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Legislative Updates Mean Changes for Licensed Massage Therapists in Kentucky

by Holly Barnhill

House Bill 180, passed by the 2010 General Assembly, will affect the late renewal licensure procedures of Massage Therapist in Kentucky. Renewals will be accepted only 1-90 days from the license expiration date with fees at \$150 for 1-30 days late and \$200 for 31-90 days late, and documentation of CE hours. After 90 days a Massage Therapist may not apply for renewal status. Therapists whose license has expired for more than 90 days will have to reapply as a new applicant unless they can prove extenuating circumstances that delayed their ability to renew their license. This will greatly impact therapists who were grandfathered in for licensure before the current education and testing were in effect. They may have to receive additional hours of education and pass an approved national exam.

There is no provisional licensure for Massage Therapists in Kentucky according to 201 KAR 42:010 Section 3. Per-

sons duly licensed, certified, or registered in another state or territory, the District of Columbia, or a foreign country when incidentally in this state shall 1) restrict their practice of Massage Therapy in this state to those for whom they are providing instruction and consultation if teaching a course related to Massage Therapy or consulting with a person licensed by the Board; 2) administer Massage Therapy to those who have travelled into this state as part of the same response, event or performance if the credentialed Massage Therapist is in this state to provide massage as part of an emergency response team, charity event, athletic event, or artistic performance.

Massage Therapy students are not allowed to receive payment or compensation until licensed by the Board. The definition of "compensation" has been expanded to include tips, advances, and loans.

We Are Now on Facebook



The Kentucky Board of Licensure for Massage Therapy now has an active presence on Facebook. Be sure to visit our page

and click on the "like" button to stay up to date with all board news and announcements. [Click here](#) to visit our page!

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Licensed Massage Therapist



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Board Vice-Chair,
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Chair-ful News

by Theresa Crisler



It is office procedure that we do not discuss pending licensure status with anyone other than the applicant. We strongly recommend that anyone contacting the board of-

office on behalf of someone else, to verify licenses via the online system at <http://bmt.ky.gov> and have the applicant contact the office if they have any questions. This procedure will be strictly enforced to protect our licensees and applicants.

Licensure Status Report

Total Licenses Issued in 2010:	219
Total Licenses Terminated in 2010:	226
Total Active Licensees:	2148
Total Terminated Licenses:	1052

Wallet Identification Cards vs. On Line Verification of Licensure

Each person who initially applies for licensure as a massage therapist and is issued a license will receive in the mail an initial license certificate and a wallet identification card. Every two years thereafter if the licensee renews the license within the regulatory requirements he/she will receive another wallet identification card. Please be informed these wallet identification cards are not considered official verification of licensure by the Board because the cards do not provide the real time status of a license including any disciplinary action taken against a license.

bmt.ky.gov and clicking on the on line verification link. This link will provide the real time status of a license, all historical information for a license, and any disciplinary action taken against a license. This information can also be printed to show verification of licensure for employers, insurance companies, etc. Be sure to use the on line verification when you are asked to provide verification of your licensure as a massage therapist in Kentucky. Both the public and licensees can access the online verification system at any time to check the status of a licensee.

Official verification of a license can be obtained by going to the Board's website at <http://>

House Bill 180 (HB-180) - Summary of Changes

by Denise Logsdon

- Test “approved by the board” will allow the board to study and vote on accepting new exams, such as the MBLEX.
- Clarification that a license expired beyond 90 days requires ceasing practice and submitting a new initial application, and requiring continuing education.
- The Board may now file an injunction in the locality where the violation is occurring rather than having to do so in Franklin Circuit Court.
- Instructor qualification clarification allows schools to hire someone qualified to teach adjunctive courses who may not be a massage therapist. Exemplified would include business, reflexology, or aromatherapy.
- Required renewal and updates from the schools for the Certificate of Good Standing.
- Requirements that a board member has been a KY resident for at least 1 year.
- Supervision clarification: requires a licensed healthcare professional (LMT or other) as defined by regulation.
- Definition of “compensation” to include tips, advances, and loans.
- Clarification in the language allowing therapists licensed in other states to come in as travelling LMT’s for athletic teams or artistic troupes, or with a CE class.



The Massage Board Licensing Examination (MBLEX)

The board is currently promulgating regulations related to House Bill 180 that would allow for the acceptance of other examinations for initial licensure.

Until new regulations have been filed and approved by the Administrative Regulation Review Subcommittee, the board can ONLY accept examinations offered by NCBTMB for initial license applications.

Again, the board cannot accept the MBLEX unless you meet all regulatory requirements for endorsement.

At the present time, new license candi-

dates must take and pass an examination offered by the National Certification Board of Therapeutic Massage and Bodywork (NCBTMB).

To read more about the Federation of State Massage Therapy Boards (FSMTB) and the Massage Bodywork and Licensing Examination (MBLEX), visit their website at <http://www.fsmtb.org>.

Online License Renewal

by Frances Short, Executive Director

Renew your license online at <http://bmt.ky.gov>. Please note that late renewals must be submitted hard copy, so don't miss the opportunity of filing online!

Approximately 3-4 months before a license is due to expire the Board's office will send post card renewal notices to licensees. Licensees can renew their massage therapy licenses on line 30 days or less in advance of the expiration date by going to the board's website at <http://bmt.ky.gov> and clicking on the online renewal link on the home page. Licensees can also pay renewal fees on line with a credit card. The Board encourages licensees to use this renewal process as renewals can be processed much more quickly when completed on line. Be sure to notify the Board's office of any

changes of address so that your post card renewal notice is sent to the correct address.

If you renew your license more than 30 days in advance of the expiration date or after the expiration date you will need to print the renewal form from the board's website at <http://bmt.ky.gov> and mail this to the Board office along with a check for your renewal fee made payable to the Kentucky State Treasurer. Fee information is posted on the Board's website as well.

Clarifying the Meaning of Reinstatement

by Cheryl Turner

The board is in the process of promulgating regulations that propose the removal of the existing reinstatement provision. The proposed regulations will allow for a renewal grace period up to 90 days past the expiration date. Beyond the 90 days,

your license can be put into inactive status or they will expire. When the new regulations are enacted, notification will be posted on the website at <http://bmt.ky.gov>.

Application Committee Meetings

The Education and Applications Committee will meet the Tuesday prior to the Monday monthly Board meetings. The Committee meetings will begin at 12:00 noon at the office of the Kentucky Board of Licensure for Massage Therapy at 911 Leawood Drive in Frankfort, KY.

All applications, renewals, endorsements, CE provider applications, and school instruction applications **MUST** be received

in the office prior to the Tuesday, 12:00 PM Committee meetings to be considered for that month's regular board meeting. No Exceptions.

Remember to check to board website for application deadlines.

<http://bmt.ky.gov>

Know the Law

by Max Maxwell

As a Licensed Massage Therapist, you must keep your license and Continuing Education credits current. Make sure your name reflects an active license and keep your address current with the State Board office.

Protect yourself and your profession against unlicensed practice by reporting violators to the Massage Therapy Board at <http://bmt.ky.gov>.

Play it safe by staying in touch with the board website where most needed information is found. If something is missing from the website that you would deem important, send an email to your board administrator Adriana Lang at Adriana.Lang@ky.gov requesting that the information be added to the website.



CE Carryover

By Michael Mansfield

It was once thought that in documenting Continuing Education, a licensee was able to “carry-over” hours. This is partially correct in that a licensee accruing over 24 hours in a 2 year period *can* utilize the remaining balance the following renewal period, *providing* the additional hours are a **COMPLETE course**.

For instance, if a licensee were to take an 18 hour CE course and already has 12 hours accrued, the entire 18 hours must be utilized for said renewal period and **CAN-NOT be split** to utilize within the next renewal period.

Likewise, if the licensee were to have 12 accrued CE’s and has 2 additional courses, 12 hours for one course and 6 hours for the other, the 6 hour course would be eligible to utilize within the next renewal period.

If a licensee were to have any questions regarding renewal and CE requirements, the defining authority can be found under **201 KAR 42:110 Continuing education requirements**.

REMINDER: It is the responsibility of the licensee to keep track of hours that are being carried-over from one renewal period to the next. Be sure to keep copies of all documentation submitted to the board.

Consumer FYI

By Max Maxwell

Do you receive Massage Therapy services? If so, you as a consumer, have the right to know if your massage therapist is actively licensed. Help us to stop unlicensed practice by verifying licensure at <http://bmt.ky.gov>. If your massage therapist does not hold an active license, you are encouraged to click on the available

“complaints tab” and report this practice.

Help us clean up Kentucky.

Do You Know Who's Touching You?

by Theresa Crisler



We all know that licensure is required in the State of Kentucky. Unfortunately, a license does not define the level of competence or the quality of service that will be provided. It is safe to say that competence is gained from expanding knowledge and putting that knowledge into practice day after day.

When searching for an LMT, there are indicators that may point to how serious they take this profession. Ask yourself, do I want a therapist who barely meets minimum requirements for licensure, or would I prefer someone who acquires advanced training in the area of service I am seeking? Do not be afraid to inquire about the specific modalities and where they received the training. Being self-taught versus training from a qualified instructor does in fact, make a difference.

Years of experience does not always indicate quality. The newer graduates may have more up-to-date knowledge than someone who has practiced for 20-30 years who has not continually sought ongoing CE's. Quality again, often links back to education which is an ongoing process, so do not be afraid to inquire about the therapists training and credentials. If the LMT belongs to a professional association, the credentials may be listed on the organizations website.

Although Kentucky requires a minimum of 24 CE's in a two year period, there are therapists who far exceed the minimum requirements in a single licensure period. It is these therapist's who are willingly expanding their knowledge base; who may offer a broader or more in depth service.

Is the license currently active and in good standing? This can be checked on the KBLMT website at <http://bmt.ky.gov> under licensure verification for the massage therapy board. The website is easy to use by simply typing in the therapist last name; once you reach the licensure verification page. When making this inquiry, if the person's name does not pop up, then the KBLMT would like to know by either contacting the Board Adminis-

trator to verify any pending licensure or by completing a complaint form which is also found on the website. Anonymous complaints can only be filed if there is supporting documentation to indicate unlicensed practice, i.e. a photo of a business sign, website or business card with the name displayed.

You may also want to visit the business location before booking the appointment. Does the facility appear clean and well kept? Are the restrooms convenient? Is business information available that shows the rates, business hours, and are credentials posted in view? Do they have any trade magazines or posters or charts for self-help instruction? Are there any offensive odors? And do they offer water after the massage? Are the temperature and surrounding warm and do they promote relaxation? The condition of facility can speak loudly in terms of the level of professionalism, and the skill level can only improve with ongoing education and a caring touch.

Finally, is your massage therapist also receiving massage on a regular basis? As LMT's, the best practice often comes from receiving. With these thought provoking questions I ask, Do You Know Who's Touching You?

Talent Can Take You, But Character Can Keep You

by Cheryl Turner

Inappropriate behavior by the Massage Therapist is a jolt to the entire field of Massage Therapy. Let's be clear, sexual inappropriateness and crossing boundaries is ethically, morally, socially and physically wrong. As therapists, we are trusted in the field of "Touch Therapy" and there are no excuses. We have no right to abuse the trust and violate anyone for any reason. We must take these inappropriate actions seriously, individually and collectively. All we have is our integrity, for ourselves and our profession. By definition, the word "integrity" means "adherence to moral and ethical principles; soundness of moral character; honesty; the state of being whole, entire, or undiminished, a sound, unimpaired, or perfect condition".

There are three areas of concern regarding the inappropriate behavior of the massage therapist: conduct, character and conversation. As a therapist, we are responsible for our conduct when we are with a client at all times. From our greeting to the goodbye, the atmosphere, tone and setting is controlled by the therapist. Venturing outside respectful boundaries is prohibited and unacceptable.

Our character is developed long before our career began. The therapist must acknowledge any personal weaknesses and issues and deal with them in order to work with the public in such an intimate manner. This profession cannot tolerate inappropriate behavior; therefore, our commitment in the field of massage must be deliberate. Nothing "just happens". As a warning to the therapist arrogant enough to believe you will not get caught, pride comes before a fall. Consider the cost; it can be a high price to pay; our life, family and career at stake.

Conversation cannot be out of control. That is, deep personal or vulnerable subjects that may lead to confusion or persuasion, in anyway, that could lead to anything outside of massage. Again, therapists are responsible and will be held accountable for our actions both legally and professionally. If any such incidents have occurred, file the appropriate actions legally and professionally through the KBLMT. These activities will not be tolerated. The board is there to protect the public and the guidelines of the therapist.

Many incidents have occurred and sharing some of the details of one case may bring a sense of reality and seriousness of the inappropriate behavior by the therapist. The violation of a person is unspeakable. The long-term affects are real and lasting. How would you feel if this happened to your friend or relative, and perhaps by someone you know?

The incident began with a massage by someone familiar. The therapist complimented her, preyed on some personally rough times in her life. He wasn't draping her correctly. As he stretched her, he placed her hand at his groin. The struggle began – mentally, physically, and emotionally. "He used his hands to rape me" she said. She cried as she laid there numb from his actions. He leaned over her and said, "If you promise not to say anything, I will let you go". As she left, everything was a blur and she felt as if the world had stopped turning. She was frightened and thought she did something wrong, she was young and intimidated. Today, she encourages anyone that has experienced this, to not be afraid, to speak up and to know that it is not your fault.

Therapists should avoid inappropriate contact with clients. In the event of inappropriate contact with a client, the client may (1) pursue a criminal action through local law enforcement, or (2) file an administrative complaint with this board. If the client chooses the latter option, and the sexual contact is substantiated after a due process hearing, the licensee (guilty of that conduct) may be reprimanded, have their license suspended, be fined, or even have their license revoked. Sexual contact is touching of the sexual or intimate parts of a person, done for the purpose of gratifying the sexual desire of either part. In addition, a licensee may be disciplined for any attempt to engage in lewd conduct with a client. Beyond this, a licensee may be found to have violated the regulatory code of ethics; an offense which merits discipline in and of itself. Any client who feels that a licensed massage therapist has violated the law as outlined above should contact the board office as soon as possible for instructions on how to file a complaint against a licensee.



The Kentucky Board of Licensure for Massage Therapy

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The purpose of the Kentucky Board of Licensure for Massage Therapy is to administer and enforce the statutory authority and to monitor the needs of the consuming public. The board examines and licenses all eligible candidates for entry into the profession as a massage therapist. It recommends appropriate changes in the law to assure fairness and equality. The board conducts formal hearings when necessary and prosecutes by due process any violators of KRS 309.350 to 309.364.

The board is a self-supporting agency and receives no general fund tax appropriation. It is funded entirely through fees assessed for licensing its professionals.

Massage Therapy Body of Knowledge (MTBOK)

by Theresa Crisler

To read more about the Massage Therapy Body of Knowledge, visit <http://www.mtbok.org>

Are you aware that there is a profession-wide, unifying effort to articulate a common body of knowledge for Massage Therapy? May we encourage you to visit www.mtbok.org to review the Version 1 released on May 15, 2010. The 58 page document provide a definition of massage therapy, a description of the massage therapy field (to enhance understanding and appreciation of the profession by those outside the profession), the Scope of Practice, Terminology, and list the competencies of an entry-level massage therapist (knowledge, skills, abilities).

Six organizations are jointly stewarding the MTBOK initiative, which include the American Massage Therapy Association (AMTA), AMTA Council of Schools, Associated Bodywork & Massage Profes-

sionals (ABMP), Massage Therapy Foundation, Federation of State Massage Therapy Boards (FSMTB) and the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB).

All stakeholders in Massage Therapy are encouraged to follow the progress of the project, and to provide comments, suggestions and make contributions as this is an ongoing, living document and comments are welcome.