

CCMT Message re: HB 1320

UPDATE 4.30.16: Language that inserted the term massage parlor back into state statute and directed DORA to define what a massage parlor is was stricken from the bill through an amendment that was offered by Sen. Cooke. The bill no longer refers to massage parlors in any form and DORA will not be directed to define the term. This was a huge win for CCMT as there was widespread concern that this language would have been detrimental to the massage profession. We would like to thank Sen. Cooke and Sen. Lundberg for their leadership on this issue and their continued commitment to our profession.

The Colorado Coalition of Massage Therapists is made up of the American Massage Therapy Association – Colorado Chapter (AMTA-CO), Associated Bodywork & Massage Professionals (ABMP) and massage schools in Colorado. We work together to advocate for the massage therapy profession on the local and state level to ensure Colorado remains an open place for professional massage therapists to practice.

CCMT recognizes the problem of human traffickers and others using massage therapy as a cover for their illicit activity and wants to be a part of the solution. After we saw the legislation as written, CCMT has been trying to work with DORA to ensure the massage therapy community has a voice at the table with these decisions—and that the amendments and changes made to the Massage Therapy Practice Act will not adversely affect legitimate and licensed massage therapists practicing in the State of Colorado.

As many of you are aware, HB 1320 (A Bill for an Act Concerning The Regulation of Massage Therapy to Modify Practices that are linked to Criminal Behavior) is legislation written and initiated by the Department Of Regulatory Agencies (DORA). The intention of this bill was to close loopholes in the current Massage Therapy Practice Act that are being exploited for illegal activity—an intent that is laudable but unfortunately can lead to unintended consequences.

The bill is sponsored by Representatives Foote and Carver, and Senator Cooke. They drafted this legislation because in the last two years DORA dealt with more than 30 cases of human trafficking that have allowed criminal activity to occur via traffickers operating under the premise of unlicensed massage therapy activity without penalty. So DORA opened the Massage Therapy Practice Act to make amendments to our state statute to help address this issue.

The form the bill is currently in is not what CCMT wants to see. And contrary to rumors, the CCMT does not support the bill in its entirety; rather, we support the concept and the changes to the language of the bill that we champion. **We want the chapter membership and the massage therapy community to know that through our engagement in the process and providing input to DORA, we have impacted the bill and have had positive amendments added to, and harmful provisions stricken from, the bill at this point in the process.** To date, the chapter struck a dress code in the bill that would have been enforced on massage therapists, as well as regulated business hours that would have stipulated in statute that massage establishments must operate between the hours of 7am – 10pm. We were also successful in striking language that was disparaging towards the massage therapy profession and indicated licensed massage therapists were breaking the law.

The CCMT was also successful in amending the portion of the bill related to local regulation and municipalities. The amendments the coalition successfully pushed through now clarify that local governments can only inspect massage businesses upon complaint of illegal activity to ensure that the therapists are licensed by the state. It also specifies that the local government cannot charge any fees for the inspection. We recognize that the bill is still a work in progress. We also recognize that there is no precedent for some of the language in HB 1320. So, these methods are not a guarantee or tested means to effectively stem the issue of human trafficking and related activities. We hope that through our continued discussions and meetings with DORA and the state representatives and state senator sponsoring this bill that we will help to craft language that not only meets the needs of licensed massage therapists practicing in Colorado, but does what it is intended to do – help to rid our profession of illicit behavior and the burden it puts on us as professionals.

CCMT will, as we always have, continue to fight for changes in this bill and any other that puts a burden on the practice of massage therapy in Colorado.