

# Indiana State Board of Massage Therapy

September 2011 Edition



## Board Members:

Deborah Ellis, CMT, Chair  
Ann Botka, CMT, Vice-Chair  
Roger Reeves, Consumer, Member  
Barbara Lis, CMT, Member  
Christopher Johnson, Consumer, Member

## Administrative Staff:

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Andre Phillips, Asst Director  
Lorrie Ruble, Case Manager  
Kimberly Oakley, Case Manager  
Kathy Dishman, Case Manager

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## 2011 Meeting Dates/locations:

- March 7
- June 6
- September 12  
(Conference Center Room 1)
- December 5

Please note that meeting dates are subject to change or may be cancelled due to lack of business. Board meetings are held in the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204. All meetings will be held in Conference Room W064 of the Indiana Professional Licensing Agency (unless otherwise indicated).

## Member Profile:

In this section of the newsletter we will introduce you to your board one by one.

**Barbara Lis** has been a member and vice chair of the Indiana State Board of Massage Therapy since 2008. She has been a massage therapist for 21 years, was Indiana State certified in 2009 and nationally certified since 1992 by the National Board of Therapeutic Massage and Bodywork (NCBTMB). Barbara served as the Indiana delegate in 2008 for the Federation of State Massage Therapy Board (FSMTB). Her commitment as a public servant is to protect and serve the general public.

Barbara coordinated massage therapists during the 1994 airplane crash disaster (American Eagle Flight #4184, in Thayer, Indiana) to work with emergency first responders. She helped to create the first National Massage Emergency Response Team (MERT), including the development of an incident command-massage training program. She has worked with Federal and State Emergency Management Agencies (FEMA and SEMA) in many state disasters. Barbara organized several massage community outreach events with American Red Cross, American Cancer Society, American Heart Association, several local hospitals, Indiana Legislators Women Conference and INShape Indiana. She continues to be an advocate for health and wellness in the massage therapy profession.

## What's Happening in your Profession?

### **EXCERPT:**

The FDA is concerned that the ShoulderFlex Massager presents serious health risks. Hair, clothing, and jewelry can become entangled in the massage device and cause serious injury or death.

**Recommendations for Health Care Providers:** Advise your patients NOT to use the ShoulderFlex massager.

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## Newsletter Schedule

- March
- June
- September
- December

## Helpful Links:

FSMTB: <http://www.fsmtb.org>

AMTA Indiana: <http://www.amtaindiana.org>

## Notes from the Director,

*The first edition of the MT Newsletter was well received and I thank you for your feedback. As we move forward I will bring you important information from other jurisdictions as well as articles written by our Board members and other agencies.*

*Your input is valuable to the staff, so we encourage you to submit questions, comments, concerns, and topic ideas and we will address them in future editions.*

*Tasha Coleman*

## CA Law Makes Sale of Faked MT Credentials

### Illegal :

*By Ramon G. McLeod, Massage Today, Editor-in-Chief*

A law that would make it illegal to knowingly provide faked massage therapist credentials is moving the California state legislature in response to human traffickers who are selling the phony documents to prostitutes who pose as therapists.

Senate Bill 285 was introduced in February by State Sen. Lou Correa, a Democrat from Orange County in Southern California. The bill makes it a misdemeanor for anyone "who provides a certificate, transcript, diploma, or other document, or otherwise affirms that a person has received instruction in massage therapy knowing that the person has not received instruction in massage therapy or knowing that the person has not received massage therapy instruction consistent with that document or affirmation."

The law was spurred by an investigation into phony documents done by the two-year-old California Massage Therapy Council (CAMTC), which issues certificates that permit massage therapists to work anywhere in the state. To be certified, an applicant must provide proof of their education, typically a transcript of their grades. Before issuance, however, CAMTC does criminal background checks.

At press time, sources have told *Massage Today* that the CAMTC uncovered the scam when an analysis of applicant records disclosed patterns in which certain "schools" had very high numbers of "graduates" with prostitution arrests. Further investigation determined that in several cases the "schools" were little more than storefronts and private homes that did not even offer up the pretext of classroom teaching. The sources said bogus transcripts were being sold at prices ranging up to \$2,500.

Besides criminalizing the fraudulent sales, the bill also requires police departments to provide CAMTC with information about the educational claims of people who have been arrested and prosecuted for violating state laws in connection with massage therapy, i.e., prostitutes. This section of the law is clearly intended to give the CAMTC more leads about who is selling fake transcripts.

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## Liability Insurance Requirements

By: Barbara Lis, Board Member  
Elizabeth A. Brown, DAG

The Indiana law regulating massage therapy became effective July 1, 2007, and is codified at Indiana Code § 25-21.8-1-1, *et seq.* It is your responsibility to familiarize yourself with the state law as well as the rules adopted by the Board at 847 IAC 1-1-1, *et seq.*

Effective July 1, 2009, the legislature amended the massage therapy certification statute to add a requirement that certificate holders have professional liability insurance. This requirement, found at Indiana Code § 25-21.8-4-2 (3), states that an individual who applies for certification as a massage therapist must “provide proof that the applicant has professional liability insurance in force that lists the state as an additional insured.”

The statute does not include any exceptions to this requirement, even for certificate holders who may not currently be practicing massage therapy. What this means is that you are required by law to have professional liability insurance at all times while holding a massage therapy certification through the State of Indiana. If you allow your liability insurance to lapse for any reason, you will be out of compliance.

If you cancel or let your insurance lapse, a notification is sent to the state by your insurance provider. If the Board is not provided with proof of new coverage, an investigation may be initiated by the Office of Attorney General and could result in a disciplinary complaint being filed against you. You want to avoid your

record showing any disciplinary action taken against you, which could include a fine or suspension. It is important that your certification be in “good standing” at all times.

Whether you purchase your own insurance or your employer provides you with coverage, it is your responsibility to make sure the insurance coverage is in effect and that the state is named as an additional insured on the policy. If you change insurance companies, make sure there is no lapse in coverage between the changes from one company to another.

Don’t put yourself in a situation where you are out of compliance with the certification requirements. Contact any licensed insurance agent and request professional liability insurance. You must list the State of Indiana on the policy as an “additional insured”. The insurance company will request an address for the State of Indiana; please use the Indiana Professional Licensing Agency mailing address: 402 W. Washington Street, RM W072, Indianapolis, IN 46204.

*The statutes and administrative rules can be accessed on the Indiana Professional Licensing Agency website:*  
<http://www.in.gov/pla/massage.htm>.

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