



CALIFORNIA
MASSAGE THERAPY COUNCIL

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August 18, 2010

The Honorable Darrel Steinberg
President Pro Tempore of the California State Senate
State Capitol, Room 205
Sacramento, CA 95814

FLOOR ALERT: AB 1822 OPPOSE

Dear Senator Steinberg:

The California Massage Therapy Council (CAMTC) is the statewide organization recently established by SB 731 (Oropeza, 2008) to certify massage therapists to practice their profession in California. CAMTC began certifying applicants less than a year ago and has seen great success so far. Today we write in opposition to AB 1822, because statewide certification is working. The bill is premature. The amendments send the bill in the wrong direction and set a bad precedent for all California boards.

To date, CAMTC has certified 12,200 applicants to practice massage in California. CAMTC takes seriously its duty to investigate the education of applicants, including identifying schools selling fake transcripts, which is so important in terms of identifying applicants who may be a threat to public safety.

CAMTC's thorough system of review better identifies problems that were missed by local law enforcement. CAMTC has proposed denial of certification for over 3,000 applicants, many of whom were previously approved to practice massage by local law enforcement. Without a statewide body like CAMTC, these applicants slipped through the cracks of various local permitting agencies.

CAMTC checks the applicant against the FBI and DOJ databases. Applicants are also checked with every local jurisdiction in which the applicant has lived or worked in the 10 most recent years. Additionally, CAMTC is able to check applicants against the national massage therapy databases to determine if the applicant has been denied certification or licensure in other states.

AB 1822 began as an attempt by the sponsors to use the red herring of human trafficking to undermine the success of statewide certification so recently put in place by SB 731. AB 1822 sought to return massage certification to the ineffective and often oppressive local vetting processes in place prior to SB 731. After hours of negotiation, the language dismantling statewide certification has been discarded, but the bill still contains a requirement to seat the very law enforcement officials on the board who just recently tried to do away with it.

Law enforcement already has the opportunity for appointments to the CAMTC board through the CAMTC seats specifically provided to the League of Cities and the California State Association of Counties appointments. Additional seats on the CAMTC board for individuals who have made clear their intention to defeat this important statewide organization is inappropriate and unnecessary.

Forty-four other states regulate massage therapy with self-regulating boards, which provide a much higher degree of public safety and efficiency than the patchwork system of local regulations that California provided prior to SB 731. None of these other state boards have law enforcement appointees to their boards. All other licensed and certified professions in California self-regulate through professional boards made up of experts in that field along with members of the public. This bill would be a serious departure from that concept.

Clearly, statewide certification by CAMTC as contemplated by SB 731 is working. AB 1822 is premature and inappropriate. The amendments send the bill in the wrong direction and set a bad precedent for all California boards. CAMTC fervently opposes AB 1822 and urges your no vote on the bill.

Sincerely,

CALIFORNIA MASSAGE THERAPY COUNCIL



Beverly May, Chairperson

cc: Members of the Senate

