



North Dakota Board of Massage

Newsletter – Spring 2017

Greetings:

The board has had a busy year. We have updated Administrative Code Title 49, updated Century Code 43-25, and put a policy manual in place. As of Nov 1, 2016 we have acquired a new office location as well as new office personnel. We wish to extend a warm welcome to these wonderful people who have helped us tremendously through the past few months as well as the 2017 renewal process. They as well as board members have spent many hours in learning, reviewing, upgrading, studying and learning some more. A heartfelt thank you and appreciation is given for all their efforts.

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The office is located at:
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The board would like to extend a deep and sincere thank-you to Sandra Schmidt who dedicated many hours of time and research while a board member. Sandy went above and beyond what was required, making a difference and creating a ripple effect that will be felt well into the future. Thank you, Sandy, for all your hard work! We wish you well in whatever direction your future path takes you.

The board invites the massage therapy community to welcome our new board member Rebecca Forde, appointed by the Governor's office to complete the term vacated by Sandra Schmidt. Welcome Rebecca.

Current board members:

- Pat Berg, LMT – President, heads the Policy/Procedure and License Renewal Committees
- Annie Larson, LMT – Secretary, heads the Communications and Inspections Committees
- Rebecca Forde, LMT – CE Coordinator and heads the CE Committee, responsible for researching the validity of courses and instructors/providers for CE approval. Any questions on course approval should be directed to Rebecca
- Lynnette Fox, Consumer – VP and Treasurer, heads the Finance Committee
- Wendy McGinley – Instructor position. Education Coordinator and heads the New License Committee, reviewing the validity of schools and transcripts of license applicants.

Contact information can be found on the board website: ndboardofmassage.com

There will be two board positions opening July 1, 2017. We currently have two prospective applicants for the LMT position and one prospective applicant for the instructor position. If anyone else is interested in filling a position please contact Boards and Commissions – the link can be found on our website ndboardofmassage.com.

Legislation:

The board did introduce changes to NDCC 43-25. The proposed amendments aligned to the standards of the Federation of State Massage Therapy Boards (FSMTB). To date, there are 46 states that are legislated, 37 of which are members of FSMTB along with various professional organizations and associations such as ABMP, AMTA, etc. The Federation serves to assist member boards in implementing improved standards of education, licensing, and reciprocity to the massage therapy industry. Most of the changes were to clear up language, and to make sure the Administrative Code agrees with Century Code. The new legislation will take effect August 1, 2017 and include the following key points:

- Massage definition and reciprocity language rewritten to reflect the recommendation by FSMTB
- Requires 12 hours of continuing education to be classroom hands-on as defined in NDCC 43-25-02
- Board members will be required to be citizens of the US and of ND
- A reduction in required number of CEU's for LMT's licensed for 15 and 25 years:
 - LMT's actively practicing massage for the immediate preceding fifteen years will be required to earn at least 6 CEU's for renewal
 - LMT's actively practicing massage for the immediate preceding twenty-five years will be required to earn at least 3 CEU's for renewal
- Change in license renewal:
 - We are going from an annual renewal to a biennial renewal with the following deadline schedule:
 - Dec 31, 2017 – Odd number licensees will submit \$100 which will renew your license for 2018
 - Feb 28, 2018 – Even number licensees will submit 24 CEU's and \$200 for a two year renewal
 - Feb 28, 2019 – Odd number licensees will submit 24 CEU's and \$200 for a two year renewal
 - Feb 28, 2020 – Even number licensees will submit 24 CEU's and \$200 for a two year renewal
 - Etc.

As you can see, this is not an increase in fees, only going from an annual \$100 fee to a biennial \$200 fee. It will also alleviate renewal confusion by allowing odd numbers to renew in an odd year only, and even numbers to renew in an even year only.

SB2092 did pass both Chambers and was signed into law by the Governor. Changes will take effect August 1, 2017.

Continuing Education

Be advised that the board has revised its policy on continuing education. For the past few years, there has been a gradual shift towards no-touch therapies such as energy sciences, essential oils, cupping, etc. We have also had licensees submit college transcripts in place of CE certificates for medical classes such as nursing, occupational therapy, physical therapy, chiropractic, etc., which fall outside of massage therapy scope of practice as per NDCC 43-25 and therefore do not qualify.

The 2017 renewal showed an even greater percent of applicants submitting CEU's for no-touch therapies. The board would be remiss in its mission of guidance to LMT's if it did not adhere to the basic definition presented in the law, which is soft-tissue manipulation. We are therefore requiring that at least 12 hours per renewal period be classroom hands-on soft-tissue manipulation in massage modalities as will be defined in 43-25-02. As stated above, this will become law on August 1, 2017 and will be in effect for all upcoming renewal periods where CEU's are required to be submitted. The remaining 12 hours can be any combination of:

- Up to 6 hours of no-touch therapies the board deems appropriate

- Up to 12 hours self-care deemed appropriate by the board
- Up to 12 hours of refreshers such as ethics, business courses, anatomy, kinesiology; or other courses listed on a massage therapy school program syllabus and deemed appropriate by the board (Up to 10 hours of any of these can be by remote means)
- CPR and First Aid do count as hands-on if they are classroom and not on-line

As always, any LMT can acquire more than the 24 hours as required by law.

Continuing Education Courses

The board member CE coordinator has expressed the frustration of trying to weed out what courses to approve for massage therapy continuing education. There are thousands of classroom courses and tens of thousands on-line courses. There are legitimate course presenters and there are scrupulous presenters trying to make a fast dollar. The board has set up parameters allowing the CE coordinator to base course approvals on massage as defined in our law, NDCC 43-25. It gives the board a foundation to stand on when explaining why a course is approved or not and eliminates the “wishy-washy” of approvals or non-approvals.

We have implemented policy where the board accepts instructors/providers who are vetted by professional organizations. The instructors/providers will be offering courses representing their areas of specialization. Please check provider credentials to make sure they qualify to board standards.

The board retains the right to rescind instructor/provider approval if they have been found to have disseminated any false or misleading information in connection with continuing education specifications, or if they lose their standing with the vetting organization. Should this happen, any CEU’s earned by such providers will not be accepted.

Because of the vast amount of courses available we will not be posting individual courses on the website. Please refer to the policy manual link on our website to familiarize yourself with approved course material as well as non-approved course material. It will be your responsibility to make sure the courses you are taking qualify for approved CEU’s. Check to see if the presenter is approved by NCBTMB or associations such as ABMP or AMTA, and that the course material falls into an approved category as listed in the policy manual. The policy manual link is found on ndboardofmassage.com. If you are unsure of any course you want to take, contact the board for approval. Approval request form is found on our website.

The FSMTB will be presenting a database in the near future which will greatly assist in these areas. A link will be added to our website.

Board Jurisdiction:

The North Dakota Board of Massage (NDBOM) has been in existence since 1959. Its purpose is to protect the public by licensing massage therapists, regulating the practice of massage, and by providing inspections. By doing these things the board also protects massage therapists and their businesses from being associated with unscrupulous and poorly trained people who try to affiliate themselves with massage therapy. The board handles complaints submitted from consumers and LMT’s that have been directed against licensed massage therapists. The board will work with the complainant to try to resolve the issue.

We have been receiving complaints of persons conducting illegal activities under the guise of “massage therapy”. We do check to see if there are any licensed therapists at such locations. If so, we then send notice to the location, as well as informing local law enforcement. If there are no licensed therapists at the location, we inform local law enforcement and direct the complainant to contact law enforcement as well. Once any complaint is forwarded to law enforcement it becomes a police matter and is out of our jurisdiction. We do not get involved in police ongoing investigations except to

inform them of additional complaints. We do urge complainants to inform law enforcement directly so if any of you are aware of such activities please contact your local police department, but also to keep the board informed.

We are also aware of more instances where some establishments may be harboring victims of human trafficking under the guise of massage therapy. If you have suspicion of such activity please do contact law enforcement with as much information as possible, as well as keeping the board informed.

Committees:

The board has several committees in place to research and discuss specific topics, presenting rough drafts to the full board:

- Communications
- New License
- Inspections
- License Renewal
- Finance
- Policy and Procedures
- Continuing Education

If you would like to sit on a listed committee please contact the office or a board member. The board is open to fresh perspectives and values your thoughts and ideas. We invite you to participate by sitting on a committee and as always, join us at our meetings. Dates and times are posted on our website.

Coming Up

Look for a new website format coming up later this year, facilitating ease of license applications, renewals, license verification, and more. It will incorporate links to Admin Code, Century Code, FSMTB, watchdog organizations such as Polaris which is a victim advocacy group.

We are also looking into improved inspection policy, possibly looking at hiring qualified inspectors help us with this task in the future.

The board website does contain a wealth of information and is the go-to place for current information and board happenings. Take some time to look at the website and become familiar with it. We are becoming more digital as the year progresses. This will be the last paper newsletter we will be sending out. Future newsletters will be posted to the website. As we did this past renewal year, we will no longer send out postcard renewal reminders but will send an email blast to all LMT's up for renewal. All current activities such as upcoming meetings will be posted on the website. Digitization is more efficient and cost effective, allowing us to stay within budget.

Please view the Federation website for industry information at fsmtb.org.

If you do not have an email account you will not get important information, so it is in your best interest to set one up as the board will no longer research to see who has not been contacted. It is your responsibility to stay informed and therefore very important that you contact the office to keep your contact information updated.

Please contact the board or office if you have any concerns or questions, and as always we welcome your thoughts and ideas.

Thank you,
North Dakota Board of Massage