

*Letter to the NCBMBT regarding Rick Rosen's recommendation to the NC Board for a national registry for CE (2/2013):*

I begin by expressing my gratitude to Rick Rosen for clarifying the elements of the tempest that surrounds us in regard to the future of continuing education for massage therapists and bodyworkers. His document is a good jumping off place for us all to begin to consider and express what we feel would really work, and why. If you have not read it already, there is a link to the document at the end of this email.

For now, I would like to comment on two topics related to Rick Rosen's paper.

*IS THERE A TRUE NEED FOR LICENSURE IN OUR PROFESSIONS OR HAVE THE STATE LEGISLATURES BEEN DUPED? (AND WHAT DOES THIS HAVE TO DO WITH CE?)*

In 1997 a study published in the Journal of the American Medical Association told us that Americans spend more than \$30 billion of their own money on complementary and alternative therapies each year. They also made 628 million visits to alternative health-care practitioners, 243 million more than visits to all primary-care physicians. Nearly half of those visits were to chiropractors and massage therapists. Dr. David Eisenberg is the author of that landmark study and director of the Center for Alternative Medicine and Research and Education at Beth Israel Deaconess and assistant professor of medicine at Harvard Medical School, both in Boston.

Since 1997 that trend has only grown. It seems safe to say that alternative medicine is no longer on the fringe of health care and massage therapy and bodywork is in the thick of it. For that, we can thank the National Certification Board. In most states, professionals sought out credentialing on their own, long before licensing came into the picture. And the NCBTMB has in many cases been the precursor for state licensure coming about.

Once considered a luxury for the rich, today massage therapy has become sought out as a medical solution. I ask- do you know of any medical therapies that do not have standards of education, competence, and ethical

practice? The public has a right to licensure. The public has a right to some sort of assurance that who they choose to go to for a massage or bodywork session is going to be both professional and competent. Professionally, there should be no worry that sex might be part of the services offered, that the premises would be clean, and that modesty would be respected. The public should be able to expect that the therapist would have an understanding of the medical problems presented by the client, and safe, effective treatment would be forthcoming.

After 5 years serving on the North Carolina Board, I can vouch for the need to protect the public. Removing sexual predators from our profession would be enough of a justification on its own, in my opinion. If Vermont has its doubts, perhaps the legislature needs to review the disciplinary cases and actions taken by the various other state boards. I would add that I have seen a lot more than just burns from too-hot stones brought to the Board. And let me ask you this- have you personally ever been hurt by a massage therapist or bodyworker? And what did you do? Did you even tell that therapist what they did to you? Or did you just suck it up, get help elsewhere and never go to that therapist again?

Not that we have the market cornered on this issue- how many clients have you worked on who have been injured by Chiropractors or physicians or physical therapists? And when you ask, you discover that your client simply never went back to the health professional who injured them. They did not sue; they did not file a letter of complaint. They did nothing.

At one school I discussed with the clinic supervisor the fact that clients don't tell the truth and she told me that even with students, when feedback is desired from the clients, clients will go so far as to fill out the forms saying what a great massage they had, and then go home and call the clinic to tell the supervisor that they were hurt by the student therapist.

What does this mean? It indicates that competency must be ascertained by instructors, not clients. This requires live supervision. Not distance learning. CE requirements can help us to improve competency and that protects the

public. In this vein, states who allow all CE requirements to be met through distance learning do not understand the nature of what we do.

*WHAT WOULD (OR COULD) THE NATIONAL REGISTRY OFFER THAT WOULD ACTUALLY BE DIFFERENT FROM THE EXISTING STRUCTURE(S) FOR CE APPROVAL?*

With no details forthcoming in regard to the proposed Registry, I must ask how will this solve our problem? Yet another agency in the mix, vying for its agenda? Will the NCB bow out gracefully (or perhaps go broke and bow out not so gracefully)?

The FSMTB has basically brainwashed the state boards to believe that competency is not an issue of public safety- only ethics counts- yet how can a national organization in a no-fail ethics on-line course expect to honestly say that they will in any way keep the profession ethical? This is a joke, in my opinion. Ethics is related to state law and standards of the profession. FSMTB does not have a set of standards- it is simply a loose association of state boards who want to own an exam together and have a chance for better inter-state communication and sharing of ideas. It is the states that set the standards and define ethical behavior. A state jurisprudence exam, or monitored exercise in which false stand-ins can be prevented should be mandatory for every massage therapist every 5-10 years of practice. In addition, live ethics classes should be mandatory in every state because one cannot learn to be more professional or ethical from a book alone, or from merely reciting the rules and regulations. It is in the discussion of actual personal situations, the actual need to apply the standards in the practitioner's work, that the deepest learning comes. Any standard or rules section could easily be turned into a 3-hour discussion period that would yield more thoughtful and confident responses on the part of the practitioner in real-life situations with clients.

And as I already stated, competency counts as much as professionalism. In fact it is integral to professionalism. Here are some thoughts on the current situation with regard to CE Provider approval and how it might be better.

The NCB's idea of approving individual CE instructors holds some merit in regard to certain practices which have been becoming prevalent in the CE field, in particular massage school instructors teaching CE under the umbrella of the school's CE approval as an organization. Organizational approval should be reserved for proprietary programs, which provide specialized training in trademarked systems of bodywork and have a teacher training program in place, as well as a well-defined selection process for instructors of their program.

Massage school teachers are generally graduates of the school they are teaching in and many times have come straight into teaching after school. Another common scenario- graduates work in the school administrative offices for a couple of years and then, having "2 years' experience" as a licensed massage therapist become teachers in the school. Next step- the school sees an opportunity to create more revenue from CE requirements and has their teachers teach CE courses that are little more than review classes from the school curriculum. Often these teachers have no teacher training and/or little to no experience in the actual techniques they teach.

Similar situations can occur in AMTA chapter sponsored events, holistic health centers, and places employing massage therapists such as large spas. Approved as organizational providers of CE, the teachers have little or no teacher training, and many times barely know any more about the topic they teach than the so-called students in their class.

Organizations who want to offer a variety of CE classes should hire approved CE providers to teach, not merely point to someone in their employ or membership and fill every weekend on the calendar with something, anything, regardless of merit. This does nothing to ensure ongoing competency in our professions.

Here are some standards for approving providers of continuing education that I would like to see in place. Organizational approval for proprietary programs could meet these standards in-house, and documentation of such could be in the instructor file, or submitted to the certifying agency.

1. Minimum 4 years utilizing the modality to be taught in a full-time practice.
2. Advanced certifications in the modality or approach to be taught and/or in related approaches, including certification to teach if that is customary in the modality. This includes licensure if required by state.
3. Teacher training, minimum 20 hours. Teacher training courses should be approved by the CE Approved Provider Certification Agency and should be held to a high standard.
4. Experience teaching, could be obtained in many diverse situations. Accompanied by a minimum of one letter of reference from an employer or similar person (not a student or peer).
5. Teach the course being submitted for CE approval at least once to a group of at least 8 students.
6. Student evaluations directly submitted to the CE certifying agency from 100 students, across a minimum of 4 courses. This should occur within the first period of certification (before the first renewal).
7. Supervisory evaluation by a CE Provider who has been approved as such for a minimum of 5 years who attends the entire course and submits written feedback to the certifying organization and to the instructor. This should occur within the first period of certification (before the first renewal).
8. Agreement by signature to the standards and ethics of the Certifying organization (similar or the same as what we currently sign with NCB)
9. Course description to include the following:
  - a. Course description
  - b. Description of participants appropriate for this course (prerequisites in terms of years of experience or science background, level targeted- just out of school vs experienced practitioner.)
  - c. Learning objectives
  - d. Course content/topic outline with estimated time allotments.

Thank you for reading!

Nancy Toner Weinberger

*Letter to CE Providers in NC regarding concerns about the State Board ending CE.*

I guess I am a "dinosaur" as I have been a licensed massage therapist (originally New York) since 1975. Recently I served on the North Carolina State Board for 5 years. That experience assured me that yes, we do need licensing to protect the public. Where can the public go when subjected to inappropriate sexual actions or injury at the hands of a massage therapist? Such persons need to be removed from our profession. The role of the Board is really very simple - publish standards and ENFORCE them. That is the job of the State Board- disciplinary action.

When I first moved to North Carolina in 1995 and discovered that North Carolina wanted licensure, I thought, "How foolish! They will find out what it is and regret it!" But what I have since realized is that there truly is a need for removing the bad apples. The public deserves that from us. The Board allows us to police our own profession, and that actually benefits us as well.

I would also like to point out that in many states the continuing education requirement is included in the practice act and merely fleshed out in Board Rules and Regulations. State laws, which must be changed by the legislature, are not easily changed. If there is conflict around the changes requested, the tendency is to keep things the same until there is more agreement. So any changes in CE requirements in North Carolina are not going to come about any time soon. I presume that that is the case in other states, as well.

Regarding the requirement for therapists to take CE courses in order to renew their license, I am in favor of keeping this requirement. As a CE Provider, I see the value, not just for those who want it, but also for those who don't. In the interaction with their peers, no matter how resistant the therapist is when they arrive at the class, they become involved, learn, experience, express, and interact. I am mystified at the big move to eliminate CE when the profession has grown, and continues to grow, largely as a result of these CE requirements. In truth, I would like to see all CE required to be in the classroom and eliminate on-line options, mainly because the interaction between peers and between the student and the teacher is usually lacking in these on-line classes.

So much politics, so many personal agendas, so much power-grabbing, and proliferation of organizations, and plain old greed. I find it embarrassing and not in line with principles and morals I embraced when I choose massage therapy as my life-long profession.

*Remarks sent to NCBTMB regarding the 1<sup>st</sup> Revision Proposal of the Approved Provider Program:*

This video is way too skimpy as far as bringing anyone on board with this program.

First, I would like to see a listing of the problems this program, or for that matter, the previous proposed program addresses.

What kind of data has warranted a change? Complaints from therapists? Complaints from State Boards? Complaints from Approved CE Providers? Where are these listed? I have not seen my questions, complaints, comments about what is missing or wrong with the current system of approving providers published anywhere- in fact my comments were barely acknowledged. The list of items that I hoped to see "fixed" in the new system are not fixed by this proposal.

What is the purpose of "cataloguing" all the classes? Why is that important? What issues does this address? Please be clear.

I would like more information in regard to who will be reviewing my materials and their qualifications to do so. The program used to use volunteers- do we have professional educators who are dedicated to just this task now with all the increased fees? What guarantee do I have that my intellectual property is secure.

It seems to me that the Approved Providers pay the fees, but are basically ignored in the rush to please- well, who? It has not been stated, has it. The Boards? Why don't the Boards pay in to support the program, too?

What can the NCBTMB do for the Providers? Well, I have submitted some ideas on that and there is certainly nothing about that in the structure given. This whole thing shows seat-of-the-pants planning. You need to go back to square 1 and start with WHY the restructuring- then build from there. You need to ask what can you do for your members (in this case the providers) that will give value for the money you ask for.

Here, once again, are the problems I see that need to be addressed. I am sure this is not a definitive list:

Classes being offered outside the scope of massage therapy

Inexperienced teachers and practitioners approved to offer CE- this problem exists not only in the individual provider group, but is a big problem with massage schools who are organizations, which allows them to utilize CE instructors who have not been vetted by the NCBTMB. .

Self care category used to include all kinds of way out there classes, such as group rebirthing sessions, yoga classes every week, tai chi every week- is taking care of our body self-care for massage therapists or self care for our personal selves- and where might we draw the line on what is approved for CE? I have some ideas on this.

Here are some ideas for revising the approved provider program:

- 1) Better categorization of courses, for example- spiritually based, tradition-based, evidence-based and/or appropriate for 1st 3 years in practice vs appropriate for all levels of experience and training
- 2) Higher standards for new providers- my suggested standards are:
  - a. Minimum 4 years utilizing the modality to be taught in a full-time practice.
  - b. Advanced certifications in the modality or approach to be taught and/or in related approaches, including certification to teach if that is customary in the modality. This includes licensure if required by state.
  - c. Teacher training, minimum 20 hours. Teacher training courses should be approved by the CE Approved Provider Certification Agency and should be held to a high standard.
  - d. Experience teaching, could be obtained in many diverse situations. Accompanied by a minimum of one letter of reference from an employer or similar person (not a student or peer).
  - e. Teach the course being submitted for CE approval at least once to a group of at least 8 students.
  - f. Student evaluations directly submitted to the CE certifying agency from 100 students, across a minimum of 4 courses. This should occur within the first period of certification (before the first renewal).



- g. Supervisory evaluation by a CE Provider who has been approved as such for a minimum of 5 years who attends the entire course and submits written feedback to the certifying organization and to the instructor. This should occur within the first period of certification (before the first renewal).
- h. Agreement by signature to the standards and ethics of the Certifying organization (similar or the same as what we currently sign with NCB)
- i. Course description to include the following:
  - i. Course description
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  - iii. Learning objectives
  - iv. Course content/topic outline with estimated time allotments.

3) Help and supervision for new providers (Requirements c, f, and g above.)

4) Special opportunities and lowered fees for proven competent providers: After 10 years, or even maybe 6 years, fees are reduced and less oversight is necessary. Or possibly increase the renewal period to every 6 years instead of every 3 years.

5) Regarding organizational approval, my opinion is this, and has already been submitted to you in a separate communication a month ago. Please consider what I say here:

The NCB's idea of approving individual CE instructors holds some merit in regard to certain practices which have been becoming prevalent in the CE field, in particular massage school instructors teaching CE under the umbrella of the school's CE approval as an organization. Organizational approval should be reserved for proprietary programs, which provide specialized training in trademarked systems of bodywork and have a teacher training program in place, as well as a well-defined selection process for instructors of their program.

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experience” as a licensed massage therapist become teachers in the school. Next step- the school sees an opportunity to create more revenue from CE requirements and has their teachers teach CE courses that are little more than review classes from the school curriculum. Often these teachers have no teacher training and/or little to no experience in the actual techniques they teach.

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### *Response to Call for Comment regarding the MOCC proposed by the FSMTB*

#### **In the MOCC program, advantages for Massage/Bodywork professionals are:**

I do not see any advantages of this proposal.

#### **In the MOCC program, disadvantages for Massage/Bodywork professionals are:**

The program is demeaning. After graduating and meeting licensure requirements why should licensed health professionals have to continuously prove that they have met those standards over and over again? How can the public have faith in a profession that feels that those they have granted a license to practice to may not know what they are doing! I have been in this profession for 35 years and this idea is pathetic. Requirements to stay current in the field make sense- taking CE classes does that- it keeps licensees current. This proposal does no such thing.

#### **In the MOCC program, advantages for State Regulatory Boards are:**

They are able to pass on their responsibilities to the FSMTB. Which, by the way, was one of the main arguments for moving away from NCBTMB exams and towards the MBLEX- not being dependent on a third party organization. The Federation will effectively establish itself as a third party organization by instituting the MOCC.

In general, the hope is that working through the Federation on CE regulation will bring about aligned regulation in many states. The MOCC does not address this, obviously.

**In the MOCC program, disadvantages for State Regulatory Boards are:**

A false sense of security that the public is "safe" by having licensees continuously repeat a "safety" exam. Therapists are safe when they are 1) Competent and 2) Professional. These are qualities that are renewed on an ongoing basis when therapists participate in a structured continuing education program, including hands-on, live classes.

Currently Boards can make educational requirements part of their disciplinary order for less serious offenses. That option will not be easily ordered if the number of CE classes available goes down, which, in our current economy, will happen if new licensees need only do the barest minimum of proving they are at entry level by answering some online questions (not even a test!) that are the equivalent of the knowledge on the MBLEX.

**The best part about the proposal is:**

Well, for the Federation, lots of income, I would imagine. For everyone else- nothing.

I think it is a proposal that will take our profession back to the dark ages.

**I still have questions about:**

Why was the NCBTMB, the primary organization for approving Continuing Education Providers and the organization that has served as a model for the standards for CE on many, many state Boards as they were formed, NOT INCLUDED on the task force?

**I have concern(s) about:**

The profession of Massage Therapy losing status.

The public receiving a lower quality massage.

Lack of options for Boards who must administer disciplinary actions.

A lack of attention to the diversity of the Profession.

**Please use the following space to provide any additional comments.**

As a recent Board member on the North Carolina Board of Massage, I would like to let it be known that one reason the request was made to the Federation to recommend a proposal for CE is that the Board was unable to discuss the very issues they faced regarding CE due to conflicts of interest.

Board members tend to be those who are leaders and educators in any profession, and the same holds true for massage. More than half our Board members teach CE or are in some way involved with it. Yet we agreed that our rules needed revision OR we needed a more stringent process of approving CE courses and/or providers.

Issues with the quality of instruction, the plethora of approved self-care classes that were oriented not towards massage professionals but rather towards general self-improvement, confusion around lines that should be drawn between energy-work based classes versus religious classes- these are some reasons why the request was made to the Federation to investigate the place of CE in license renewal, and recommend changes.

Instead we get the MOCC- as one therapist coined it: the MOCC-ery.