rules and regulations of the profession to verify the registrant is following the rules. Registration also allows OPR to prosecute registered professionals for misconduct and, if necessary, remove them from the marketplace by revoking their registration. There are no qualification-based requirements for folks that are required to be registered with OPR.

Certifications are voluntary credentials that individuals can receive from OPR and are generally based on meeting certain training or educational requirements to be able to call themselves “certified.” Currently, Certified Dieticians is an example of a profession where some folks can become certified by OPR but it is not a requirement to be certified to practice as a dietitian.

Licensure is a credential that is the highest level of regulation at OPR and is qualification-based. There are usually educational requirements, as well as continuing education each licensing cycle. Sometimes there are minimum practice hour requirements, examinations, supervised practice, and other requirements.

To recap some of our earlier testimony regarding OPR’s current recommendations, Vermont regulates individual massage therapists, bodyworkers, and touch professionals through registration. This means that everyone practicing this profession must register with the state, but no qualifications are required. This allows OPR to remove bad actors from the marketplace while leaving others free to work.

We explained in [the 2021](#) and [2024 reports](#) that registration, rather than qualifications-based licensure, is the right-size approach to regulate this profession in accordance with our public protection mandate in Title 26, Chapter 57. Based on my knowledge and experience, I believe that registration continues to be the correct form of regulation for these professionals.

Recommendation: Registration for Massage Establishments

H.588 would not change the regulation of individual practitioners. Instead, it would give OPR regulatory power over the locations where massage is practiced, through a system of registration. The purpose of registration is to strengthen public protection in the fight against human trafficking.

You have previously heard the testimony of Deputy Chief Investigator Kris Bowdish, who provided statistics related to the complaints and discipline that have occurred in these professions since we began regulating them on April 1, 2021. More recently, this committee heard testimony from Lt. Michael Studin from the Vermont State Police as well as Windham County State's Attorney Steve Brown, regarding their concerns around Human and Sex Trafficking within illicit massage businesses. OPR investigators have partnered with both of these professionals on Human and Sex Trafficking cases, and I appreciate the experience and dedication that they apply towards helping victims of Human and Sex Trafficking in Vermont.

The purpose of my testimony today is to validate the concerns that were brought to you by Lt. Studin and Attorney Brown, clarify some confusion about the current law, and also to reiterate OPR's recommendation for registration, not licensure, of Massage Establishments.

You previously heard Lt. Studin state that Human and Sex Trafficking investigations are extremely difficult to conduct. They are time-consuming; they are challenging with the cultural and language barriers; they require significant resources; and, in most cases, the folks providing the massage are victims of sex trafficking and not someone that we want to charge criminally with prostitution or other related crimes. Lt. Studin stated that there needs to be oversight of the businesses so we can stop them from exploiting the women who are being trafficked. Lt. Studin testified that there needs to be business licensure to achieve this oversight.

You also previously heard the testimony of Attorney Brown, who stated that the committee should consider establishing licensure because establishment registration is not working.

However, **there is currently no system of massage establishment registration in place.** H.588 would create that system. It would give OPR exactly the tools that Lt. Stubin and Attorney Brown said are needed for regulating massage businesses.

Currently, the only folks we could prosecute connected to illicit massage businesses are the practitioners themselves, but we are not interested in charging victims of human or sex trafficking. If establishment registration were in place, the businesses themselves could be prosecuted and ultimately closed for engaging in unprofessional conduct. We could also prosecute unregistered “massage” businesses for unauthorized practice. This is often much simpler to prove than Human or Sex Trafficking, even when that is the underlying concern.

Establishment registration would be just as effective as licensure in protecting victims of Human and Sex Trafficking. Unlike registration, licensure would unfairly put costly and difficult-to-attain regulations on those that are and have been practicing professionally and competently for many years. It could inadvertently push some legitimate businesses and practitioners out of the marketplace. In contrast, establishment registration would empower OPR to prosecute massage establishments operated by Human and Sex Traffickers, without harming legitimate small business owners.

Conclusion

In closing, I do not want to overstate the power of any form of professional regulation in this area. In my experience as a Vermont law enforcement officer, having investigated sex crimes for many years, solving the issue of Human and Sex trafficking is not a task that OPR can do alone. If Vermont wants to get serious about Human and Sex Trafficking, we need a coordinated approach that involves agencies like the Attorney General’s Office, each county’s State’s Attorney office, the US Attorney’s Office, and other federal partners, and local and state law enforcement leaders. Massage establishment regulation is one small but important piece of this puzzle.

OPR recommends that registration of massage establishments is the proper form of regulation at this time. Thank you to all the members of the committee for hearing the testimony from all the witnesses regarding this very important issue.