



Message Therapy, Bodyworker, and
Touch Professional Regulation Assessment

March 29, 2024

VERMONT SECRETARY OF STATE
Office of Professional Regulation
89 Main Street
Montpelier, VT
05633

Summary of Recommendation

- Retain the current form of professional regulation – registration – for massage therapists, bodyworkers, and touch professionals.
- Do not impose more stringent qualifications-based licensing regulation.
- Continue to review potential professional regulation policies that could prevent human trafficking.

Contents

Executive Summary	4
Background.....	4
Methodology.....	6
Updates to Literature and National Regulatory Trends	7
OPR Enforcement Activity.....	8
Views from the Field.....	10
Recommendations – Full.....	11
• Maintain the existing registration system	11
• Evaluate other options for combatting human trafficking	11
Conclusion.....	12
Appendix 1:	
Summary of Disciplinary Complaints.....	13
Appendix 2:	
Summary of Comments from Practitioners	15
Appendix 3:	
Sexual Misconduct Charges Across Professions.....	18
Appendix 4:	
Summary of OPR’s Disciplinary Actions Involving Massage Therapists, Bodyworkers, and Touch Professionals	19

Executive Summary

In Act 178 (2020), the General Assembly mandated that the Office of Professional Regulation (OPR) “assess the manner in which the public is protected by the registration of massage therapists, bodyworkers, and touch professionals...and submit any recommended amendments to the law to the Senate and House Committees on Government Operations” by April 1, 2024.¹ OPR has conducted this assessment and finds that the current regulation of massage therapists, bodyworkers, and touch professionals is the appropriate level of regulation. This level of regulation has demonstratively protected the public while allowing all massage therapists, bodyworkers, and touch professionals to practice their livelihoods. Enforcement experience demonstrates that, while registration is a necessary tool to protect the public from repeated sexual misconduct, unskilled practice does not present risks that would justify a requirement for qualifications-based licensure. OPR continues to explore and analyze professional-regulation policies that could be an effective tool against human trafficking.

I. Background

Starting in June 2021, massage therapists, bodyworkers, and touch professionals have been required to register with the Office of Professional Regulation (OPR) to practice legally in Vermont. Professional registration, as distinct from licensure, does not require any particular experience, education, or demonstrated skill. The purpose of registration is to protect the public by creating a legal mechanism to establish standards of practice and, where necessary, to remove individuals from the professional marketplace.

In 2010 and 2016, OPR reviewed whether the regulation of massage therapists, bodyworkers, and touch professionals is necessary to protect the public, applying statutory criteria.² During those sunrise reviews, proponents of full licensure claimed that practice by individuals without formal training put the public at risk of harm. Purported dangers, echoed by some commenters at public hearings OPR conducted in connection with this report, included cancer metastasis, muscle injury, spontaneous miscarriage, and spread of communicable disease. OPR concluded that while these harms would indeed be grave, there was no objective or reliable evidence supporting the claim that these dangers are associated with the poor practice of massage therapy, bodywork, or other touch professions by individuals lacking the degree of formal training that some commenters propose be a prerequisite for licensed practice. No documentation was produced of any such injuries being linked to the practice of untrained massage, nor did any individuals

¹ Act 178 § 32 (2019-2020 Sess.).

² 26 V.S.A. § 3105.

claiming to have suffered such harm come forward. No evidence provided in either the prior sunrise reviews or the current public hearings and comments support that these dangers exist.³ Nor did OPR receive any evidence of other public harms posed by the unlicensed practice of massage therapy. Accordingly, and following the sunrise analysis set forth in 26 V.S.A. Chapter 57, the agency recommended against any professional regulation of massage therapists, bodyworkers, and touch professionals in both its initial sunrise reports.

In 2018, a Vermont massage therapist was accused of placing hidden cameras in his workspace and filming unknowing clients in various stages of undress. While he was ultimately convicted of voyeurism, the criminal system had no mechanism to bar him from resuming the practice of massage therapy after he had completed the terms of his sentence. This case drew attention to the possibility of an unregulated market of massage therapists, bodyworkers, and touch professionals in which an individual could repeatedly violate clients' sexual boundaries and continue to practice the profession after completing the terms of their criminal sentences, if there were any sentences at all.

In the aftermath of this crime, the Legislature asked OPR to review its previous sunrise analyses with a focus on understanding whether the public could be protected from sexual misconduct through the professional regulation of massage therapists, bodyworkers, and touch professionals. Through the sunrise process, OPR reviewed and received complaints and documentation of assault and abuse of consumers who often receive services in private settings without clothing. After application of the statutory criteria, consideration of extensive public outreach, and conducting thorough research, OPR concluded that requiring registration of massage therapists, bodyworkers, and touch professionals could protect public safety by preventing repeated incidents of sexual misconduct.⁴ In 2020, OPR then issued an addendum to its 2016 review, concluding that, while unskilled practice did not endanger the public, the potential for sexual misconduct and the inability to remove massage therapists, body workers, and touch professionals from the marketplace warranted a system of professional regulation.⁵

Based on these findings regarding harm and the statutory requirement that the form of regulation of a profession be “the least restrictive form of regulation necessary to

³ Vermont Secretary of State, Office of Professional Regulation (OPR), “Massage Therapists: Preliminary Assessment on Request for Licensure” (2010), available at <https://sos.vermont.gov/media/zbdgflve/massagetherapistsunriserpt-2010-1230.pdf>; OPR, “Preliminary Sunrise Assessment: Massage Therapy” (2016), available at <https://sos.vermont.gov/media/s1snpfhe/mt-sunrise-report-opr-2016-1-5.pdf>.

⁴ *Id.* at 1.

⁵ OPR, “Addendum to the 2015-2016 Preliminary Sunrise Assessment on Massage Therapy: The Impact on Sexual Misconduct and Human Trafficking of Professional Regulation of Massage Therapy” (2020), available at <https://sos.vermont.gov/media/2dib5qdi/massage-therapy-addendum-january-2020.pdf>.

protect the public interest,”⁶ the General Assembly chose to regulate massage therapists through a mandatory registration, effective June 1, 2021. The law now requires all massage therapists, bodyworkers, and touch professionals to register with OPR. This allows OPR to discipline, revoke, or suspend professionals’ registration to practice, thereby notifying consumers of unprofessional conduct, and providing the authority to remove a massage therapist, bodyworker, or touch professional found to have engaged in such conduct from the marketplace. Mandatory registration rolled out in 2021, and to date, approximately 1,200 massage therapists, bodyworkers, and touch professionals hold active registrations with OPR.

In its 2020 report addendum, OPR again recommended against requiring licensure for massage therapists, bodyworkers, and touch professionals. Licensure, like registration, is a form of professional regulation that anyone who wishes to practice massage therapy or bodywork in Vermont would be required to obtain. However, licensure requires that professionals fulfill qualifications (e.g., education, examinations, supervised practice) to obtain a license. OPR recommended against licensure as a regulatory scheme because the agency found no harms from the untrained or unqualified practice of massage therapy and bodywork and such requirements would not protect the public from the identified harm of repeated sexual misconduct. Further, many Vermonters who practice massage therapy or body work do not have documentation of formal training, and the qualifications for performing massage therapy would be different from those for bodywork and other touch professions. In turn, licensure would be too restrictive a form of professional regulation, forcing some out of the workforce without any finding of harm presented by these practitioners. The General Assembly chose not to require licensure in the adopted legislation.

OPR further concluded in the 2020 report that requiring massage therapists, bodyworkers, and touch professionals to register with OPR would not address the public harms presented by human trafficking because the individual holding the required professional registration would be unlikely to control the human trafficking operation and would be easily replaced by those in charge.⁷

In 2020, the General Assembly adopted Act 178, which created the registration of massage therapists, bodyworkers, and touch professionals. The General Assembly also required OPR by April 1, 2024 to “assess the manner in which the public is protected by the registration of massage therapists, bodyworkers, and touch professionals as set forth in this act and submit any recommended amendments to the law to the Senate and House Committees on Government Operations.”⁸ That assessment follows.

⁶ 26 V.S.A. § 3101(a).

⁷ *Id.*

⁸ Act 178 § 32 (2019-2020 Sess.).

II. Methodology

OPR assessed how the registration of massage therapists, bodyworkers, and touch professionals protects the public in three ways.

Enforcement review

OPR has not received complaints indicating that an unqualified or unskilled massage therapy, bodyworker, and touch professional workforce is leading to injuries or other harms to the public. Nor has OPR found or received any other evidence that unskilled practice endangered the public. This affirms Vermont’s decision to not require qualifications-based licensure of massage therapists, bodyworkers, and touch professionals.

OPR did, however, receive an alarming number of complaints, with sufficient evidence to warrant prosecution, relating to the violation of sexual boundaries. Enforcement activities have removed all the respondents (i.e., the accused, registered professional) in those cases from the marketplace of massage therapists, bodyworkers, and touch professionals. OPR’s enforcement activity demonstrates two things: one, that the voyeurism case that drew attention to sexual misconduct by some individuals in this profession was not a one-time situation; and two, that professional registration is an effective vehicle for removing such individuals from the marketplace of massage therapists, bodyworkers, and touch professionals.

Public Outreach

As part of this review, OPR solicited the views of massage therapists, bodyworkers, and touch professionals on the current registration system’s protection of the public by holding two public meetings and receiving written comments. Thirty-eight individuals, all members of the profession, participated in the meetings or provided written comments or did both. Especially because feelings run high on this subject, OPR is grateful for all participants’ civility, thoughtful commentary, and generosity with their time. A partial summary of the comments received is attached as Appendix 2.

III. Updates to Literature and National Regulatory Trends since OPR’s 2020 Chapter 57 Review

There are now 45 states with at least some form of professional regulation for massage therapists. According to the Institute for Justice, Vermont’s massage

therapy registration is the lowest regulatory burden for obtaining a massage therapy credential (i.e., a state-issued authorization to practice) out of all states that regulate massage.⁹ Maine, Iowa, Colorado, New Jersey, and Louisiana join Vermont as the states with the lowest regulatory burdens.

By comparison, this same study found that New Hampshire is ranked as having the 7th highest burden in the country: a license requiring 750 hours of training, a practical exam, as well as 12 hours of CE each biennial period. New Hampshire disciplined a total of 6 massage therapists over the last two years. Two of these cases related to practicing without a license and the remaining four cases pertained to sexual misconduct.¹⁰ Notably, in New Hampshire, there were no disciplinary cases related to professional incompetence.

IV. OPR Enforcement Activity

Since beginning registration for massage therapists, bodyworkers, and touch professionals in April 2022, OPR has received seven complaints regarding sexual assault or abuse by a massage therapist and only two regarding physical injury, the latter of which were dismissed without prosecution due to lack of evidence. Below is a summary of the complaints received regarding the practice of massage therapy and bodywork. This data clearly indicates that registration is an adequate and effective form of professional regulation for massage therapists, bodyworkers, and touch professionals.

- **Complaints of unskilled practice**

OPR has received two complaints relating to practitioners' competence. Neither was found to have factual support.

One complaint alleged bruising after a massage. Bruising, without more, does not show that massage therapy was practiced in violation of prevailing professional standards, and, indeed, the complainant continued receiving massage therapy from the respondent twice a week. The second complaint alleged that the respondent had engaged in "witchcraft" while performing massage therapy. No evidence was found supporting this claim.

⁹ Knepper, L., Deyo, D., Sweetland, K., Tiezzi, J. and Mena, A. (2022). *Licensed to Work: A National Study of Burdens from Occupational Licensing*. Institute for Justice. Available at: <https://ij.org/report/license-to-work-3/lw-occupation-profile/massage-therapist/>.

¹⁰ New Hampshire Board of Massage Therapists disciplinary actions are available here: <https://www.oplc.nh.gov/advisory-board-massage-therapists-disciplinary-actions>.

- **Complaints of sexual misconduct**

Since June 1, 2021, OPR has received a total of seven complaints related to sexual misconduct, filed against four individuals on the professional registry. (The number of complaints exceeds the number of individuals because some individuals were accused by multiple complainants.) OPR investigated and found six of these complaints to have sufficient factual support to warrant charges against the individuals' professional registrations.

The result is that none of these individuals may currently practice massage therapy, bodywork, or any touch profession; two individuals have voluntarily surrendered their registrations, and the other two individuals' registrations are indefinitely suspended while their disciplinary cases are still pending.

Details of OPR's enforcement activity addressing sexual misconduct complaints against massage therapists, bodyworkers, and touch professionals can be found in Appendix 4. Please note that the information provided in the appendix relates to sexual assault and is disturbing. Public decisions are available in all these cases on OPR's website.¹¹

While four individuals may not sound like a large number, this is out of a population of approximately 1,100 registered massage therapists, bodyworkers, and touch professionals, over a period of 30 months. That equates to 20 complaints of sexual misconduct per 10,000 individuals per year; a number that vastly exceeds most other professions under OPR's jurisdiction in which below-the-neck touching might be expected to occur in the course of practice.¹²

- **Complaints of illicit massage**

Since the inception of registration, OPR has received three complaints of suspected sex work taking place in purported massage businesses. Two of those complaints were anonymous and gave no details on which to build any further investigation.

One complaint ultimately resulted in OPR investigating a business. However, following the investigation, OPR's enforcement team concluded that, while it did seem likely that the business was offering commercial sex acts¹³ rather than legitimate massage therapy, prosecuting the individuals within would not serve the interests of justice. There were indications that those individuals were victims of human trafficking and were not the agents ultimately responsible for the business's

¹¹ See <https://sos.vermont.gov/opr/complaints-conduct-discipline/conduct-decision-search>.

¹² See Appendix 3 (Rates of sexual boundaries complaints resulting in formal charges across selected professions).

¹³ In the context of criminal human trafficking, a commercial sex act is any "sexual act, sexual conduct, or sexually explicit performance on account of which anything of value is promised to, given to, or received by any person." 13 V.S.A. § 2651. The criminal code further defines sexual conduct and sexual acts. See *id.* §§ 2821(2), 3251(1).

existence. Prosecuting them would have only furthered the harm they had experienced as a result of being trafficked and, had they been registered with the state, suspending their registrations to practice would likely have little impact on the business. For further discussion of other policy approaches to addressing this concern, see “Evaluate Other Options for Combatting Human Trafficking,” herein.

OPR’s enforcement experience is consistent with the conclusion of the 2020 addendum that professional regulation of individuals practicing massage therapy, bodywork, and other touch professions is not an effective tool against human trafficking.

V. Views from the Field

As with the sunrise reports, during public outreach, there were calls from some massage therapists and representatives from the American Massage Therapy Association for full licensure of massage therapists requiring education and training. As with the sunrise reviews, no verifiable instances of medical harm from unskilled massage were identified; and the advocates of full licensure seemed unaware that at least one of the individuals charged with sexual misconduct was a graduate of accredited massage programs.¹⁴

While most commenters called for full licensure, others opined that the existing registration system struck the right balance between creating a means to remove bad actors from the marketplace without limiting the practice of the profession to those with formal training. This view was more common among practitioners of non-massage disciplines (e.g., Reiki, Rolfing, reflexology) who expressed concern that full licensure requiring massage credentials would prevent the legal practice of these disciplines. Two advocates of the present registration system expressed that it is still relatively new and opined that the state should wait to make any changes, so that any changes can be informed by more data and a longer history of regulation.

Across the board, commenters complained of the cost of registration renewal--\$275 per biennium, or \$137.50 per year. Advocates of licensure expressed that this was too much to pay for a regulatory system that did not “add value” to the profession by distinguishing formally trained massage therapists from other practitioners. Others complained that it was simply too much regardless of whether it covered registration or full licensure, noting that many registrants practice the profession only part-time or for free, donating their time. Though not strictly related to how registration protects the public, should the Legislature consider creating a shop licensure requirement as discussed below, lawmakers should be aware that the existing cost of regulation is

¹⁴ These numbers may be higher; OPR does not collect information about massage education during the registration process because it is not a prerequisite to registration. OPR learns of respondents’ formal professional training only if it comes up in an investigation.

already perceived as burdensome by many of those members of the profession who offered public comment.

A partial summary of comments from public participants, with OPR responses, is included in Appendix 2.

VI. Recommendations – Full

- **Maintain the existing registration system**

OPR does not recommend any substantive changes to Chapter 105, Title 26. There have been no evidence-based indications that full licensure is necessary to protect the public from unskilled practice. No verifiable incidents of harm from unskilled practice have been reported to OPR, either through public comment or the formal complaint system. Full licensure, as OPR concluded in its 2010 and 2016 sunrise reports, and 2020 Addendum, would place a greater marketplace restriction than is necessary to protect the public and is, therefore, unwarranted.

However, OPR's experience with complaints of sexual misconduct by massage therapists, bodyworkers, and touch professionals demonstrates that the existing registration system is warranted. The rate of sexual misconduct complaints against massage therapists, bodyworkers, and touch professionals exceeds that of every other OPR-regulated profession in which a regulated professional might reasonably be expected to touch a client or patient, below the neck, in a private setting. Without the existing registration system, the four individuals¹⁵ within this profession whom OPR has prosecuted for sexual misconduct could potentially still be in practice.

- **Evaluate other options for combatting human trafficking**

OPR's experience has borne out its prediction from its 2020 sunrise addendum: professional discipline against individuals is an unsuitable tool for combatting human trafficking. Prosecuting trafficked individuals for unprofessional or unauthorized conduct would only doubly victimize them. OPR has no jurisdiction over those who solicit commercial sex acts from trafficked individuals or over the traffickers themselves.

The Legislature might consider whether existing tools are sufficient for states' attorneys and the Attorney General's Office to hold patrons and traffickers accountable. Vermont already criminalizes prostitution, including as a patron, 13 V.S.A. §§ 2631, 2632, as well as the knowing solicitation of a commercial sex act from a trafficked person, 13 V.S.A. § 2655. Unlike professional discipline against trafficked

¹⁵ Two of those individuals' registrations are still in place, but indefinitely suspended while their disciplinary cases are pending. Their registrations could be revoked, suspended, conditioned, warned, reprimanded, or reinstated, depending on the outcomes of the pending cases.

individuals, those laws can be enforced without prosecuting those whom they are meant to protect.

OPR is in the process of reviewing and studying whether licensing locations where massage therapy, bodywork, and other touch professions practice (“shop licensure”) may be an effective tool to combat human trafficking. However, reports from other jurisdictions suggest that shop licensure may not be effective because trafficking organizations have multiple individuals and locations that could simply obtain a new license if one is revoked or disciplined.

Further, shop licensure would impose additional costs on licensees, the vast majority of whom are legitimate practitioners with no connection to human trafficking, because a shop license and inspection fees would be needed to fund the additional OPR staff who would carry out shop licensure, shop inspection, and related investigation and enforcement. However, shop licensure may provide a deterrent for traffickers and give OPR the authority to inspect massage businesses regardless of whether complaints have been filed against the establishment and without a warrant. In turn, inspections of massage businesses could be more proactive in identifying locations where human trafficking is occurring.¹⁶ Because of these different findings and outcomes, OPR does not recommend the addition of shop licensure at this time. However, OPR is continuing to review studies from other states and best practices to determine the best approach for professional licensing as a means to address human trafficking.

VII. Conclusion

OPR finds that the public is protected by the registration of massage therapists, bodyworkers, and touch professionals as anticipated when the regulatory program was adopted in 2020. The agency finds no evidence that qualifications-based licensing would provide additional protection to the public. Human trafficking remains a scourge in Vermont and around the world. OPR continues to consider professional regulation policies, such as shop licensure, that could effectively prevent this horror. The agency will also continue to monitor national professional regulation efforts and will share any recommendations with the General Assembly.

¹⁶ Such a policy change would require an expansion of OPR’s inspection unit, which currently consists of two inspectors who inspect all funeral homes, tattoo parlors, barbers and cosmetology shop, motor vehicle racetracks, mixed martial arts events, and pharmacists in the state.

Appendix 1:

Summary of Disciplinary Complaints

Nature of complaint	Factual support?	Disposition
Unauthorized practice	Yes	Closed (respondent registered)
Unauthorized practice	Yes	Closed (respondent registered)
Negligent or Incompetent Practice	No	Closed (see complaint description)
Inappropriate relationship with client	No	Closed (no witnesses)
Failure to disclose criminal conviction (DUI)	Yes	Closed (adequate explanation & DUI unrelated to practice of profession)
Sexual misconduct	Yes	Formal charge resulting in voluntary indefinite surrender of license
Sexual misconduct with multiple complainants	Yes	Formal charges; cases ongoing; registration indefinitely suspended pending final outcome
Illicit massage parlor	Insufficient evidence for charge	Closed (see Section “Complaints of Illicit Massage”)
Sexual misconduct	Yes	Formal charge resulting in voluntary indefinite surrender of license
Negligent or Incompetent Practice	No	Closed
Unspecified	No	Closed
Unauthorized practice	No	Closed
Unauthorized practice; illicit massage parlor	Yes	Closed (see Section “Complaints of Illicit Massage”)

OPR Massage Report – Act 178 (2020)

Nature of complaint	Factual support?	Disposition
Sexual misconduct	Yes	Formal charge; case ongoing; registration indefinitely suspended pending final outcome
Unauthorized practice; illicit massage parlor	Insufficient evidence for charge	Closed; No identifiable witnesses
Unauthorized practice of a different profession	Yes	Formal charge: Respondent was charged with the unauthorized practice of a different profession, for which respondent was prosecuted. No action against massage registration was necessary to protect the public.

Appendix 2:

Summary of Comments from Practitioners

This appendix groups together and paraphrases numerous comments received in live discussion and in writing. It is not a comprehensive verbatim account of every comment received.

Comment	Approx. # of comments	OPR response
General request for full licensure predicated on perceived danger of unskilled practice	25	OPR has received no credible complaints of unskilled practice, and no verifiable instances of harm from unskilled practice were presented in public comment. OPR's opposition to full licensure, relayed two sunrise reports, is unchanged.
Renewal fees are excessive	15	Fees are set in statute and are necessary to offset the cost of administration and of unusually high enforcement activity for this profession
Registration strikes the right balance and gives the public recourse for unprofessional conduct; compared with an unregulated profession, registration benefits registrants by increasing their visibility, setting professional standards, and indicating practitioners' legitimacy.	10	Agreed.
Massage therapists, bodyworkers, and touch professionals have been subjected to assault and disrespect of sexual boundaries by clients seeking commercial	5	OPR recognizes the seriousness of such conduct and the trauma it can cause. However, the conduct of members of the public is outside OPR's jurisdiction.

Comment	Approx. # of comments	OPR response
sex acts from legitimate practitioners.		
Consider a system of registration for all practitioners with the option of certification, without requiring full licensure	2	There is no indication currently that certification of select registrants is necessary to protect the public.
Renewal should require continuing education	1	The purpose of continuing education is to maintain professional skills, but professional skills are not required for registration.
Renewal should require a three-hour ethics course and/or human trafficking awareness course	1	These courses are unlikely to reduce predatory behavior or human trafficking. Awareness on the part of legitimate practitioners is not the problem.
Any skills-based licensure system would have to distinguish between disciplines, which have different competencies, practices, and systems of training. A licensure system could/should exempt disciplines for which the client remains clothed or touching is limited to the extremities.	1	OPR does not recommend any form of skills-based licensure at this time.
Sexual misconduct by practitioners is a real problem, which prior to professional regulation was largely kept quiet.	1	OPR's enforcement activity bears this out.
Business registration would impose additional costs; could invade the privacy of home-based practitioners; should be	1	If shop licensure is considered in the future, these concerns and others should be carefully weighed.

OPR Massage Report – Act 178 (2020)

Comment	Approx. # of comments	OPR response
further studied before being required.		
OPR has failed to define the scope of practice.	1	Scope of practice is defined at 3 V.S.A. § 5401(3).
The statutory language ("sex act", "touch professionals") is disturbing.	1	"Sex act" has an established legal definition. "Touch professional" was coined to capture practitioners who do not identify as massage therapists or bodyworkers, but whose practice falls within the scope of regulated activity.
Statutory language ("his or her") is not gender neutral.	1	OPR agrees and recommends revision to gender-inclusive language as part of the 2025 OPR bill.
Professional regulation is not an effective way to combat human trafficking.	1	OPR agrees that the professional regulation of individuals is an ineffective tool against human trafficking. OPR is investigating whether professional regulation of businesses / shops may be a useful tool in this sphere.

Appendix 3:

Sexual Misconduct Charges Across Professions

These numbers represent sexual-boundaries-related complaints resulting in formal disciplinary charges massage therapists, bodyworkers, and touch professionals between June 1, 2021, the day began, and January 1, 2024. Comparison is made to other OPR-regulated professions in which a practitioner might potentially be expected to touch a client or patient below the neck in a private setting.

Jurisdiction	Sexual Boundaries Complaints Resulting in Charges, 6/2021-1/2024	Active licensees or registrants	Annualized Sexual Boundaries Complaints Per 10,000 Individuals
Acupuncturists	1	212	19
Athletic Trainers	0	225	0
Chiropractic	0	256	0
Massage Therapy, Bodyworkers, and Touch Professionals	6	1,173	20
Naturopathic Physicians	0	415	0
Nursing	3	20,730	1
Occupational Therapy	0	723	0
Osteopathic Physicians & Surgeons	0	830	0
Physical Therapy	0	1,612	0
Tattooing, Body Piercing, and Permanent Cosmetics	1	308	13

Appendix 4:

Summary of OPR’s Disciplinary Actions Involving Massage Therapists, Bodyworkers, and Touch Professionals

Content Warning: These summaries relate to charges of the violation of sexual boundaries and of sexual assault.

Case 1, In re SR, Docket no. 2021-081. Respondent SR admitted to engaging in oral sex and sexual intercourse with a client during a massage. OPR charged SR with five counts of unprofessional conduct. SR stipulated to the factual basis for the charge and voluntarily surrendered his registration to practice as a massage therapist, bodyworker, or touch professional. Without professional regulation of massage therapists, bodyworkers, and touch professionals, the State would have had no means to prohibit SR from continuing to practice. As a result of this disciplinary prosecution, SR may no longer practice in Vermont as a massage therapist, bodyworker, or touch professional. This professional disciplinary action is a public record that regulators in other states may view if SR applies for professional licensure there.

Case 2, In re MH, Docket no. 2022-189. Respondent MH admitted to touching a client—also a massage professional—too close to her genital area during a massage, then masturbating in the basement of the massage facility immediately afterward. MH was a massage school graduate and had been taught to seek permission from a client before touching the upper inner thigh area, but did not do so during this massage. OPR charged MH with four counts of unprofessional conduct, and MH voluntarily surrendered his registration to practice. As a result of this disciplinary prosecution, MH may no longer practice in Vermont as a massage therapist, bodyworker, or touch professional.

Cases 3-5, In re MG, Docket nos. 2022-240, 2022-241, and 2022-242. In these ongoing cases, OPR has charged Respondent MG with touching the breast of one client without her permission; and touching the breast and digitally penetrating the anus of a second client, both without her consent. These cases are ongoing and are being actively prosecuted. MG’s registration to practice as a massage therapist, bodyworker, or touch professional has been indefinitely suspended during the cases’ pendency, rendering MG unable to practice in Vermont.

Case 6, In re LP, Docket no. 2023-159. In this ongoing case, OPR has charged Respondent LP with kissing a client on the lips during a massage. This case is ongoing and is being actively prosecuted. LP’s registration to practice as a massage therapist, bodyworker, or touch professional has been indefinitely suspended during the case’s pendency, rendering LP unable to practice in Vermont.