

**PRESENTATION OF THE  
BOARD OF MASSAGE THERAPY**

TO THE HOUSE COMMITTEE ON  
CONSUMER PROTECTION AND COMMERCE

TWENTY-NINTH LEGISLATURE  
Regular Session of 2018

Wednesday, February 21, 2018  
2:00 p.m.

**TESTIMONY ON HOUSE BILL NO. 1966, H.D. 1, RELATING TO MASSAGE  
THERAPY.**

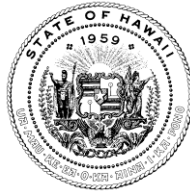
TO THE HONORABLE ROY M. TAKUMI, CHAIR, AND MEMBERS OF THE  
COMMITTEE:

My name is Samantha Meehan-Vandike, and I am a member of the Board of  
Massage Therapy ("Board"). Thank you for the opportunity to testify on H.B. 1966,  
H.D. 1. The Board opposes this measure and offers the following comments.

This measure would exempt individuals and establishments specializing in only  
foot, hand, and outer ear manipulation, including reflexology and foot zone therapy,  
from licensure as a massage therapist or massage establishment. According to Hawaii  
Revised Statutes section 452-1, the definition clearly states that manipulation of the  
superficial soft parts of the body constitute massage therapy. This definition is  
applicable whether a client is fully clothed or not. Establishments used for the purpose  
of practicing massage therapy must be licensed.

Practitioners of various modalities, as described in paragraph (1), can be certified  
by and in good standing with industry-recognized organizations. However, a massage  
therapist license is required to practice these modalities in Hawaii.

Thank you for the opportunity to testify on H.B. 1966, H.D.1.



DAVID Y. IGE  
GOVERNOR  
SHAN S. TSUTSUI  
LT. GOVERNOR

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**PRESENTATION OF  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
REGULATED INDUSTRIES COMPLAINTS OFFICE**

**TO THE HOUSE COMMITTEE ON  
CONSUMER PROTECTION & COMMERCE**

**TWENTY-NINTH LEGISLATURE  
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**Wednesday, February 21, 2018  
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**TESTIMONY ON HOUSE BILL NO. 1966 H.D.1  
RELATING TO MASSAGE THERAPY**

**TO THE HONORABLE ROY M. TAKUMI, CHAIR, AND MEMBERS OF THE  
COMMITTEE:**

The Department of Commerce and Consumer Affairs (“Department”) appreciates the opportunity to testify on H.B.1966 H.D.1, Relating to Massage Therapy. My name is Daria Loy-Goto, and I am the Complaints and Enforcement Officer for the Department’s Regulated Industries Complaints Office (“RICO”). RICO offers the following enforcement-related concerns.

H.B. 1966 H.D.1 creates an exemption from the licensure requirements of Hawaii Revised Statutes (“HRS”) chapter 452. Under this bill, manipulation of the soft tissues of only the hands, feet, and outer ears, including the practice of reflexology and foot zone therapy, would no longer need to be performed by a licensed massage therapist.

The bill also exempts certain establishments from licensure and exempts unlicensed individuals from existing advertising requirements.

RICO defers to the Board of Massage Therapy on whether this bill furthers the interests of the public.

Under current Hawaii law, a license is required for an individual to operate as a massage therapist. A license is also required for a business to operate as a massage establishment. RICO regularly investigates and prosecutes unlicensed activity in this area.

RICO is concerned it will face practical challenges in enforcing HRS chapter 452 as a result of this exemption and that allowing unlicensed individuals and establishments to perform some related activity will make it more difficult for RICO to determine if an individual or establishment is providing massage services beyond the scope of the exemption.

RICO also notes advertising relating to massage is currently regulated under HRS section 452-23. The bill as drafted would exempt unlicensed individuals and establishments from these requirements. RICO believes advertisements by unlicensed individuals and establishments will increase exponentially with such an exemption.

While RICO understands the desire of current practitioners in these areas to be allowed to legitimately practice in Hawaii, creating an unlicensed exemption will result in an increase in unlicensed individuals and establishments offering services and significantly affect RICO's overall enforcement of unlicensed massage activity in the State.

Thank you for the opportunity to testify on H.B. 1966 H.D.1. I will be happy to answer any questions the Committee may have.



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Michael Rainone  
Warwick, NY  
President

February 20, 2018

RE: HB 1966 Testimony

Lucy Scarbrough  
Jackson, TN  
Vice President

The Hawaii massage law was passed over seventy years ago in 1947. This was long before the advent of the complementary health movement that has seen emergence of many non-massage practices, including reflexology. Yet, conventionally people use the term massage very loosely to include other touch therapies that have nothing to do with standard massage techniques. Reflexology is recognized worldwide by the public and various national health organizations as a distinct complementary practice within the holistic health field.

Susan Mix  
Sunnyvale, CA  
Board Secretary

Perry Dickinson  
Cheyenne, WY  
Treasurer

Reflexology is a method of manual techniques, such as thumb and finger-walking, hook and backup, and rotating-on-a-point applied to specific reflex areas involving reflex maps resembling the human body found predominantly on the feet, hands and outer ears. The techniques applied stimulate the complex neural pathways linking body systems and supporting the body's efforts to function optimally.

Sharon Vermeulen  
Grand Rapids, MI  
Director & Administrative  
Secretary

Julia Dollinger  
Naples, FL  
Director

1. Reflexology has its own history, vocabulary, theories, and techniques separate from any other profession. It works primarily with reflexes through the nervous systems versus the musculature. The effect of Reflexology is seen at a distant from where the pressure is applied; its intent is not to change the soft tissue of the body nor to practice medicine in any form.

David Henry  
Hendersonville, NC  
Director

2. The profession of reflexology is acting in a responsible manner by having its own:
- Schools and educational programs with hours of reflexology training that surpass what is taught in massage schools as reflexology;
  - Their own state, national, and international reflexology organizations;
  - A national certification program designed to protect the public through the recognition of competent practitioners meeting certain standards; and
  - Separate research studies around the world to prove its efficacy and safety

Christine Issel  
Auburn, CA  
Legislative  
Consultant

3. Reflexology has 5 state laws (ND, TN, NH, WA, NV) and it is exempt from 33 massage laws either by exact use of the word reflexology or wording indicating "work restricted to the feet, hands and outer ears and do not hold themselves out to be massage therapists or to do massage or massage therapy."
4. Placing Reflexology under massage limits the public's right of choice because:
- Many reflexologists will cease to practice rather than to invest the time and money to become massage therapists when they don't want to practice massage; and
  - As valuable as massage is there are those members of the public who want the benefit of stress reduction but do not want to disrobe because of religious convictions or modesty.

For all of the above reasons, please pass HB 1966 out of Committee with a yes vote. Thank you.

Sincerely,  
**Christine Issel**  
ARCB Legislative consultant  
916-718-3995

*Since 1991 the highest standards to which professional reflexologists aspire*

**HB-1966-HD-1**

Submitted on: 2/20/2018 8:36:06 AM

Testimony for CPC on 2/21/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Orton	Individual	Support	No

Comments:

Aloha!

I am a foot zone practitioner and instructor who moved from Utah to Hawaii in 2017. What draws me to Hawaii is your deep natural healing traditions as well as your Blue Zone initiative.

As you know, so much of the Hawaiian tradition starts in the feet. Ancient Hawaiian's, the hula, all start from the feet and the movement from the ground up.

Foot Zoning is about presence from the feet up. Our entire body can be accessed through reflex signals in the feet bringing the body into homeostasis. It is an ancient practice linked to many cultures and traditions. This is a valuable therapy as it enhances that rooting; that sense of freedom through simple movements, restoring health and bringing overall vitality to the individual. If people aren't practicing aloha here and moving from the feet up we are missing the point of attempting to be a Blue Zone state.

Current Hawaiian law requires one to be a licensed massage therapist in order to do such work; however, the technique of foot zone therapy is different than massage.

While massage therapy involves muscle manipulation of the entire body, the foot zone technique focuses on the feet and ankles to stimulate energy signals which correspond to body systems, organs, and parts. During a massage the client lies, unclothed, on a massage table. During a foot zone session the client sits, fully clothed, except for shoes and socks, in a chair.

Requiring massage therapy licensure to practice foot zoning places an undo financial burden on foot zone practitioners who spend \$4,000 to receive training and are then required to spend another \$10,000 - \$15,000 to receive massage training in order to practice their modality. Massage schools do not provide instruction on foot zoning and the training that is provided is not relevant to foot zoning.

This is a healing island, and I'd like to see it as the gateway of such to allow residents to experience that healing through their feet. Most people who receive a treatment report feeling balanced, calm, healthier, increased circulation, energy, and relaxation, reduced tension, and over all better alignment.

I ask for your support in passing HB 1966 exempting foot zone practitioners from the massage therapy law. In 2014 we successfully accomplished this in Utah and it has been a wonderful thing for the people in this state! Many other states have passed similar exemptions.

**The only adjustment I would recommend making to the current draft bill that's written is:**

**"(4) Does not otherwise provide massage therapy for clients, ~~whether or not~~ for compensation."**

**The law shouldn't punish people for giving a free massage.**

Mahalo nui loa for your time and consideration,

Jennifer Orton

**HB-1966-HD-1**

Submitted on: 2/20/2018 4:44:38 PM

Testimony for CPC on 2/21/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephanie Marcum	Individual	Support	No

Comments:

I support this bill. I have been foot zoning for 14 years and benifited from it for 18. I can not learn how to do what I do at massage school and it should be separated from them. Thanks so much!

**LATE**

**HB-1966-HD-1**

Submitted on: 2/20/2018 5:13:14 PM

Testimony for CPC on 2/21/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ashley Moffat	Individual	Support	No

Comments:

As one working to get my certification for foot zoning it would be beneficial for me to not have to get a massage therapy license to footzone. Thank you for your consideration. Aloha!



**LATE**

**HB-1966-HD-1**

Submitted on: 2/20/2018 6:20:14 PM  
Testimony for CPC on 2/21/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
D.D. Black	Individual	Support	No

Comments:

I am absolutely in support of this bill. It is clearly reasonable that when a practioner is working on ONLY the feet, hands, or outer ear manipulation, one should not have to go through all of the licensing requirements of a massage therapist. The level of interaction with the client is minimal when working only on the feet, hands or outer ear manipulation. Thus logically & simply put, the comprehensive licensing requirements of a massage therapist who work in such a comprehensive manner with the client, should not apply to one that does not work with a client in such a manner.

Thank you!

**LATE**

**HB-1966-HD-1**

Submitted on: 2/20/2018 8:03:55 PM

Testimony for CPC on 2/21/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michele Malouf	Individual	Support	No

Comments:

**My Testimony is that Foot Zoning Works! It should be an avenue available to all who wish for a more natural approach to healing.**

**I don't want to have to go to massage therapy school to be able to legally practice the foot zone. I don't wish to touch the whole body. Thus foot zone is a wonderful non-invasive modality to help heal the body, through accupressure on the feet.**

**In my short time Zoning, I have been able to help people. A friend of mine was suffering from an inflamed and painful knee, it was a difficult and lengthy process for him just to get up and down the stairs. He let me practice my zone on his feet, I had only just finished the first quarter of the zone in school. Within hours after I had worked on his feet, he came to me and told me, "I can walk! I haven't felt this great in weeks! It's not that I'm totally healed-but my pain has subsided. Thank you!" It was the first time that I saw the amazing healing that can come from this work.**

**Another lady I worked on wasn't sure she believed in foot zoning, but had a lengthy chest cold that was bothering her. She had me zone her feet. A couple days later she sent me a text to tell me that not only was her cold almost gone, but she had also been sleeping better at night, and that her eye twitch was gone. She was a believer! I had not zoned her specifically for those reasons, I had no idea they were things that plagued her, yet the zone works that way. It is not a targeted one item thing. We work on the feet to benefit the whole body. That is the beauty of the Zone.**

**I began zoning because I was drawn to it as a way to help my own family. I have a daughter with physical and behavioral problems that the zone helps with. My other daughter does not exhibit obvious problems, but begs for a foot zone frequently because it balances her moods and helps her. Even if I were able to only Zone my own family, my schooling was worth it. But I Believe this is a mode of therapy that the world is in need of, and I would love to be able to financially bless my family, by setting up a clientele, and benefiting others by offering the Foot zone to them.**

**My schooling through 'Wellness Life Zone Foot Zone Academy', has been excellent! They not only had us learning the zone on the feet, the accupressure signals to the body, but also anatomy and physiology to better understand the body in its entirety.**

**To be able to use the feet to trigger a balance and healing to your cells, is a non intrusive, wonderful natural healing avenue. It is a blessing to be a part of. I hope that this Bill will pass as to allow those who wish to study and practice this, to be able to--without having to go through a lengthy process of massage school as well as the excessive cost it would take to get there. Please support HB1966**

**Thank you!**

**Michele Malouf**

**LATE**

**HB-1966-HD-1**

Submitted on: 2/20/2018 9:49:24 PM

Testimony for CPC on 2/21/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tamara Wilcox	Individual	Support	No

Comments:

Foot Zoning is an incredible modality that could be considered even more beneficial than massage therapy, as it also triggers the internal organs to come into balance to get healthy. It is a viable profession to be a Foot Zone Pracitioner & I highly encorage you to make this a legal pracice.

Thank you!

**LATE**

**HB-1966-HD-1**

Submitted on: 2/20/2018 10:44:48 PM

Testimony for CPC on 2/21/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
summer kester	Individual	Support	No

Comments:

I am a licensed cosmetologist in three states, so I am fully trained in manipulating by massaging the soft tissue on hands and feet as is performed in manicures and pedicures. I have experienced firsthand the benefits of footzoning and I have also been trained and certified in this healing modality. I fully support the state of Hawaii to pass the bill Hb1966 to legalize trained and certified footzoners to be able to obtain a license to practice in the state of Hawaii.

S. Kester

**LATE**

**HB-1966-HD-1**

Submitted on: 2/21/2018 5:51:03 AM

Testimony for CPC on 2/21/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Trudy Thurgood	Individual	Support	No

Comments:

My Foot Zone practitioner was closed down and fined for not having a massage license! She only touched my feet. There was nothing inappropriate worthy of such harsh treatment! Her skilled hands improved my health and inspired me to become a Zoner. Representative Greene assisted me in getting the Utah massage act changed to exempt our profession and other similar professions. We are mostly housewives needing some extra income and wanting to help others feel better. Now we are liberated to do so without fear.

i applaud your actions to do the same in Hawli and fully support the passing of this bill!

Trudy Thurgood

padt Chairman (and organizer) if the Utah Foot Zone Association

**LATE**

**HB-1966-HD-1**

Submitted on: 2/21/2018 1:48:21 PM

Testimony for CPC on 2/21/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Destiny M. Holland	Individual	Support	No

Comments:

Aloha,

Footzoning and reflexology are both wonderful alternatives to holistic therapy. Both are very different from massage therapy and should remain as a separate practice from massage therapy.

I am in support of HB1966.

Mahalo,

Destiny Holland

**LATE**

**HB-1966-HD-1**

Submitted on: 2/21/2018 2:47:18 PM

Testimony for CPC on 2/21/2018 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nichole Sair	Individual	Support	No

Comments:

I support the bill!!!