

June 21, 2010

Board of Barbers and Cosmetologists
301 South Park , 4th Floor
P.O. Box 200513
Helena, MT 59620-0513

Re: Body wraps, paraffin wax, scrubs, and other applications

To the Board of Barbers and Cosmetologists (BAR-COS):

I am writing on behalf of the Montana Board of Massage Therapy (BMT) regarding the following practice question, which was recently posed to the BMT:

May a massage therapist apply body wraps, paraffin wax, scrubs, and other topical applications as part of the practice of massage therapy?

Essentially, the BMT has been asked whether certain practices are within the definition of massage therapy. The definition of massage therapy is provided in the Massage Therapy Practice Act, § 37-33-403(4)(a), MCA, as follows:

(i) "Massage therapy" when provided by a massage therapist means the application of a system of structured touch, pressure, positioning, or holding to soft tissues of the body, Swedish massage, effleurage, petrissage, tapotement, percussion, friction, vibration, compression, passive and active stretching or movement within the normal anatomical range of motion, the external application of water, heat, cold, lubricants, salts, skin brushing, or **other topical preparations not classified as prescription drugs**, providing information for self-care stress management, and the determination of whether massage is contraindicated and whether referral to another health care practitioner is recommended.

(ii) The techniques described in subsection (4)(a)(i) must be applied by the massage therapist through the use of hands, forearms, elbows, knees, or feet or through the use of hand-held tools that mimic or support the action of the hands and are **primarily intended to enhance or restore health and well-being by promoting pain relief, stress reduction, and relaxation.**

First, it is understood that a massage therapist may not apply preparations classified as prescription drugs, and a massage therapist must use hands, forearms, elbows, knees, feet, or the use of hand-held tools that mimic or support the action of the hands. That aside, the BMT is of

the opinion that body wraps, paraffin wax, scrubs, and any other topical applications may be used as part of the practice of massage therapy, as long as the application is primarily intended to enhance or restore health and well-being by promoting pain relief, stress reduction, and relaxation. Facials and other procedures that are not primarily intended to enhance or restore health and well-being are not part of the practice of massage therapy. The question of whether the use of a particular external preparation is within the definition of massage therapy is one that must be answered on a case-by-case basis.

The BMT recognizes that certain BAR-COS licensees may also, within the scope of their practice as defined by statute, apply body wraps, paraffin wax, scrubs, and other applications. However, § 37-31-102, MCA, says: "The provisions of this chapter do not prohibit: . . . services by persons authorized under the laws of this state to practice . . . the healing arts . . ." Because massage therapy is a healing art, the practice of massage therapy is not restricted by Title 37, chapter 31, MCA.

This letter is respectfully directed to you for informational purposes, only, because the issue was raised to the BMT. The hope is that any differences of opinion between our boards might be worked out in a joint meeting as provided in § 37-1-107, MCA, if necessary. Until then, the opinion of the BMT as outlined in this letter will be the direction given by the BMT when approached with this issue.

Sincerely,

Michael Eayrs, Chairman
Board of Massage Therapy