

Licensure, Certification, and Registration in the Massage Therapy Profession

There are currently forty-five states in the U.S. (in addition to D.C., Puerto Rico, Guam and the U.S. Virgin Islands) that require state licensure to practice massage therapy. Three states (i.e., Kansas, Minnesota and Wyoming) are unlicensed with no form of oversight or regulation, albeit each have legislation requiring mandatory licensure currently pending. California utilizes a process of voluntary certification in lieu of licensure and Vermont enacted a mandatory registration as of April 2021.

Separate from licensure or certification is board certification, an advanced practice credential for massage therapists issued by the National Certification Board of Therapeutic Massage & Bodywork (NCBTMB). As a voluntary credential, board certification encompasses additional educational experience *beyond* entry level state licensure or certification. NCBTMB board certification is also credentialed by an independent third party, the *Institute for Credentialing Excellence*.

Often, “board certification”, ‘certification’, ‘registration’ and ‘license’ are used interchangeably when discussing the massage industry and the accompanying need for regulations. Although the approaches between certification, registration, and license may seem similar, there are stark differences between these two options.

Licensure

A license is a mandatory process, passed through a state legislature and permits a qualified individual to work within their chosen industry encompassing the following:

- Minimum standard of state-specific requirements that typically include a clear scope of practice, determined set of educational hours/experience, study approved curriculum, and passing a psychometrically valid examination.
- A state license must be kept current, and any continuing education requirements must be met at each renewal cycle.
- Instrumental for public protection as anyone in an unlicensed state can claim that he or she is a massage therapist regardless of their actual training, length of experience or competence without fear of legal repercussion.

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- Means of filing a complaint/grievance with an empowered state regulatory body to enforce sanctions.
- Protection against individuals hopping to different municipalities/unincorporated areas if they injure someone or behave unprofessionally and incorporation of a mechanism for enhanced liability protection for both practitioners and clients.

Consequently, when drafting a practice act for the field of Massage Therapy, the scope of practice is defined in order to protect both licensees and the client and describes the procedures, actions, and processes that a licensee is legally allowed to perform in keeping with the terms of their professional license. An unlicensed individual therefore cannot legally hold themselves out to be a massage therapist or perform work within the scope of practice.

Certification and Registration

Alternatively, certification is generally a voluntary process conducted at the state level, intended to show that an individual is determined to be competent in an activity or occupation and includes the following:

- Requires a minimum level of competency, which can contain education hours and accepted curriculum.
- May not require a nationally-recognized exam or a legally defined scope of practice.
- Often does not include public/stakeholder engagement.
- Can have the unintended consequence of creating additional burdens on City/County authorities as they seek to fill the gaps in oversight of the profession through creating their own local license or permit in an effort to prevent unlicensed and fraudulent businesses.
- Results in practicing within multiple communities to become unfeasible and cost prohibitive for massage therapists due to the added burden of paying multiple fees and complying with duplicative regulations.

Being voluntary in nature, certification does not prevent any individual from working in a chosen field. Certification limits enforcement/investigative capabilities, provides no title protection for massage therapists and contains no legal avenue/recourse that would prevent an unqualified practitioner from entering the industry and permit practitioners to be held accountable for harmful or inappropriate treatment of a client.

Furthermore, City/County law enforcement is not intended to establish, oversee or regulate a group of healthcare professionals in a systematic manner. The local officials issue a business license, but they do not have the breadth of authority to develop comprehensive professional standards to govern a profession consistently across the state.

Registration may be voluntary or mandatory. Similarly, it does not require a scope of practice, and may be overseen by a state agency or a non-government entity.

Registrants must:

- Pay an annual or bi-annual fee
- Agree to comply with rules and regulations
- Comply with ethics standards

Comparison and Contrast

Licensure, certification, and registration set a floor of minimum standards for entry into a profession, and can require initial as well as renewal fees. Licensure, however, fundamentally provides the profession with the following benefits that are not part of certification or registration:

- Government oversight through which the board/oversight body is stronger and able to truly regulate a profession through defining the parameters in which a professional may operate (i.e., their scope of practice).
- A practice act that grants authority to a board in order to establish and modify licensing requirements as well as oversee compliance, enforcement and investigative processes.
- Ability for a board to impose disciplinary actions based on consumer complaints of ethics violations, or potential injury to a client. The board would also hold the responsibility of maintaining standards within the profession, using transparent and stakeholder involved rule-making authority.

- Offer the clearest pathway for massage therapists to practice in state and subsequently achieve greater portability out of state through either reciprocity or endorsement in another state.

When consumers are unable to assess the qualifications and skill level of a massage therapist, requiring state licensure opposed to certification in lieu of licensure ensures that a massage therapist has been properly vetted for skill, not subject to disciplinary action and a member of a statewide body regulating the profession. The field of Massage Therapy is part of the broader Physical Medicine & Rehabilitation discipline with massage therapists recognized as healthcare providers in nearly half of states. A well-recognized non-pharmacological therapy for pain management, massage therapy is an invaluable component of integrative pain management and is a field necessitating the benefits and certainty provided by state licensure instead of the more limited options available to the profession through certification.

Licensure	Registration	Certification
Mandatory	Can be either mandatory or voluntary	Voluntary
Scope of practice required	Scope of practice not required	Scope of practice not required
Government oversight through State Board, with authority to address complaints, compliance, investigations, and enforce sanctions	Possible government oversight and/or disciplinary complaint process	Generally no government oversight regarding enforcement/compliance. Can put a burden on local city authorities
Protects public, ensures minimum education standards, curriculum, exam passage, CEs	Minimal public protection	Minimal public protection
Title protection for Massage Therapists	Title protection not guaranteed	Title protection not guaranteed

Stakeholder input – rules and regulations	Stakeholder input not guaranteed	Stakeholder input not guaranteed
Portability to other states and/or licensure by endorsement	Portability not guaranteed	Portability not guaranteed

Resources

1. International Certification & Reciprocity Consortium, ‘Licensure vs. Certification’ <https://internationalcredentialing.org/lic-cert>
2. Nunn, Ryan. ‘Occupational licensing and American Workers’ (June 26, 2016), <https://www.brookings.edu/research/occupational-licensing-and-the-american-worker/>
3. Federation of State Massage Therapy Boards, ‘Licensure Versus Certification: What is the Difference?’ <https://www.fsmtb.org/media/1128/member-boards-agencies-member-services-government-relations-resources-licensure-v-certification.pdf>
4. U.S Bureau of Labor Statistics, ‘Personal certifications and occupational licenses: evidence from the Current Population Survey’ (June 2019), <https://www.bls.gov/opub/mlr/2019/article/professional-certifications-and-occupational-licenses.htm>
5. National Conference of State Legislatures, “The Evolving State of Occupational Licensing’ (November 12, 2019), <https://www.ncsl.org/research/labor-and-employment/the-evolving-state-of-occupational-licensing.aspx>
6. Federal Trade Commission, ‘Policy Perspectives: Options to Enhance Occupational License Portability’ (September 2018) https://www.ftc.gov/system/files/documents/reports/options-enhance-occupational-license-portability/license_portability_policy_paper_0.pdf

