

TESTIMONY TO THE COMMITTEE ON HEALTH, Senator David Ige, Chair
TESTIMONY TO THE COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND
AFFORDABLE HOUSING, Senator Russell Kokubun, Chair

For the Senate hearing on Wednesday, February 13, 2008, 1:15 P.M.

By Conchita Cadiz, RN, CRRN, LMT
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Opposing SB3012, relating to Motor Vehicle Insurance

To Chairperson Senator David Ige, Chairperson Senator Russell Kokubun, and members of the committees,

Thank you for the opportunity to provide testimony regarding SB3012. As a practicing licensed massage therapist I strongly oppose the SB3012.

I would like to present three major points as to why this bill is strongly opposed:

SB3012 limits the clients' choices of care for recovery from a motor vehicle accident. Each client varies in recovering from a major motor vehicle accident and this may be due to the complex nature of co-morbidity factors besides the impact of the trauma caused by a motor vehicle accident. It may take a little longer for an individual to recover because of the aging factor. I have been a nurse for 43 years and a licensed massage therapist for 19 years. The elderly patient takes a bit longer in recovery than a younger man. By limiting the number of massage therapy treatments, this may affect the opportunity for the client to maximize a much-needed treatment. Clients suffer from severe to mild pain; pain that could be sharp, burning, achy, short term (acute) and long term (chronic). Pain that causes debilitation and limits productivity, whether at home or at work. Massage therapy has helped individuals in increasing mobility, flexibility and reducing or eliminating pain in a more conservative approach. By limiting the number of treatments, this could reduce the opportunity for individuals for better care.

SB3012 decreases the compensation for the licensed massage therapist to receive appropriate compensation for work being delivered. The licensed massage therapist has preliminary work before the client actually receives the first treatment – checks the prescription, clarifies the prescription with the physician, contacts the insurance claim adjuster, and assesses the client. Massage therapy is then delivered, documentation of each treatment, billing of treatments, following up to make sure the payment is received, then sometimes appealing the bill that is denied. All in all, the total amount of time spent is more than the actual time being charged since the amount billed is specific to the massage therapy being delivered. Therefore, by decreasing the rates for massage therapy service, the licensed massage therapist is not fairly being compensated.

SB3012 affects both the licensed massage therapist and the consumer. I believe that providing massage therapy, as a motor vehicle accident rehabilitation is reasonable and effective. I urge you to oppose SB3012. Quality of life for clients would be experienced and the licensed massage therapist would be a valued health practitioner in our community.

Thank you for your consideration

Respectfully yours,

Conchita Cadiz, RN, CRRN, LMT
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For the Senate hearing on Wednesday, February 13, 2008, 1:15 P.M.

**by Anne Fritz, Treasurer
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Opposing SB3012, relating to Motor Vehicle Insurance

To Chairperson Senator David Ige, Chairperson Senator Russell Kokubun, and members of the committees,

On behalf of the American Massage Therapy Association-Hawaii Chapter, thank you for this opportunity to provide testimony regarding SB3012. The American Massage Therapy Association-Hawaii Chapter strongly opposes SB3012.

SB3012 limits the patient's choice of care for recovery from a motor vehicle accident. 30 treatments may not be sufficient to address soft tissue damage such as whiplash, back pain and other pain syndromes which could resurface for years. While drug therapies may seem cost efficient, many patients prefer to avoid simply numbing and disguising the pain. The patients I have seen want to be rehabilitated through modalities that encourage the body's own healing abilities. Each individual heals at their own rate. While some individuals require a few treatments, capping the massage treatments to 30 visits is simply not acceptable.

In regards to compensation, it is unfair to compare massage therapy to other modalities such as chiropractic, acupuncture or physical therapy. While other therapies can treat more than one patient per hour, massage treatments are limited to one-on-one sessions. Many therapists find the job of treating the no fault patient to be a daunting task. For the massage therapists, accepting no fault case means doing the therapy, documenting the treatment, billing for the treatment, following up to make sure the payment is received, then sometimes appealing the bill that is denied. It is much more than one hour of follow up work per session. We are allowed to bill at the Medicare fee schedule for good reason. Capping the treatment to \$75.00 is not fair.

As a practicing therapist for over 11 years, many of my clients have experienced one, two or more motor vehicle accidents. All of them have indicated that massage therapy had brought them the most relief from their pain and discomfort compared to other modalities and prescription drugs; and has also given them the ability to control their fear and anxiety as a result of their accidents. For those who have the misfortune of being in a car accident in the future, they too would deserve to have the choice of modalities for their rehabilitation.

I believe that providing massage therapy as a motor vehicle accident rehabilitation is reasonable and effective. I urge you to oppose SB3012. Please feel free to contact me if I can provide any other information. Thank you for your consideration.

Respectfully yours,

**Anne Fritz
Treasurer, AMTA-HI Chapter
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