



## Business League for Massage Therapy & Bodywork (BLMTB)

PO Box 4686 · Butte, MT 59702  
[www.blmtb.org](http://www.blmtb.org) email: [info@blmtb.org](mailto:info@blmtb.org)

### CAM Freedom Initiative:

6/13/2007

The BLMTB is exploring the possibility of introducing a CAM Health Care Freedom of Access bill in the 2009 Legislature.

You are invited to be a part of that dialogue:

**What: CAM Health Care Freedom of Access Conference Call**

**When: Wednesday, June 27 at 7pm (ends by 8pm)**

The length of the call is limited because each participant pays for their own long distance call (based on their own phone rates), the BLMTB is providing the conference calling service. If you have free long distance, then there will be no charge to you.

**How: To get the Conference Call Number and PIN #,**  
email us or contact us by phone (numbers below)

**Purpose:** to gauge interest in pursuing legislation in 2009

The BLMTB supports licensure for massage therapy, but a Freedom of Access law affects/protects not only MTs but many more professions: dance, music and art therapists, doulas, and many more who work with the body. Licensure for MTs protects only a narrow category of CAM practice and will leave everyone else to fend for themselves.

In our view, a licensure strategy for massage therapy has not worked so far, and we don't see it working any time soon. There is just too much disagreement within the profession and too much pressure from outside the profession to restrict what MTs do. In the meantime, we believe a Freedom of Access Law is a good interim strategy that will help all of our members (MTs and bodyworkers), the profession and other CAM practices. Consumers need protection, the profession needs protection, and none of this is occurring under the current situation.

Frequently asked Questions (FAQs) are on the back page.

Please join us in discussing this issue.

Sincerely,  
The BLMTB Board of Directors  
Tracy Williamson: cell: 406-490-4737  
Patricia Murphy: cell: 406-491-3124 or 406-782-3424  
Vianna Myles: 406-323-3406  
Deborah Kimmet: 406-251-9704

## **FAQs:**

### **What is CAM Health Care Freedom of Access?**

In states that have already passed them, and in states attempting to enact them, they protect the ability of the consumer to seek out non-harmful complementary and alternative medicine by protecting the consumer and protecting the ability of the CAM practitioner to practice what they have been trained to do.

### **Why is this important?**

Such a law will guarantee unfettered access to our services, yet still provide the consumer with basic information about the care they are seeking. An informed consumer is a better protected one.

### **Isn't access to our services already guaranteed/protected?**

No. Technically, because of the way the definitions are written in Montana law, we are all practicing medicine without a license and could be shut down by the medical board at any time. Most CAM practices are not licensed. Since these scopes of practice are not legally defined, if what we do intrudes on a licensed practice, they have the right to stop us from doing it.

Further, licensure laws in Montana are so broadly written that it could be interpreted that we intrude on many other licensees' toes. Examples: Reflexologists are intruding on the podiatry laws. Doulas intrude on the midwifery laws. Voice/music therapists using their work to loosen the jaw could possibly intrude on the dental laws. Massage therapists doing salt glows intrude on the cosmetology laws. We are still researching the professional statutes, but the examples go on and on.

We are not interested in creating fear among the professions that are not licensed, but the reality is, that massage therapists have already faced restrictions. We are concerned that as dollars for health care become tighter and tighter and more and more consumers seek us out, that licensed professions would seek to restrict what we do.

### **Isn't what you are proposing licensure or registration?**

No. There is no sign-up, no registering with the state. While this bill has not been written yet, these bills typically require the practitioner provide full disclosure to their clients (via a written form) and if questioned, can verify that they have received training in the techniques they are performing.

### **Why not get Licensed?**

There are many, many CAM practices out there, with only a few people practicing some of them. There would be hundreds of licensure bills, and the legislature would not want to deal with that many different practice acts and would be unlikely to approve a licensure bill affecting so few practitioners. Plus, the costs to license would be so high that licensure would be prohibitively expensive and create an undue burden on the practitioner.

The massage therapists have found out that when you enter the Legislative arena to become licensed, that all the other licensed professions will do their best to limit your scope of practice so as not to overlap with theirs. Well, CAM practices overlap. Seeking licensure could keep the CAM practitioner from actually practicing what they've been trained to do.

In Montana, the Legislature recently passed a bill that pushes professional boards to combine with one another. The possibility is great the same would happen to CAM practices. This would mean that someone not in your profession would be regulating you.

Licensure is supposed to be about protecting the consumer from harm. The practices that we want covered by the CAM Health Care Freedom of Access are low-risk professions. Typically the harm from these practices comes when boundaries are crossed or scope of practice is exceeded. In other words, there is nothing inherently harmful with the ethical practice of the profession itself, and really requires no licensure. But, at the same time, there is a need to protect the consumer in these situations, and at the same time protect their access to seek out the health care of their choice.