



**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

## Board of Directors Meeting

# AGENDA

June 23, 2016

Hilton San Francisco  
Airport Bayfront

Burlingame



## **MISSION STATEMENT**

**California Massage Therapy Council's mission is to protect the public by certifying qualified massage professionals in California.**

# **California Massage Therapy Council**

## **Board Members**

Mark Dixon, Chairman, Appointed by American Massage Therapy Association, California Chapter

Ronald Bates, Vice Chair, Appointed by League of California Cities

Allison Budlong, Secretary, Appointed by California Association of Private Postsecondary Schools

Michael Marylander, Treasurer, Appointed by Board

Michael Callagy, Appointed by Board

Shana Faber, Appointed by Board

Jeff Forman, Appointed by the Office of the Chancellor of the California Community Colleges

Heather Forshey, Appointed by San Mateo County Department of Health

Guy Fuson, Appointed by California State Association of Counties

Minouche Kandel, Appointed by Department of Consumer Affairs

Stephanie Powell, Appointed by Journey Out, Anti-Human Trafficking Organization

Sandra Spagnoli, Appointed by California Police Chiefs Association

Dixie Wall, Appointed by American Massage Council



## **FUTURE BOARD MEETINGS\***

**September 28 & September 29, 2016 – Marina Del Rey**

**November 10, 2016**

**\*The above meeting dates and locations are subject to change.  
Actual meeting dates and locations will be posted on the CAMTC  
website 10-days prior to the meeting.**



## **RULES OF DEBATE AND DISCUSSION**

1. Only one item, the item on the floor, is discussed at a time.
2. Only one person speaks at a time:
  - The person introducing the item;
  - The person speaking for or against the item;
  - Or the person asking or answering a question or raising a point of order.
3. Side conversations will be ruled out of order.
4. Directors debating a motion will have two minutes to speak, once on each motion, with three each from supporting and opposing sides, at which time the motion will go to a vote. The board may vote to extend time for debate.
5. When you want to speak, raise your hand and wait to be called on by the Chair.
6. A question is not an occasion to make an argument.

See accompanying Parliamentary Procedures At-A-Glance

## Parliamentary Procedures At-A-Glance

| <b>To Do This (1)</b>                                 | <b>You Say This</b>                       | <b>May You Interrupt Speaker?</b> | <b>Must You Be Seconded?</b> | <b>Is the Motion Debatable?</b> | <b>Is the Motion Amendable?</b> | <b>What Vote is Required?</b> |
|---|---|-----------------------------------|------------------------------|---------------------------------|---------------------------------|-------------------------------|
| Adjourn the meeting (before all business is complete) | "I move that we adjourn."                 | May not interrupt speaker         | Must be seconded             | Not debatable                   | Not amendable                   | Majority vote                 |
| Recess the meeting                                    | "I move that we recess until..."          | May not interrupt speaker         | Must be seconded             | Not debatable                   | Amendable                       | Majority vote                 |
| Complain about noise, room temperature, etc.          | "Point of privilege"                      | May interrupt speaker             | No second needed             | Not debatable (2)               | Not amendable                   | None (3)                      |
| End debate  | "I move the previous question"            | May not interrupt speaker         | Must be seconded             | Not debatable                   | Not amendable                   | Majority vote                 |
| Amend a motion  | "I move that this motion be amended by.." | May not interrupt speaker         | Must be seconded             | Debatable                       | Amendable                       | Majority vote                 |
| Object to a procedure or to a personal affront        | "Point of Order"                          | May interrupt the speaker         | No second needed             | Not debatable                   | Not amendable                   | None (3)                      |
| Request information                                   | "Point of information"                    | If urgent, may interrupt speaker  | No second needed             | Not debatable                   | Not amendable                   | None                          |

Notes:

1. These motions or points are listed in established order of precedence. When any one of them is pending, you may not introduce another that's listed below it. But you may introduce another that's listed above it.
2. In this case, any resulting motion is debatable.
3. Moderator decides.



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

Sent and Posted: June 10, 2016

## NOTICE OF PUBLIC MEETING

Thursday, June 23, 2016 – 9:00 a.m.  
Hilton San Francisco Airport Bayfront  
600 Airport Blvd  
Burlingame, CA 94010  
Meeting Room: Spectrum

## AGENDA

1. Call to order, roll call, and establish quorum
2. Chair's Comments
  - Welcome/Introductions
  - Rules of Debate
3. Approval of minutes from February 25, 2016
4. Legislative changes 2016
5. Board members and direct contact with the audit firm, legal counsel, management firm, and other third party vendors
6. Duty of Loyalty
7. Proposed amendments to Policies and Procedures for Approval of Schools
8. Closed session with CAMTC legal counsel pursuant to California Government Code section 11126(e) – schools; lawsuits
9. Massage schools' presentations
10. Closed Session with CAMTC legal counsel pursuant to California Government Code section 11126(e) - schools; lawsuits
11. Proposed amendments to recertification policy
12. Career outreach program
13. Chief Executive Officer's report
  - Sunset review and AB 2194 (Salas)
  - Anti-human trafficking hearing
  - Local government and law enforcement assistance

- Feasibility study
  - New database system
  - Operational and financial update
14. Public comments regarding issues not in this agenda/suggested agenda items for future meetings
15. Director of Governmental Affairs and Special Projects' report
- Local Government Implementation of AB1147
  - Sunset review
  - Human Trafficking
  - Feasibility Study
  - Database Development Update
16. Treasurer's report
- Applications Received
  - Financial Statements
  - Conclusions
17. Director of PSD's report
- Interaction with law enforcement agencies
  - Training
  - Media
18. Director of ESD's report
- Applications process update
  - Schools and graduates notification
  - ESD database
19. Board members' comments regarding warrant and payroll registers
20. Closed Session regarding the appointment, employment, evaluation of performance, or dismissal of an employee pursuant to California Government Code Section 11126(a) - CEO performance review
21. Return to open session and announce action taken in closed session, if any, under item 20
22. FSMTB presentation
23. Items/suggestions from Board members for future meeting agendas
24. Adjourn

*All agenda items are subject to discussion and possible action.* All interested parties are invited to attend the meeting. Time will be allowed for members of the public to make comments on each agenda item (up to 2 minutes). To make a request for more information, to submit comments to the Board, or to make a request regarding a disability-related modification or accommodations for the meeting, please contact Sheryl LaFlamme at (916) 669-5336 or One Capitol Mall, Suite 800 Sacramento CA 95814 or via email at [camtc@amgroup.us](mailto:camtc@amgroup.us). Requests for disability-related modification or accommodation for the meeting should be made at least 48 hours prior to the meeting time. This notice and agenda is available on the Internet at <http://www.camtc.org>

**DRAFT**

**RESOLUTION OF THE BOARD OF DIRECTORS  
CALIFORNIA MASSAGE THERAPY COUNCIL**

\_\_\_\_\_, 2016

WHEREAS, CAMTC welcomes vigorous debate and a wide variety of opinions and positions during the orderly conduct of its activities in the framework of duly scheduled meetings;

WHEREAS, challenges to decisions of the Board from persons or entities outside the organization are accepted as healthy and a vital part of the normal course of events in any active organization;

WHEREAS, however, Board members' organized and public undermining of positions already taken by CAMTC can damage the effectiveness and reputation of the organization, place excessive burdens on the professional staff and consultants, and disrupt CAMTC operations. As a result, such organized and sustained actions are viewed as serious violations of the duty of loyalty to the organization and its commitment to protect the public;

WHEREAS, CAMTC in no way discourages its directors from respectful disagreement with the Board's policy decisions during or outside of Board meetings. Nor does CAMTC desire to discourage dissent with CAMTC policies by organizations that appoint directors to the CAMTC Board.

NOW THEREFORE, be it resolved:

Except as provided above, that the CAMTC Board of Directors views any action by a sitting director who publicly opposes a position already taken by the CAMTC Board during the director's term of office as a violation of the duty of loyalty to CAMTC, and such behavior may subject the director to action by the Board, including but not limited to censure.



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

June 13, 2016

TO: BOARD OF DIRECTORS CALIFORNIA MASSAGE THERAPY COUNCIL

FROM: JOE BOB SMITH, DIRECTOR, EDUCATIONAL STANDARDS DIVISION  
ALISON SIEGEL, SPECIAL COUNSEL

RE: REASONS FOR PROPOSED AMENDMENTS TO CAMTC'S POLICIES  
AND PROCEDURES FOR APPROVAL OF SCHOOLS

Per the Board motion on changes to policies, the following information is provided:

The language of the current policy and when the policy was adopted.

See attached Policies and Procedures for Approval of School (approved 2/25/16) with proposed additions in red and deletions in strikethrough.

A short description of why the policy should be changed.

The proposed language affects the following main areas:

1. Timeline for submission of application for reapproval - Section 1.E.

A provision has been added notifying schools that they need to submit applications for reapproval six months before expiration to provide sufficient processing time.

2. Timeline for decision on application for approval - Section 2.D.

Removes the 90-day time period after a site visit has been conducted to make a decision on an application for certification. The 90-day date in the procedures fails to account for the fact that site visits are often one of the first tasks performed, well before applications are complete and all requested documents and information from a school have been submitted. In most cases no final decision can be made within 90 days of a site visit since documents and information are still being gathered at this time. This is especially true given the fact that the way the program has been implemented has resulted in a large number of schools submitting applications all at the same time, instead of on a rolling basis.

3. Provisional School Approval – Section 2. D. a.

This provision allows for provisional approval of schools that do not currently have classes due to the program or school being new. It allows for CAMTC to grant provisional approval for a short period of time so that the program can become operational and the remainder of the tasks related to school review can be completed. Approval is only for 180 days, unless extended.

4. Acceptance of diplomas/transcripts from closed schools on or after July 1, 2016 – Section 3.A.

The changes in this section allow an approximately six-month grace period for students with education from closed schools that have not been merged with a CAMTC approved school or have a CAMTC approved school as a custodian of records to still be able to submit transcripts to CAMTC for certification purposes. This grace period is being extended for a limited amount of time in an effort to help ease the transition for students that have attended closed schools. Additional changes to these provisions also allow for the acceptance of education from closed schools that are CAMTC approved at the time of closure and in good standing as long as their custodian of records or the school they are merged with is also a CAMTC approved school and the identified procedures are followed.

5. Allows transfer of credit hours from colleges or universities of the California higher education system – Section 5. B. g.

This new provision allows for the transfer of up to 125 hours of related education completed at a state higher education institution.

6. Schools can't ask for ID from prospective students – Section 5. D. (3). a.

Prospective students have complained to CAMTC that some schools will not allow them to visit a school to determine if they would like to attend without having to provide an ID to the school. This is not an appropriate procedure and potentially puts an individual's personal identifying information at risk.

7. Holding of students – Section 7.a.2.

Students are currently held when a letter is sent to a school proposing to take action against them. This addition will allow CAMTC to hold students when an investigation is started against a school. This earlier hold protects the public because, if a school is acted against by CAMTC for failing to meet minimum standards for training and curriculum, it stops applicants from being certified using that inadequate education. If no action is taken against the school then the applicants are processed in accordance with standard procedures.



8. Time to bring legal action against CAMTC limited to 90 days after a final decision is made.

Under the current rules, cases remain open until one year after a decision is made to take action against a school. Under this provision, that time would be shortened to allow for cases to be closed in a quicker fashion to allow CAMTC to better manage litigation and provide finality to all parties involved.

9. Clarifying changes

Additional minor language changes have been made to clarify some provisions of the Procedures.

The language of related statutes that may have an impact on the decision. **None**

The fiscal impact the proposed change may have on CAMTC and certificate holders and applicants.

Generally unknown. The extension of time to accept education from closed schools may result in the receipt of more applications for certification.

Potential pro's and con's if the new policy is adopted.


Pros – The requested changes provide clarity in processes and procedures so CAMTC school applicants and approved schools know exactly which processes and procedures apply to their situation; balances the needs of students from closed schools with CAMTC's statutory requirement to ensure that education meets minimum standards for training and curriculum; and requires litigation to be brought in a shorter time frame.

Con – None.

The impact on current certificate holders and applicants.

The provision extending the date for applying with education from a closed school allows more applicants to apply after the July 1, 2016 date. Allowing an early hold of students from schools under investigation provides better public protection if it is found that the schools are not meeting minimum standards for training and curriculum and strengthens the value of the certificates held by certificate holders.

A suggested date for the change to be implemented. **Effective immediately.**



## POLICIES AND PROCEDURES FOR APPROVAL OF SCHOOLS

The California Massage Therapy Council ("CAMTC") hereby adopts the following policies and procedures for the approval of schools, pursuant to California Business and Professions Code sections 4600 et. seq. (hereinafter the "Law"). In accordance with the Law, CAMTC approved schools shall meet minimum standards for training and curriculum.

### 1. Eligibility for approval.

In order to receive and maintain CAMTC school approval, a massage school, and any CAMTC approved satellite locations, shall meet ALL of the following requirements:

- A. The school must offer s at least one eligible program clearly identified as a professional massage program that grants students a certificate, diploma, or degree in massage. Other professional education programs that include massage as a component of their programs are not eligible.
- B. Massage program(s) provides an organized plan of study of massage and related subjects for a minimum of 500 supervised clock hours (or credit unit equivalent) containing, at minimum, 100 hours of instruction addressing subjects specified by the Law and CAMTC, including but not limited to: anatomy and physiology; contraindications; health and hygiene; and business and ethics. The massage program(s) shall also incorporate appropriate school assessment of student knowledge and skills. CAMTC does not accept online or distance learning hours, including but not limited to, externships, homework, and self-study or credits through challenge examinations, achievement tests, or experiential learning.
  - a. For programs qualifying as a college or university of the state higher education system, as defined in Section 100850 of the Education Code, units must be for academic credit and appear on an official college transcript. Certificates from non-credit adult education classes and programs are inapplicable. Community College degrees and certificates must be approved by the California Community Colleges Chancellor's Office.
- C. The school and/or massage program is not currently un-approved by CAMTC.
- D. The school and corresponding massage program(s) shall also meet at least one of the following requirements:
  - a. Approved by the California Bureau for Private Postsecondary Education (BPPE).
  - b. Approved by the California Department of Consumer Affairs.

- c. Accredited by the Accrediting Commission for Senior Colleges and Universities or the Accrediting Commission for Community and Junior Colleges of the Western Association of Schools and Colleges and that is one of the following:
  - (1) A public school.
  - (2) A school incorporated and lawfully operating as a nonprofit public benefit corporation pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code, and that is not managed by any entity for profit.
  - (3) A for-profit school.
  - (4) A school that does not meet all of the criteria in subparagraph (2) that is incorporated and lawfully operating as a nonprofit public benefit corporation pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code, that has been in continuous operation since April 15, 1997, and that is not managed by any entity for profit.
- d. A college or university of the state higher education system, as defined in Section 100850 of the Education Code.
- e. A school requiring equal or greater training than what is required pursuant to this chapter and is recognized by the corresponding agency in another state or accredited by an agency recognized by the United States Department of Education.

E. To prevent a possible lapse of CAMTC School Approval, CAMTC needs to receive an application for reapproval at least six months prior to the school's approval expiration date as stated in the letter of approval. While CAMTC may send a complimentary reminder, it is the school's responsibility to submit the application for reapproval on time.

## 2. Approval Process.

- A. Complete the application packet entirely and submit all requested documents.
- B. Pay the application fee of \$750 and any required background check fees. All fees are non-refundable. If approved, the application non-refundable fee provides for 2 full years of CAMTC approval, so long as the school maintains the requirements for approval set forth herein and is not in violation of CAMTC's these Procedures for Un-Approval of Schools.
- C. Host a scheduled site visit from a CAMTC representative(s) who will verify information submitted in the application packet and compliance with requirements for approval set forth herein.
- D. Within 90 days of the site visit, Once CAMTC makes a decision regarding the application, CAMTC will send a letter to the school notifying it of CAMTC's decision to

approve the school, provisionally approve the school, propose to ~~un-approve~~deny the school, propose to otherwise act against the school in accordance with CAMTC's these Procedures for Un-Approval of Schools, or notify the school that corrective action is needed in accordance with the procedures set forth herein.

- a. Provisional School Approval For New Schools and/or New Massage Programs. For new schools and new massage programs, or schools and programs currently without any enrolled students, CAMTC will follow the same application review process set forth in these procedures, except for those procedures applicable to the site visit. For schools seeking CAMTC provisional school approval, a minimum of two site visits will occur. The initial site visit will follow the guidelines of a regular site visit except for class observations, student interviews, and student file review. A follow-up site visit will be performed once students have started the program to complete these items. If granted, CAMTC provisional school approval is valid for only 180 days, unless otherwise extended by CAMTC in its sole discretion.
- b. Request for Corrective Action. CAMTC, in its sole discretion, may determine that specific corrective action is needed. If CAMTC determines that corrective action is needed, it will send a letter to the school notifying it of the specific corrective action requested and specify a time period for the school to take the requested corrective action and provide proof to CAMTC that the requested corrective action has been taken. Within 90 days of the school's deadline to provide ~~Once CAMTC has reviewed submitted~~ proof that ~~it-the school~~ has taken the specific corrective action requested pursuant to this section and made a determination as to whether the action taken satisfies the request for corrective action, CAMTC will send a letter to the school notifying it of CAMTC's ~~proposed~~ decision to approve the school, provisionally approve the school, propose to deny ~~un-approve~~ the school, or propose to otherwise act against the school in accordance with CAMTC's these Procedures or notify the school that additional corrective action is needed ~~for Un-Approval of Schools~~.

### 3. Important Dates.

- A. July 1, 2016. As of this date, CAMTC will accept, for purposes of certifying individuals who received massage education in California, only those hours completed from CAMTC approved programs offered at CAMTC approved schools ~~approved by CAMTC~~ unless otherwise allowed pursuant to these procedures.
  - a. CAMTC will accept education for CAMTC certification purposes from schools closed on or before June 30, 2016, with either no lawful custodian of records or a lawful custodian of records that is not a CAMTC approved school as long as all of the following conditions are met:
    - 1) The education occurred at a time when the closed school was approved or accredited by at least one of the organizations listed in California Business and Professions Code section 4601;
    - 2) The closed school is or was not subject to any disciplinary actions or pending investigations by any approval or accrediting agencies, Law Enforcement

Agencies (LEA), government agencies, CAMTC or other massage or school related entities;

- 3) The applicant for CAMTC certification provides verifiable proof that the education received at the closed school meets minimum standards for training and curriculum and the statutory education requirements for certification; and
- 4) The individual application for CAMTC CMT certification is received in the CAMTC office on or before December 30, 2016. Applications received after this date may not use education from closed schools described in this section 3.A.a. for CAMTC certification purposes.

b. CAMTC will accept education for CAMTC certification purposes from schools closed on or before June 30, 2016, that have a CAMTC approved school as their lawful custodian of records as long as all of the following conditions are met:

- 1) The education occurred at a time when the closed school was approved or accredited by at least one of the organizations listed in California Business and Professions Code section 4601;
- 2) The closed school is or was not subject to any disciplinary actions or pending investigations by any approval or accrediting agencies, Law Enforcement Agencies (LEA), government agencies, CAMTC or other massage or school related entities;
- 3) The CAMTC approved school identified as lawful custodian of records remains approved by CAMTC; and
- 4) The CAMTC approved school identified as lawful custodian of records adheres to the following requirements:

- A. Submits transcripts from closed school(s) in accordance with these Procedures, noting either on the transcript or in an attached letter that the transcript is being submitted by the lawful custodian of records;
- B. When education is completed at multiple schools, submits either 1) one transcript listing education from all schools clearly identifying when and at which school specific education was received, or 2) provides a separate transcript for each school identifying when and at which school specific education was received;
- C. Maintains detailed information including, but not limited to, attendance records, syllabi, instructor names, and course catalogs for the programs and curriculum from the closed school(s) as they are listed on transcripts for CAMTC review; and
- D. Maintains detailed information on the purchase, merger, or other legal transaction that resulted in the CAMTC approved school becoming the lawful custodian of records for the closed school for CAMTC review.

a. Closed Schools in good standing prior to July 1, 2016: Transcripts only accepted for education received by June 30, 2016, and applications received in CAMTC office by June 30, 2016.

a. Sold/Merged Schools in good standing prior to July 1, 2016: Transcripts accepted for schools sold/merged prior to July 1, 2016, so long as purchasing/merged school remains in good standing as a CAMTC approved school on or after July 1,

~~2016. The purchasing/merged school, if choosing to submit transcripts on behalf of closed/merged school, must:~~

~~1) Submit transcripts in accordance with current CAMTC Policies and Procedures for Approval of Schools.~~

~~1) Clearly identify on transcripts at which school education was received.~~

~~1) Maintain detailed information for the programs and curriculum listed on transcripts for CAMTC review.~~

~~4)5) Maintain detailed information on the purchase/merger for CAMTC review.~~

c. ~~Closed/Merged Schools in good standing as CAMTC approved school on or after July 1, 2016: Transcripts accepted after closure as long as school remains in good standing. CAMTC approved schools that are closed or merged with a CAMTC approved school on or after July 1, 2016 and are in good standing with CAMTC at the time of closure or merger: Education will be accepted from the lawful custodian of records as long as the closed school is or was not subject to any disciplinary action or pending investigations by any approval or accrediting agencies, Law Enforcement Agencies (LEA), government agencies, CAMTC or other message or school related entities.~~

d. CAMTC reserves the right to review and accept or deny all or part of any education submitted for individual CAMTC certification purposes from a closed, sold, or merged school described herein ~~from a sold/merged school that meets the definition in section 3.A.b. above.~~

B. May 1, 2015. To ensure a site visit and the possibility of approval by July 1, 2016, a school shall apply by this date. Schools may apply for approval while working to fulfill all of the requirements set forth herein, but may not receive approval until all requirements are met. Schools applying after this date or schools sent a letter requesting corrective action, proposed for ~~un-approval~~denial, or proposed to be otherwise acted against may not be approved by July 1, 2016.

C. All schools sent an official letter from CAMTC on or before July 1, 2016, notifying them that the school has been approved, will have an effective approval date of 2 years starting on July 1, 2016. Schools that have received official written notice of approval from CAMTC may not verify or represent to others in any manner whatsoever that they are CAMTC approved until on or after January 1, 2016.

D. Schools approved after July 1, 2016, will have an effective date of 2 years starting on the date of approval.

#### 4. Application Packet.

A School Approval Code issued by CAMTC is for a single campus, including CAMTC approved satellite locations and specific owner(s), and may not be used for any other

locations, schools, or owners. Therefore, for each campus or school, a separate application, fee, and requested materials shall be submitted in a three-ring binder in which the following shall be labeled, with its own divider, in this order and accompanied by electronic pdf format on a flash drive:

A. Application

- a. The application shall be completed in its entirety, typed, signed, dated, and accompanied by a non-refundable application fee of \$750.00. The application fee is waived for public colleges or universities of the California state higher education system, as defined in Section 100850 of the Education Code, and public schools accredited by an agency recognized by the United States Department of Education. Additionally, employees of public colleges or universities of the California state higher education system, as defined in section 100850 of the Education Code, may use campus ID number in lieu of social security number, campus ID as a form of government issued photographic identification, and may omit home address.

B. Approvals

- a. Documented proof of current approval or accreditation by an agency listed in Business and Professions Code section 4601(a). Schools with more than one approval or accreditation shall submit proof of all.
- b. Schools shall submit the most recent site visit report(s), compliance inspection report(s), disciplinary actions and other related documents issued to the school by all respective agencies documented above, if any.
- c. Pursuant to Business and Professions Code section 4615(b), CAMTC, in its sole discretion, may adopt provisions for the acceptance of accreditation from a recognized accreditation body.

C. Management

- a. For private post-secondary schools:
  - (1) Organizational chart showing owners and all full and part-time employees, independent contractors, volunteers, and any other individuals who participate in massage program operations, including but not limited to management, staff, faculty members, advisory boards, and administrative personnel.
  - (2) Ownership worksheet (included with application) and copy of a current valid government issued photographic identification for all owners of the school.
  - (3) Copy of property tax bill, lease agreement, local business license, and fictitious business name filing, if applicable, proving that the owner(s) either owns or leases the property where the school is located.

(4) For corporations, limited liability companies, or partnerships, copies of articles of incorporation, partnership agreements, contracts, and/or EIN certificate from the IRS showing proof of ownership.

b. For public colleges or universities of the California state higher education system, as defined in section 100850 of the Education Code, and public schools accredited by an agency recognized by the United States Department of Education:

(1) Organizational chart showing all full and part-time employees, independent contractors, volunteers, and any other individuals who participate in massage department operations, including but not limited to department management, staff, faculty members, advisory boards, and administrative personnel.

#### D. Transcripts

- a. Sample transcript and massage program addendum, if any, with no additional markings.
- b. Sample transcript and massage program addendum, if any, with highlights and descriptions for unique security measures.
- c. Signatures, printed names, and titles for all approved signers.
- d. Transcript checklist (included with application).
- e. Sample diploma (NOTE: Diplomas are not accepted in lieu of transcripts as proof of education).
- f. Sample envelope from the school in which transcripts will be mailed to CAMTC.

#### E. Enrollment Agreement

- a. Blank enrollment agreement and massage program addendum, if any.
- b. Enrollment agreement checklist (included with application).

#### F. Course Catalog

- a. Current course catalog and massage program addendum, if any.
- b. Course catalog checklist (included with application).

#### G. Curriculum

- a. Program hour requirement worksheet (included with application).
- b. Calendar for each massage program noting beginning and end dates and daily schedule of all classes.



- c. Syllabi detailing all massage courses.
- d. List of textbooks, educational materials, and classroom equipment used for massage program.
- e. Policies for creating, reviewing, and updating curriculum.

#### H. Faculty

- a. Massage program faculty list worksheet (included with application).
- b. Submit instructor qualification forms (included with application) for all massage program faculty, including but not limited to visiting teachers, volunteers, and all those who will be teaching on a full or part-time or temporary basis.
- c. Policies and procedures for hiring, training, evaluating (including student evaluations), and disciplining faculty.
- d. Massage program staff and faculty meeting and/or training policy, minutes, and attendance records within the last 12 months.
- e. Student-teacher ratio policy and ratios for all current classes.

#### I. Facility

- a. Simple floor plan with approximate measurements and square footage.
- b. Clear, color pictures of the following:
  - (1) Exterior signage.
  - (2) Building exterior.
  - (3) All classrooms utilized for massage classes.
  - (4) All areas utilized for student massage clinic.

#### J. Advertising

- a. Copies of online and print advertisements and marketing materials related to the massage program within the last 6 months.

### 5. Requirements for Approval.

Failure to meet and maintain minimum standards for training and curriculum, as determined by CAMTC in its sole discretion, is a basis for denial of an application for school approval or discipline of a school.

To achieve and maintain approval, schools shall fulfill the requirements of all other agencies through which they are approved or accredited pursuant to Business and Professions Code section 4601 and comply with all of the following provisions:

A. Administration

- a. Continuously maintain all eligibility requirements for approval or accreditation by the organization(s) listed in Business and Professions Code section 4601 that the school is accredited or approved by, and for approval by CAMTC.
  - b. Include CAMTC School Approval Code (once approved) in any and all massage program advertising and marketing materials, including but not limited to website, business cards, brochures, print advertisements, and online banners. The school may indicate that it is "CAMTC approved" or "approved by CAMTC," but may not state or imply that the school or its educational programs are endorsed or recommended by CAMTC, or that approval indicates the school exceeds minimum standards.
  - c. Post any and all approvals and accreditations, including from CAMTC, on the school premises in an area easily visible to the public.
  - d. Continuously maintain the exact same owner(s) and ownership structure matching CAMTC records, which shall match the records of all other agencies that have approved or accredited the school pursuant to Business and Professions Code section 4601.
  - e. Operate; advertise; issue certificates, diplomas, degrees, and/or transcripts; and conduct all other school business under the exact school name matching CAMTC records, which shall match the records of all other agencies that have approved or accredited the school pursuant to Business and Professions Code section 4601.
  - f. Teach all classes and conduct business only at campus and CAMTC approved satellite location addresses matching CAMTC records, which shall match the records of all other agencies that have approved or accredited the school pursuant to Business and Professions Code section 4601.
- (1) Occasional, site-specific classes, including but not limited to First Aid/CPR Certification, cadaver labs, sports massage events, health and professional expos, career fairs, and spa tours accounting for no more than 50 total hours and specifically provided for in the curriculum, complete with detailed learning objectives, assignments, and assessments, may be taught at an appropriate off-site location under direct supervision of a qualified instructor. Instructors must sign off on appropriate documentation attesting to the total number of acceptable clock hours completed by each student and students shall only receive credit for the actual clock hours for which they engaged in massage activities and activities related to massage. Under no circumstances shall students receive credit for travel time, idle, non-educational, or unsupervised activity. CAMTC reserves the right, in its sole discretion, to not accept off-

campus hours.

- g. Changes of owner(s) and/or ownership structure, operating under a different school name, teaching and/or conducting business at a different or additional address, and/or changes in program name or content may only occur after the school first obtains an approval letter from the appropriate agencies that have approved or accredited the school pursuant to Business and Professions Code section 4601, submits the appropriate application for change to CAMTC, and CAMTC approves such application. (Please note that BPPE currently only requires approval for a change of location if the move is more than 10 miles from the original location; however, CAMTC requires approval for any change of location.)
- h. The school is responsible for the conduct of all owners, full and part-time employees, independent contractors, volunteers, and any other individuals who participate in school operations, including but not limited to management, staff, faculty members, advisory boards, and administrative personnel. CAMTC may deny approval or take disciplinary action against a school if an owner, full or part-time employee, independent contractor, volunteer, or any other individual who participates in school operations, including but not limited to management, staff, faculty members, advisory boards, and administrative personnel, engages in unprofessional conduct while engaged in school activities.
- i. The school must report to CAMTC, within 15 days of receiving notice, all legal actions, arrests, police reports, and complaints against professional conduct, involving the school; school personnel including owners, full and part-time employees, independent contractors, volunteers, and any other individuals who participate in school operations, including but not limited to management, staff, faculty members, advisory boards, and administrative personnel; and/or students or graduates engaged in school or massage related activities.

## B. Transcripts

- a. Transcripts and massage program addendums, if any, from private post-secondary schools shall, at minimum, contain the following information:
  - (1) School name, address, telephone number, website, and CAMTC School Approval Code (once approved), which shall exactly match information on file at CAMTC.
  - (2) Heading entitled "Official Transcript."
  - (3) Student's full legal name and date of birth.
  - (4) Date student started program and date student graduated or, for programs longer than 500 hours, completed CAMTC requirements, if applicable.
  - (5) Breakdown of courses completed with total number of supervised clock hours attended and passing grades for each course. Courses shall match those listed

in the provided syllabi and program hour requirement worksheet (included with application).

(6) Total number of supervised clock hours attended for massage program.

(7) At least one authorized signature with printed name, title, and date.

(8) Official school seal affixed, embossed, or otherwise attached to transcript.

(9) Sufficient security measures that uniquely identify the school's transcripts.

b. Transcripts from public colleges or universities of the California state higher education system, as defined in Section 100850 of the Education Code, and public schools accredited by an agency recognized by the United States Department of Education shall meet or exceed standards as determined by governing laws and regulations.

c. Only sealed transcripts sent directly from the school in an envelope matching the sample submitted to CAMTC will be considered for certification purposes.

d. CAMTC staff shall clearly be able to discern whether a student has completed the required hours without having to interpret any information.

e. Clearly identify or DO NOT include unsupervised clock hours.

f. Clearly identify or DO NOT include courses or hours considered incomplete by the school.

g. Pursuant to Business and Professions Code section 4604, CAMTC can only consider transfer hours from CAMTC approved schools. Transcripts shall clearly identify transfer hours, including but not limited to name, CAMTC School Approval Code, address, telephone, and website of other school(s); number of hours transferred; class requirements met by transfer hours; reason(s) for transfer; and attached copy of transcript(s) from other school(s). Transfer hours may not make up more than 50% of the 500 hours required for certification. ~~CAMTC reserves the right, in its sole discretion, to not accept transfer hours.~~

(1) CAMTC will consider up to 125 hours of equivalent anatomy and physiology, health and hygiene, and/or business completed at a college or university of the state higher education system, as defined in Section 100850 of the Education Code, as meeting the definition of a CAMTC approved school.

(2) CAMTC reserves the right, in its sole discretion, to not accept any or all transfer hours.

h. Schools shall take necessary precautions to avoid the creation and/or reproduction of fraudulent transcripts. Fraudulent transcripts, whether from within or without the school, may lead to suspension or revocation of school approval, among other

consequences.

- i. Any changes in transcript format, authorized signers, and/or security features may only occur after the corresponding application for change has been submitted to and approved by CAMTC.
- j. The school shall have clearly defined written policies that it follows for accurately and securely keeping and maintaining student files and transcript information, including but not limited to enrollment agreements, payment ledgers, attendance rosters, coursework, and grades.
- k. Transcript information shall be securely kept permanently. If a school closes, it shall designate a custodian of records for that school and notify CAMTC of the name, address, email address, and telephone number of its designated custodian of records 30 days before the date of the school's closure.

#### C. Student/Graduate Eligibility List

- a. Transmit the names of all CAMTC eligible students or graduates to CAMTC within 30 days of their eligibility, if applicable, using the Massage School Eligibility List template.
- b. Eligibility is defined as successfully completing a minimum of 500 hours of supervised massage instruction (with a minimum of 100 hours of instruction addressing anatomy and physiology, contraindications, health and hygiene, and business and ethics or as further specified by CAMTC) that satisfies the school's coursework and appropriate school assessment of student knowledge and skills.
- c. Applications and accompanying transcripts submitted for certification will be reviewed against these lists. Discrepancies or omissions may result in applicant delays, school investigation, and/or disciplinary actions against the school.
- d. Students who do not achieve eligibility at a single CAMTC approved school may not be included on any school's list and may have to independently prove their own eligibility to CAMTC.

#### D. Enrollment Agreement

- a. Enrollment agreements and massage program addendums, if any, from private post-secondary schools shall, at minimum, contain the following information:
  - (1) School name, address, additional addresses where classes will be held, telephone number, and website.
  - (2) Student's full legal name, date of birth, address, email, telephone number, and signature.

(3) Copy of a current valid government issued photographic identification.

a. Photographic identification cannot be required to be shown by prospective students visiting the school.

(4) Title of massage program and total scheduled number of supervised hours received upon completion.

(5) Program schedule with start date and scheduled completion date.

(6) All scheduled charges and fees including, as applicable: tuition, registration fee, equipment, lab supplies, textbooks, educational materials, uniforms, charges paid to an entity other than the school as required by the program, and any other charge or fee.

(7) Scheduled payment terms.

(8) Clearly visible disclosure statement: "Attendance and/or graduation from a California Massage Therapy Council approved school does not guarantee certification by CAMTC. Applicants for certification shall meet all requirements as listed in California Business and Professions Code sections 4600 et. seq."

(9) Statement directing students to CAMTC for unanswered questions and for filing a complaint: "A student or any member of the public with questions that have not been satisfactorily answered by the school or who would like to file a complaint about this school may contact the California Massage Therapy Council at: One Capitol Mall, Suite 320, Sacramento, CA 95814, www.camtc.org, phone (916) 669-5336, or fax (916) 669-5337."

b. Enrollment agreements from public colleges or universities of the California state higher education system, as defined in section 100850 of the Education Code, and public schools accredited by an agency recognized by the United States Department of Education shall meet or exceed standards as determined by governing laws and regulations.

## E. Course Catalog

Course Catalogs and massage program addendums, if any, shall, at minimum, contain the following information:

a. School name, address, additional addresses where classes will be held, telephone number, website, and CAMTC School Approval Code (once approved).

- b. Date printed/revised.
- c. Title of massage program(s) and total number of scheduled supervised hours received upon completion.
- d. Program prerequisites, including but not limited to admission requirements, previous training, and language comprehension skills.
- e. Completion and graduation requirements, including but not limited to clock hours to attend, assignments to complete, and assessments to pass.
- f. Transfer credit policy.
- g. Attendance and leave of absence policies, including but not limited to:
  - (1) Notice that applicants for CAMTC certification shall have attended 500 supervised hours total with 100 of those hours satisfying CAMTC specified subjects.
  - (2) For 500-hour programs, how students make up missed hours and, for programs longer than 500 hours, percentage of hours students can be absent and how they make up any additional hours.
  - (3) Length, terms, and allowances for leaves of absence.
- h. Hygiene, dress code, and draping policies.
- i. If the school admits foreign or ESL students, the catalog shall contain language proficiency information, including the level of English language proficiency required of students and the kind of documentation of proficiency that will be accepted; and whether English language services are provided and, if so, the nature of the service and its cost. The catalog shall also identify whether any instruction will occur in a language other than English and, if so, identify the other language(s) instruction will be provided in, the level of English proficiency required, and the kind of documentation of proficiency that will be accepted.
- j. Publication of CAMTC's Law related to unfair business practices as related to massage:
  - (1) Pursuant to California Business and Professions Code section 4611, It is an unfair business practice for a person to do any of the following:
    - (a) To hold himself or herself out or to use the title of "certified massage therapist" or "certified massage practitioner," or any other term, such as "licensed," "certified," "CMT," or "CMP," in any manner whatsoever that implies or suggests that the person is certified as a massage therapist or massage practitioner, unless that person currently holds an active and valid certificate issued by the California Massage Therapy Council.

- (b) To falsely state or advertise or put out any sign or card or other device, or to falsely represent to the public through any print or electronic media, that he or she or any other individual is licensed, certified, or registered by a governmental agency as a massage therapist or massage practitioner.
- k. Clearly visible disclosure statement: "Attendance and/or graduation from a California Massage Therapy Council approved school does not guarantee certification by CAMTC. Applicants for certification shall meet all requirements as listed in California Business and Professions Code section 4600 et. seq."
- l. Statement directing students to CAMTC for unanswered questions and for filing a complaint: "A student or any member of the public with questions that have not been satisfactorily answered by the school or who would like to file a complaint about this school may contact the California Massage Therapy Council at One Capitol Mall, Suite 320, Sacramento, CA 95814, [www.camtc.org](http://www.camtc.org), phone (916) 669-5336, or fax (916) 669-5337."

#### F. Curriculum

All 500 hours of education must be provided under direct supervision of qualified instructors.

- a. Provide a minimum of at least 100 supervised clock hours (or credit unit equivalent) addressing the following subjects:
  - (1) A minimum of 64 hours of Anatomy & Physiology, including but not limited to orientation to the human body; integumentary, skeletal, fascial, muscular, nervous, cardiovascular, and other body systems; and kinesiology.
  - (2) A minimum of 13 hours of Contraindications, including but not limited to endangerment areas, contraindications, and medications and massage.
  - (3) A minimum of 5 hours of Health & Hygiene, including but not limited to understanding disease, therapist hygiene, infection control, and standard precautions.
  - (4) A minimum of 18 hours of Business & Ethics, including but not limited to obtaining and maintaining credentials, adhering to laws and regulations, ethical principles, standards of ethical practice, and compliance with the Law applicable to CAMTC certified massage professionals.
- b. Provide a minimum of 400 additional and appropriately weighted supervised clock hours in subjects substantially related to the massage profession, including but not limited to additional hours for topics required above, massage theory and principles, professional practices, therapeutic relationship, assessment and documentation, massage and bodywork application, palpation and movement, and career development. CAMTC reserves the right, in its sole discretion, to determine



whether curriculum is substantially related to massage or not.

- c. Student clinic hours may count for no more than 75 of the required 500 supervised clock hours and shall demonstrate educational purpose by meeting the following conditions:
  - (1) Operate at all times under direct supervision of qualified instructors and on school premises.
  - (2) Maintain detailed lesson plans, learning objectives, policies and procedures, attendance records, and grade requirements.
  - (3) Include a client intake form for every client that, among other things, informs client that the practitioner is a student.
  - (4) Include SOAP notes, or equivalent, completed by the student practitioner for every client.
  - (5) Provide for written client feedback.
  - (6) Maintain clinic attendance for each student detailing massages and other duties performed during clinic hours.
  - (7) Offer alternate, faculty-supervised learning experiences to students participating in clinic but who do not have a clinic client or specific clinic duties. Under no circumstances shall students receive credit for idle, non-educational, or unsupervised activity.
  - (8) Student clinic hours may include, but are not limited to, hands-on treatments of paying and non-paying public clients or other students; setting up, tearing down, and cleaning massage area; reviewing intake forms, interviewing clients, providing and receiving client feedback, and recording SOAP notes, or equivalent; greeting customers at reception, handling payments, answering and returning calls for appointments, interacting with appointment systems, placing confirmation calls, and managing client files; other duties reasonably befitting a professional massage therapist; and instruction related to these items. Students may not be required to clean school premises or work beyond normal procedures inclusive to treatment areas and immediate office space used during clinical sessions.
  - (9) Schools should carefully weigh and be prepared to support the purpose, duration, and effectiveness of student clinic hours in terms of educational value to the student. CAMTC reserves the right, in its sole discretion, to not accept clinic hours.
- d. Students may not be credited more than 40 hours of total education in any 7-day period, with no more than 10 hours in any one day.

- e. Maintain current syllabi, including but not limited to the following information for each course and/or subject:
  - (1) Name of course or subject.
  - (2) Detailed description.
  - (3) Learning objectives.
  - (4) Prerequisites.
  - (5) Total number of hours.
  - (6) Instructional material(s) to be used.
  - (7) Required assessments and assignments for successful completion.
- f. Maintain policies for creating, reviewing, and updating curriculum.

#### G. Faculty

- a. Qualified instructors are responsible for the delivery of all 500 supervised clock hours (or credit unit equivalent). CAMTC reserves the right in its sole discretion to determine whether an instructor is qualified or not. Requirements for qualified instructors include but are not limited to:
  - (1) Complete and submit the instructor qualification form, including supporting documents.
  - (2) Hold a current CAMTC certification, other allied health license with advanced training in soft tissue modalities, or possess documented higher education applicable to the specific subject(s) taught.
  - (3) Have at least 2 years of documented professional experience applicable to the specific subject(s) taught.
  - (4) Instruct only in those subjects in which qualified through documented education, certification, and professional experience, and not instruct techniques or procedures that require specialized training, licensure, or experience for which they are not qualified.
  - (5) Behave within principles of acceptable, ethical, and professional behavior, including but not limited to:
    - (a) Truthfully and completely administer, record, and represent duties, including but not limited to attendance records, curriculum delivery, and student assessments.

- (b) Refrain from soliciting, encouraging, or consummating romantic, sexual, or otherwise inappropriate relationships with current students on or off school premises by written, electronic, verbal, or physical means.
  - (c) Refrain from possessing, consuming, furnishing, allowing, or working under the influence of alcohol or illegal or unauthorized drugs during professional activities, including but not limited to being on school premises or at school-sponsored events involving students.
  - (d) Refrain from financial transactions with students, including but not limited to payments, loans, advances, donations, contributions, deposits, or monetary gifts, except for lawful collection and transfer of funds as required by regular school business.
  - (e) Refrain from violating federal, state, and local laws and/or CAMTC rules and regulations, including but not limited to the reasons for denial or discipline/revocation as stated in CAMTC's Procedures for Denial of Certification or Discipline/Revocation.
- b. Maintain policies and procedures for hiring, training, evaluating (including student evaluations), and disciplining faculty.
  - c. Maintain policies and procedures, minutes, and attendance records for regular massage program staff and faculty meetings and/or trainings.
  - d. For private post-secondary schools, student-teacher ratios for practical (hands-on) classes may not exceed 25 total students to 1 teacher. For public colleges or universities of the California state higher education system, as defined in Section 100850 of the Education Code, and public schools accredited by an agency recognized by the United States Department of Education student-teacher ratios shall meet or exceed standards as determined by governing laws and regulations.

#### H. Facility

- a. Appropriate in size and design for the number of students.
- b. Sufficient reference materials and other resources to support educational objectives.
- c. Instructional aids and equipment consistent with the educational content, format, and teaching methodology of each course.

#### I. Student/Graduate Passage Rates on CAMTC Approved Exams

Beginning with graduate passage rates on CAMTC approved exams for calendar year 2015, an approved school's graduate passage rates on CAMTC approved exams shall equal or exceed the required passage rates for the previous calendar

year or CAMTC may place the program on probationary status and/or may require the school to appear before CAMTC to present a plan for remediation.

- a. An approved program shall achieve a graduate passage rate on CAMTC approved exams that is not lower than 10 percentage points less than the national average passage rate for graduates of comparable degree programs who are first-time test takers on the CAMTC approved exams during a calendar year.
- b. If the program does not achieve the required passage rate for 2 consecutive calendar years or show significant improvement, CAMTC may revoke approval or take other disciplinary action against the school.

#### J. Site Visits

- a. CAMTC reserves the right to visit any approved school or school applying for approval during stated business hours with or without notice at any time whatsoever and for any reason.

#### 6. Reasons for Imposing Discipline, Denying, or Revoking Approval.

Schools may be denied approval or may have their school approval revoked, suspended, or otherwise acted against, including the imposition of probationary conditions, for any of the following reasons:

- a. Failing to meet or maintain the requirements for approval set forth herein or in CAMTC's Procedures for Un-Approval of Schools, which includes the following:
  - (1) Selling or offering to sell transcripts, or providing or offering to provide transcripts, without requiring attendance, or full attendance, at the school;
  - (2) Failure to require students to attend all of the classes listed on the transcript;
  - (3) Failure to require students to attend all of the hours listed on the transcript;
  - (4) Engaging in fraudulent practices, including but not limited to, the creation of false documents to aid or abet students seeking CAMTC certification, aiding or abetting students to use false documents and/or to present false testimony in CAMTC hearings, aiding or abetting students in engaging in fraudulent practices with respect to CAMTC hearings, making false claims, or otherwise engaging in fraudulent practices;
  - (5) Denial, suspension, revocation, or otherwise being acted against by the National Certification Board for Therapeutic Massage and Bodywork, including but not limited to, denial, suspension, or revocation of assigned school code;

(6) Failure to create, record, or maintain accurate records, including but not limited to student attendance records and student transcripts;

(7) Failure to identify transfer credit from other institutions (including name of other institution(s), hours transferred, and class requirements met by transfer credit) on transcripts;

(8) A finding by a local law enforcement agency, a state or local agency, or a private certifying, permitting, or accreditation agency related to massage, that a school has engaged in any of the conduct identified in this section 6;

(9) Failure to meet the requirements for an approved school as defined in Business and Professions Code section 4601(a).

- b. Engaging in or has engaged in unprofessional business practices or an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) has engaged in or is engaging in unprofessional business practices;
- c. Procuring or attempting to procure school approval by fraud, misrepresentation, or mistake or an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) has procured or attempted to procure school approval by fraud, misrepresentation, or mistake;
- d. Violating or attempting to violate or has violated, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, or has assisted in or abetted the violation of, or conspired to violate, any provision of the Massage Therapy Act or any rule, regulation, policy, or procedure adopted by CAMTC by the actions of the school or an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer);
- e. Conviction of an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) of any felony, misdemeanor, infraction, or municipal code violation, or being held liable in an administrative or civil action for an act that is substantially related to the qualifications, functions, or duties of a CAMTC certificate holder or CAMTC approved school. A record of the conviction or other judgment or liability shall be conclusive evidence of the crime or liability;
- f. Committing any fraudulent, dishonest, or corrupt act that is substantially related to the qualifications, functions, or duties of a CAMTC certificate holder or CAMTC approved school or an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) commits or has committed any fraudulent, dishonest, or corrupt act that is substantially related to the qualifications, functions, or duties of a CAMTC certificate holder or CAMTC approved school;
- g. An owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) commits or has committed any act punishable as a sexually related crime or is or has been required to register pursuant to the Sex Offender Registration Act

(Chapter 5.5 (commencing with Section 290) of Title 9 of Part 1 of the Penal Code), or is or has been required to register as a sex offender in another state, or commits or has committed an act that is a violation of human trafficking laws or a violation of the education code or a violation of the Bureau of Private Postsecondary Education's rules, regulations, policies, or procedures;

- h. Failure to fully disclose all information requested on the application or provide information upon request to an individual working on behalf of CAMTC;
- i. Denial of licensure, permit or certificate, or revocation, suspension, restriction, citation, or any other disciplinary action against an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) by CAMTC, by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision, order, judgment, or citation shall be conclusive evidence of these actions.
- j. An owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) has owned, worked at, or been associated with a school that has been un-approved by CAMTC.

#### 7. Procedures for Imposing Discipline, Suspending, Denying, or Revoking CAMTC School Approval.

Any decision to impose discipline, deny approval, revoke approval, or otherwise act against a school that has applied for CAMTC approval or is a CAMTC approved school shall be decided upon and imposed in accordance with the procedures set forth herein. Denial, revocation, and disciplinary decisions against a school applying for CAMTC school approval or against a CAMTC approved school shall be based on a preponderance of the evidence. In determining the basis for action against a school applying for CAMTC school approval or a CAMTC approved school, the Council may consider all written documents or statements as evidence, but shall weigh the reliability of those documents or statements.

##### a. Actions Against Applicants for CAMTC School Approval and CAMTC Approved Schools.

- 1. All decisions to impose discipline, deny approval, revoke approval, or otherwise act against a school that has applied for CAMTC approval or is a CAMTC approved school shall be carried out by an employee of the Council known as the Division Director of the Educational Standards Division (hereinafter the "Division Director") or his/her designee and at least one other employee of CAMTC. The Division Director shall be assisted by Council staff and such other employees as shall be determined necessary by the Division Director. The Division Director (or his/her designee(s)), along with any staff/employees under his/her supervision, shall be collectively known as the Educational Standards Division (the "ESD").
- 2. If Council staff determines that grounds appear to exist to impose discipline, deny approval, revoke approval, or otherwise act against a school that has applied for CAMTC approval or is a CAMTC approved school, staff shall

| hold all students who have submitted transcripts from the school, forward the matter to the Division Director, or an ESD employee designated by the Division Director to receive such information, and the procedures set forth below shall be followed:

- (a) The ESD shall be responsible for reviewing and making proposed determinations regarding denials, suspensions, revocations, and other discipline against a school that has applied for CAMTC approval or is a CAMTC approved school. All proposed decisions shall be made by a minimum of two employees of the ESD. The ESD shall ensure that the ESD employees making proposed denial, revocation, suspension, and disciplinary decisions do not have a conflict of interest relative to the affected school.
- (b) If after reviewing the matter, the ESD determines that proposed action should be taken, the school shall be provided at least 15 days prior notice of the proposed action and the reasons therefore. Notice shall be given to the school by any method reasonably calculated to provide actual notice. Any notice given by mail must be given by first-class or mail with delivery confirmation sent to the last known address of the school shown in CAMTC's records.
- (c) Schools shall be given an opportunity to be heard, either orally by telephonic conference or in writing, at least five (5) days before the effective date of the proposed action against the school. Schools must request an oral telephonic conference or consideration of a written statement in writing (email is sufficient), and pay the appropriate hearing fee, a minimum of 9 days before the date scheduled for their matter to be considered in order for their request to be timely. Failure to request an oral hearing or consideration of a written statement and/or pay the required hearing fee in a timely manner shall result in the proposed action against the school becoming final and effective on the date noted in the letter, unless appealed as provided herein. Any documentary evidence to be considered by the Hearing Officers must be submitted by the school a minimum of 9 days before the hearing/consideration date in order for it to be considered. The telephonic hearing shall be held, or the written statement considered, by a minimum of two Hearing Officers, who shall be employees of CAMTC, who together are authorized to determine whether the proposed action against the school should occur. The decision of the Hearing Officers shall be final unless appealed as provided herein. The fee for an oral telephone conference shall be \$450.00 and the fee for consideration of a written statement shall be \$350.00.

#### Appeals

- (1) Requests to appeal a denial or disciplinary decision must be: made in writing (email is sufficient) by sending the request to the address or email address noted in the proposed denial or disciplinary

letter; made within 30 days of the effective date of the denial or imposition of discipline; must identify in writing the basis for the appeal; must specify whether an oral presentation before the Board (not to exceed 20 minutes) is requested or whether written consideration of a written statement is requested; and must include all documents to be considered.

(2) Appeals shall be considered by the CAMTC Board. Oral presentations before the Board may not exceed 20 minutes. No new factual evidence may be submitted during an appeal. During an appeal the Board is limited to reviewing the existing evidentiary record upon which the decision to deny or impose discipline was previously made and to determining whether the decision was reasonable and supported by the evidence in the record.

(3) After considering a timely appeal, the Board shall either: uphold the decision previously made; remand the matter back to ESD for further processing and consideration; or approve a school that has applied for CAMTC school approval or determine that the discipline not be imposed on a school that is a CAMTC approved school. The decision of the Board shall be final.

(d) Notice of the ESD's final decision shall be given by any method reasonably calculated to provide actual notice. Any notice given by mail must be given by first-class or mail with delivery confirmation sent to the last known address of the school shown in CAMTC's records.

(e) Any action in superior court challenging CAMTC's action against a school, including a claim alleging defective notice, shall be commenced within ~~one year~~90 days after the effective date of the imposition of the denial, suspension, revocation, or other discipline.

(f) A school whose application for CAMTC approval is denied or whose CAMTC school approval is revoked pursuant to these procedures for selling or offering to sell transcripts, failing to require students to attend all of the classes listed on the transcript, failure to require students to attend the school for all of the hours listed on the transcript, or engaging in fraudulent practices, shall not be allowed to re-apply for CAMTC school approval for a period of five years from the effective date of the denial or revocation. All other schools whose application for CAMTC approval is denied or whose CAMTC school approval is revoked shall not be allowed to re-apply for CAMTC school approval for a period of two years from the effective date of the denial or revocation.

b. Actions Against Schools That Have Not Applied for CAMTC School Approval or Are Not CAMTC Approved Schools.



1. Actions against schools that have not applied for CAMTC school approval or are not CAMTC approved schools shall proceed in accordance with CAMTC's Procedures for Un-Approval of Schools.

c. Procedures Related to Students.

1. CAMTC will hold all applications from students who apply to CAMTC for certification on or after July 1, 2016 with education from school(s) that have applied for CAMTC approval, but for whom a final decision has not been rendered as to school approval on or before June 30, 2016. If the school ultimately receives CAMTC school approval, the hold on the students' applications for certification will be lifted and the applications will be processed in accordance with CAMTC's standard procedures. If the school is ultimately denied CAMTC school approval, the applicants for certification will then be notified that they may not use education from that school for CAMTC certification purposes, and that they will have one year from the date of the notification to provide proof of education from a CAMTC approved school or schools.
2. All individual applications for CAMTC certification submitted with transcripts from a school that CAMTC has proposed to deny or discipline, and that cannot be otherwise certified, will be placed on hold until a final decision as to whether to deny or discipline the school is made. If the decision is ultimately made not to deny or discipline the school, the hold on the applications shall be lifted and the applications will be processed in accordance with CAMTC's standard procedures. If the school is ultimately denied CAMTC school approval or their CAMTC school approval is revoked, the applicants for certification will then be notified that they may not use education from that school for CAMTC certification purposes, and that they will have one year from the date of the notification to provide proof of education from a CAMTC approved school or schools.



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

June 13, 2016

TO: BOARD OF DIRECTORS CALIFORNIA MASSAGE THERAPY COUNCIL  
FROM: AHMOS NETANEL, CEO  
RE: REASONS FOR SECOND CHANCE POLICY

Per the Board motion on changes to policies, the following information is provided:

The language of the current policy and when the policy was adopted.

On September 13, 2012, the Board adopted a sliding fee scale for late applications.  
The sliding fee scale is as follows:

Applications for recertification received or postmarked:

|                                |      |
|--------------------------------|------|
| 1-10 days after expiration -   | \$25 |
| 11-29 days after expiration -  | \$40 |
| 30-180 days after expiration - | \$90 |

The Board also determined at that time that those who have been expired for more than six months must reapply for certification as a new applicant.

The proposed Second Chance policy will not replace the late fee sliding scale policy, it will only, for a limited time, allow an identified group of past certificate holders in good standing to apply for recertification more than six months after expiration by paying a \$125 fee.

A short description of why the policy should be changed.

This limited policy will help expired certificate holders who have been working in the profession for a significant period of time and work in jurisdictions that are now requiring certification. This policy will allow past certificate holders in good standing who were previously certified under education/experience portals that no longer exist to become recertified without having to meet current educational requirements (500 hours and

passage of an exam).

The language of related statutes that may have an impact on the decision. **None**

The fiscal impact the proposed change may have on CAMTC and certificate holders and applicants.

Will allow more past certificate holders to recertify, which should result in an increase in applications received and an increase in application fees received by CAMTC. Projected fiscal impact is that CAMTC will see an increase in revenues above the current budget.

The late fee is \$35 more than the current highest late fee, to account for the additional staff processing time needed to address issues related to Second Chance applications.

No impact on currently certified individuals.

Potential pro's and con's if the new policy is adopted.

Pros – Allows past certificate holders in good standing who were previously certified under education/experience portals that no longer exist to recertify, which may be helpful to them in jurisdictions that now require certification.

Con – Increased work load for staff.

The impact on current certificate holders and applicants.

No impact on current certificate holders or applicants.

A suggested date for the change to be implemented.

Effective July 1, 2016.





# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

**Proposed 6/23/16**

## **SECOND CHANCE POLICY**

CAMTC'S current policy on recertification allows certified individuals to apply for recertification within six months of expiration of their certificate by paying a graduated late fee of up to \$90. This policy allows individuals who do not meet current educational requirements to recertify without having to meet those requirements (500 hours and passage of an exam). Under the current policy, those whose certificates have been expired for more than six months must reapply as a new applicant and must therefore meet all of the current requirements for certification.

Under the temporary policy described herein, for a limited time period, former CAMTC certificate holders whose CMP or CMT certificates expired on or after January 1 of 2013 will be allowed to apply for recertification even if it is more than six months after their certificates have expired, as long as they meet the requirements set forth in this document. This temporary "second chance" policy will expire at 11:59 p.m. (PST) on December 30, 2016. During and after this temporary policy regarding the timing of a recertification application, all other criteria, rules and procedures regarding recertification continue to apply.

### **Who Does This Policy Apply to?**

1. This policy only applies to those who were previously certified by CAMTC as a CMP or a CMT. It does not apply to those who were previously certified as a CCMP when their certificate expired.
2. This policy only applies to those whose certificates have been expired for more than six months and whose certificates expired on or after January 1 of 2013. It does not apply to former certificate holders whose certificates expired before January 1, 2013.
3. This policy only applies to certificate holders whose certificates were in good standing at the time of expiration. It does not apply to those who have had their CAMTC certificate revoked or nullified or to those whose certificates were suspended at the time of expiration. It does not apply to past certificate holders who have applied for

recertification or certification and had their application for recertification or certification denied.

### **How Long Will This Second Chance Policy Be in Effect?**

1. This policy will only be in effect for the limited time period of July 1, 2016 through December 30, 2016 at 11:59 p.m. (PST).

### **What Are the Requirements That Must Be Met In Order For This Policy to Apply?**

1. Applicants must have been certified by CAMTC as a CMP or a CMT and had a certificate that was in good standing when it expired (not suspended, revoked, or nullified, or application denied).
2. CMP or CMT certificate must have been expired for more than six months and certificate must have expired on or after January 1 of 2013.
3. CAMTC must RECEIVE all of the following on or after July 1, 2016 and by or before 11:59 p.m. (PST) on December 30, 2016 (a postmark date will not suffice):
  - A completely filled out Second Chance Application for Recertification and all supporting documents;
  - All fees have been paid; and
  - A new Livescan must be performed and submitted.

If all required items are not received by or before December 30, 2016, the requirements of this policy will not have been met and CAMTC will consider the application to be incomplete and the file will be purged, though the individual may still reapply as a new applicant. All fees, including the late fee, are non-refundable.

Please note, CAMTC recommends that the application and all supporting documents be mailed well in advance of the December 30, 2016 cut off date, as December 30, 2016 is the last date that documents must be received in order for this policy to apply, regardless of the date documents were post-marked or mailed.

4. The following fees apply to the Second Chance Application for Recertification:

- All regular application fees, including but not limited to the \$150 fee for the application; and
- An additional \$125 late fee.

5. Applications received pursuant to this policy will be processed in accordance with CAMTC's standard operating procedures for applications for recertification. This policy only allows for the late receipt of applications for recertification and has no bearing on whether the application received will be approved or denied.



# Memo

To: CAMTC Board  
From: Ahmos Netanel, CEO  
Date: 6/23/16  
Re: Career Opportunity Mailing Program Implementation

---

On June 27, 2013, the Board approved a pilot Career Opportunity Mailing Program to allow massage businesses to alert certificate holders about career opportunities. The program contained a sunset date of 12/31/2013.

The Career Opportunity Mailing Program was set up for direct mailing only, through CAMTC's approved printer/mailer, Modern Postcard. The fee for a massage business to send a one-time mailing was set at \$295 per thousand or part thereof with a minimum of 8000 addresses plus a \$95.00 one-time fulfillment set-up fee. For companies who chose to use target zip codes, an additional fee of \$19.00 per thousand addresses was added.

A protocol was created to allow certificate holders the opportunity to opt out of the Career Opportunity Mailing Program. At the end of 2013, a total of 480 certificate holders chose to opt out.

While staff developed all necessary protocols and forms, the program was never tested because businesses did not act on this opportunity prior to the program sunset.

One February 17, 2015, the Board approved an extension of the Career Opportunity Mailing Program with a new sunset date of 12/31/2015. During the extension period, two of the largest massage businesses in California took advantage of the program. Because the program was already established in 2013, staff time to process the two mailing requests in 2015 was minimal.

After the extension period ended on 12/31/15, CAMTC continued to receive multiple requests from the same two large businesses plus many others who wanted to take part in the program. We have found that smaller businesses were not be able to meet the 8000 minimum address requirement as their budgets are smaller and/or their business location(s) dictate a smaller territory of target professionals.

Staff is recommending the Board fully reinstate the Career Opportunity Mailing Program as a permanent program with the following proposed amendments:

- 4000 minimum address requirement
- Addition of an electronic mailing option
- 25% discount when a business elects to send both a regular mailing and an electronic mailing simultaneously

If the program is reinstated, an additional email will be sent to certificate holders with information on how to opt-out. Currently, a total of 608 certificate holders have requested not to receive the career opportunity mailings.



## **CEO Report**

**June 23, 2016**

### **Sunset Hearing**

CAMTC had its sunset hearing on March 14, 2016. Legislative staff reported receiving a large number of letters from various organizations and individuals supporting the continuation of CAMTC as a private nonprofit organization providing massage certification and school approval programs (attached are some of these letters). The Legislature chose specific issues for CAMTC to address at the hearing and CAMTC's presenters were selected in accordance with their expertise on the issues.

Next, organizations and groups that may have had issues and concerns with CAMTC were invited to speak. They were:

- The League of California Cities
- San Francisco Department of Health
- Associated Bodywork and Massage Professionals

CAMTC was given the opportunity to rebut the statements made by those organizations, and it did.



The meeting proceeded with testimony from organizations and groups supportive of CAMTC. They were:

- City of Vacaville
- Stanislaus Family Justice Center
- Journey Out
- American Massage Therapy Association- California Chapter
- Hands On Trade Association
- Independent Massage Schools Association of California
- Massage Advisory Committee - San Rafael
- San Francisco Massage Advisory Committee
- DeAnza College
- Massage Envy

The hearing concluded with public comments from 23 individuals, all except one of whom were supportive of CAMTC.

## **Anti-human trafficking hearing**

CAMTC was invited by the Legislature (see attachment) to participate in an informational hearing about the role of regulated professions in combating human trafficking. The attached Agenda lists the three individuals who presented on behalf of CAMTC. Representatives of other entities included two CAMTC Board members as well. When it comes to regulated professions, CAMTC is clearly at the forefront in the fight to abolish human trafficking in California. In addition to sharing our expertise and our ongoing contribution to this effort, CAMTC unveiled its new anti-trafficking brochure (attached), which is being distributed to all

certificate holders to help educate them on what they can do to help combat human trafficking in California.

## **Local government and law enforcement assistance**

CAMTC is continuing to assist local governments and law enforcement in meeting their duty to maintain the highest standards of conduct and safety in massages establishments by vetting and disciplining certificate holders and improving communications. Beverly May has been busy supporting local government officials on a daily basis. Rick McElroy continues to travel the state to provide his law enforcement training. Letters to all city and county managers, police chiefs and sheriffs with offers for additional support will be sent with reprints of our article from the June issue of Western City. We are also putting together a panel presentation for the League's annual conference on October 6, 2016 in Long Beach.

## **New database system**

The 'Go Live' date for the CAMTC Modernization Project has been moved out 90 days – to October 1, 2016.

Although we could have easily gone live July 1, I postponed the date to:

- ✓ Allow for additional testing of all aspects of the system—thereby reducing risk of system errors by detecting and addressing potential problems prior to CAMS Go Live
- ✓ Ensure CAMTC staff was properly trained and ready to support the CAMS following Go Live—thereby reducing risk of problems introduced by human error

- ✓ Schedule new website implementation before CAMS Go Live—thereby reducing implementation risks by giving CAMTC total control of release of CAMS functionality

The use of CAMTC 'Approved Schools' as a certification criteria will be implemented by our Legislatively-mandated date of July 1, 2016. As of July 1, 2016, CAMTC will only accept education from CAMTC approved schools.

## **Finance**

As of May 31, 2016, CAMTC exceeded expectations on the balance sheet and the statement of functional activity.

Cash in the bank:

Budgeted - \$3,121,752

Actual - \$3,560,705

Excess revenue over expenses:

Budgeted - \$31,171

Actual - \$354,426

Out of the budgeted \$316,016 for Board's Priority Projects (not funded from 2016 operations) through May 2016, CAMTC spent \$206,701.



ESTABLISHED 1850

## CITY OF VACAVILLE

650 MERCHANT STREET  
VACAVILLE, CALIFORNIA 95688-6908  
www.cityofvacaville.com  
707-449-5100

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Mayor

RON ROWLETT  
Vice Mayor

DILENNA HARRIS  
Councilmember

CURTIS HUNT  
Councilmember

MITCH MASHBURN  
Councilmember

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### OFFICE OF THE CHIEF OF POLICE

March 7, 2016

The Honorable Jerry Hill  
Senate Business, Professions and Economic Development Committee  
State Capitol, Room 5035  
Sacramento, CA 95814

Re: California Massage Therapy Council

Dear Senator Hill:

I am the Police Chief for the city of Vacaville and I have held this position since April 16, 2014. We support the continuation of the California Massage Therapy Council (CAMTC) as a private, non-profit organization administering voluntary massage certification and school approval programs.

We are impressed with CAMTC's effectiveness in thoroughly vetting and disciplining certificate holders. CAMTC's ability to address problem certificate holders in a thorough, quick and efficient fashion is one of the reasons our city requires CAMTC certification for massage therapists. We have worked closely with CAMTC and have found them to be responsive and quick to act against certificate holders who are in violation of the law. CAMTC's ability to immediately suspend a certificate based on an arrest with charges filed for prostitution, or based on a declaration stating the certificate holder engaged in an act punishable as a sexually related crime, is both unprecedented in the California massage therapy industry and a strong tool that protects the public and helps to keep our community safe.

CAMTC's structure as a private non-profit corporation allows it to act in a way that a state licensing agency could not. CAMTC suspended nearly 200 certificate holders in the first three quarters of 2015, which are 200 less people threatening the safety of our California communities. CAMTC has also denied, revoked, suspended, or disciplined more than 7,000 certificate holders over approximately a 6 year time period. The administrative restrictions on a state licensing agency would not allow it to process this high level of volume in such a short period of time. Mandatory state licensure for massage would undo all of the achievements of CAMTC.

Our city ordinance requires massage therapists to be certified by CAMTC. With the strict regulations and requirements established by CAMTC, we will be able to ensure that the community will no longer be plagued with questionable massage parlors. Our officers are now equipped with the training and resources necessary to stop the illegal activity that often lurks behind these business fronts.

Respectfully,

A handwritten signature in blue ink, appearing to read "John Carli". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Carli".

JOHN CARLI  
Chief of Police

cc: Bill Gage



March 3, 2016

The Honorable Jerry Hill  
Senate Business, Professions and Economic Development Committee  
State Capitol, Room 5035  
Sacramento, CA 95814

Dear Senator Hill,

My name is Bradley Myles, and I am the Chief Executive Officer (CEO) of Polaris, a leading anti-trafficking organization headquartered in Washington, D.C. I write this letter to express Polaris' support for the California Massage Therapy Council's (CAMTC) continuation as a non-profit organization providing critical administrative support for California's massage certification programs and oversight over California's massage schools.

Polaris is a leader in the global fight to eradicate modern slavery and restore freedom to survivors. Since its establishment in 2002, Polaris has operated the National Human Trafficking Resource Center 24/7 hotline for the United States for seven years, has offered local, national, and global programs, and has provided direct services for both labor and sex trafficking victims.

Trafficking thrives when traffickers perceive that they can make high profits at low risk. This is the reality for most illicit massage business (IMB) owners, and why this criminal network continues to grow. In the United States, it is conservatively estimated that there are over 6,500 IMBs where commercial sex acts are sold. Public records and national hotline data indicate that California has the largest concentration of IMBs, and its networks traverse the state and to multiple states.

CAMTC's work protects professional massage therapists by establishing professional standards and oversight. CAMTC is also doing important work to review and investigate California's massage training schools and to remove accreditation for fraudulent schools. Creating fake massage training schools are one step that traffickers often take to try to hijack the massage industry and to profit off the exploitation of women. CAMTC is a proven partner in Polaris' efforts to address this issue, to engage the California professional massage community to eradicate the criminal networks of IMBs, and to better understand the overall views and standards of the professional industry.

Polaris strongly supports the continuation of CAMTC as a non-profit organization and CAMTC's work as it continues to establish stronger professional standards and care for its massage therapist constituents and to address the issue of human trafficking.

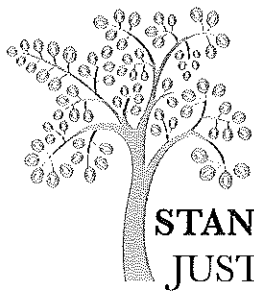
Sincerely,

Bradley Myles  
CEO, Polaris

PO Box 65323  
Washington, DC 20035

TEL: 202-745-1001  
[info@polarisproject.org](mailto:info@polarisproject.org)

[www.polarisproject.org](http://www.polarisproject.org)



Stanislaus Family Justice Center Foundation  
1625 I Street  
Modesto, CA 95354  
(209) 525-5130

The Honorable Jerry Hill  
Senate Business, Professions and Economic Development Committee  
State Capitol, Room 5035  
Sacramento, California 95814

Dear Senator Hill:

My name is Carol Shipley and I am the Executive Director of the Stanislaus Family Justice Center. Prior to July 2015, I was the Assistant District Attorney in the Stanislaus County District Attorney's office and was the facilitator of our Human Exploitation and Recovery Task Force (HEART) which began in December 2011. This letter is in support of the California Massage Therapy Council's (CAMTC) continuation as a non-profit organization providing critical administration support for California massage certification programs and oversight over California's massage schools.

One of the areas HEART focused on was the proliferation of illicit massage parlors in our county. The reason for this sudden increase is the lack of laws and regulations governing massage parlors, the high profits for the owners and the lack of resources with both law enforcement and other regulatory agencies. Women are being exploited both through labor and sex trafficking by the owners of these businesses. It is because of CAMTC's presence on our task force, their training and experience in regulating illicit massage parlors and the massage schools, which assisted the Modesto City Council this year to write a new ordinance to better regulate these businesses. CAMTC is key to the implementation and enforcement of this ordinance.

CAMTC has been a great leader in the fight against human trafficking specifically as it relates to massage parlors. They are a great resource to our law enforcement agencies as well as other government agencies in our community. CAMTC's work not only regulates the illicit businesses, but it protects professional massage therapists by establishing professional standards and oversight.

As a participating member of HEART, I strongly support the continuation of CAMTC as a non-profit organization and CAMTC's work as it continues to establish stronger professional standards and continues to be positive force in stopping human trafficking in California.

I will be available to address this committee on Monday, March 14.

Sincerely,

Carol Shipley  
Executive Director

The Stanislaus Family Justice Center Foundation's mission is, as committed partners, to provide a safe and compassionate environment to foster hope and healing while raising public awareness and support.



March 1, 2016

**Board of Directors**

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R&R Partners

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Bank of America

Barbara Van Sickle,  
Esq.  
Attorney at Law

**The Honorable Jerry Hill**  
**Senate Business, Professions and Economic Development Committee**  
**State Capitol, Room 5035**  
**Sacramento, CA 95814**

**Re: California Massage Therapy Council**

**Dear Senator Hill:**

For the past 36 years, Journey Out (a California based nonprofit organization) has been leading the fight for the freedom and survival of all those whose lives have been destroyed by sex trafficking or commercial sexual exploitation. We support the continuation of the California Massage Therapy Council (CAMTC) as a private, non-profit organization administering voluntary massage certification and school approval programs.

We are impressed with CAMTC's effectiveness in fighting human trafficking by thoroughly vetting and disciplining certificate holders. CAMTC's robust undercover investigations have resulted in the un-approval by CAMTC of scores of fraudulent schools that are selling diplomas to unqualified individuals. Human traffickers depend on fake diplomas as an essential first step in their exploitative enterprises. It is disturbing that even after CAMTC publicly reports such schools as un-approved, the Bureau of Private Postsecondary Education continues to approve such schools and lists them as schools in good standing.

Unlike other states, California grapples with special challenges. Mandatory licensing (which we know is being proposed by commercial out-of-state insurance interests), would be gridlocked in bureaucracy and lacks the agility to deliver the same level of public protection as CAMTC. Specifically, a mandatory licensing body could not deny, revoke and suspend bad actors in the industry at CAMTC's rate of over 7,000 in 6 years. The administrative restrictions on a state licensing body to act against wrongdoing would result in only a handful of denials, revocations and suspensions each year, thus opening the floodgate to human trafficking and undoing all the achievements of CAMTC.

We appreciate the opportunity to have a seat on CAMTC's Board. We find the Board to function efficiently and to be composed of smart critical thinkers who always put the protection of the public first.





Dr. Stephany Powell, Journey Out's Executive Director, will appreciate the opportunity to address the joint committee at the March 14 Sunset hearing.

Respectfully,

Rebekah Bell  
Journey Out Board Co- President

cc: Bill Gage



March 7, 2016

The Honorable Jerry Hill  
Senate Business, Professions and Economic Development Committee  
State Capital, Room 5035  
Sacramento, CA 95814

RE: Support for continuation of the California Massage Therapy Council (CAMTC)

Dear Senator Hill,

The California Chapter of the American Massage Therapy Association (AMTA-CA) supports the continuation of the California Massage Therapy Council (CAMTC). We continue to be impressed with the dedication this organization brings to every decision affecting the elevation of standards for our profession and the safety of the public.

The American Massage Therapy Association is the nation's largest non-profit professional association representing massage therapy professionals. AMTA is governed by a volunteer elected board, and has an obligation to return its revenues to its membership and to the profession. Our sole interest is to advocate for the highest ethical and competency standards for professional massage therapists.

We believe that the CAMTC has provided an impressively efficient and cost effective means, on a state-wide basis, of elevating standards for professional massage therapy providers and schools. We urge the continuation of the CAMTC as a non-profit 501(c)(3) public benefit corporation, created and maintained pursuant to state law, administering voluntary massage certification and a school approval program at the state level.

The CAMTC's efforts over the years have resulted in the unapproval of fraudulent schools that were selling diplomas to unqualified individuals. The CAMTC has continually supported the enhancement of criteria for certifying individual therapists. Due to their diligence, the State of California now benefits from a population of highly qualified massage therapy professionals. Thanks to the efforts of the CAMTC, members of the public and business owners can be assured that certified massage professionals operate with exceptional standards of competency and integrity.

AMTA-CA is particularly concerned with the volume of confusing, inconsistent, and discriminatory massage ordinances being enacted by cities and counties across California. These ordinances stifle small business ownership, block citizens' access to massage therapy services, and begin with the presumption that Division 2 Healing Arts Professionals are engaged in criminal activity.

**amta california chapter**  
2844 Cardinal Drive, Lincoln, CA 95648  
ph. 800.696.2682  
[www.amta-ca.org](http://www.amta-ca.org)



It would be beneficial for all parties for the committee to address these issues at the Sunset Hearing. We recommend amending the Massage Therapy Act to address these unintended consequences resulting from the local implementation of AB 1147 by cities and counties.

We anticipate working together successfully with local officials, law enforcement, state government, and the CAMTC toward the shared goals of high professional standards, and fair and sensible regulation of the massage therapy industry.

Sincerely,

Jeannie Martin  
President  
American Massage Therapy Association  
California Chapter

cc: Bill Gage

# Hands On Trade Association

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**Judi Calvert**

President

3009 S Mt Vernon St.  
Spokane, WA 99223  
800-872-1282

**The Honorable Jerry Hill**

Senate Business, Professions and Economic Development Committee  
State Capitol, Room 5035  
Sacramento, CA 95814

March 1st, 2016

Dear Senator Hill,

Hands On Trade Association (HOTA) was established 16 years ago and represents thousands of certified therapeutic massage professionals in California that adhere to HOTA's strict code of Ethics. We support the continuation of the California Massage Therapy Council (CAMTC) as a private, non-profit organization administering voluntary massage certification and school approval programs.

Protection of the public has been optimized by CAMTC's admirable execution of the Massage Therapy Act. When comparing CAMTC's disciplinary record to the enforcement data of state regulatory boards for other health-related fields, it is clear that mandatory licensing, administered by a governmental bureaucracy, is incapable of providing the level of public protection that CAMTC has provided. California has unique challenges not faced by any other states and introducing an outdated regulatory model such as licensure at this point will make it easier for criminals to use massage as a subterfuge for prostitution.

CAMTC is effectively governed by a Board of bright and highly respected individuals who are fully committed to CAMTC's mission of protecting consumers. Local government completely dominates the Board. Out of the 13 Board positions, city and/or county officials occupy 7 of those positions. In fact, only 1 director practices massage therapy full time. We believe that the public would be better served if the Legislature would consider adjusting the Board composition to include a broader representation of stakeholders, including more participation from the profession.

Dr. Keith Grant will be available to address the joint committee at the March 14th Sunset hearing on behalf of The Hands On Trade Association.

Respectfully,



Judi Calvert

cc: Bill Gage





March 3, 2016

The Honorable Jerry Hill  
Senate Business, Professions and Economic Development Committee  
State Capitol, Room 5035  
Sacramento, CA 95814

Re: California Massage Therapy Council (CAMTC)

Dear Senator Hill:

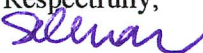
The Independent Massage School Association of California (IMSAC) was created in 2009 to provide guidance to its member schools in meeting the requirements of BPPE and CAMTC and to provide such schools with representation and a voice during a period of significant regulatory changes. IMSAC was represented on CAMTC's board of directors by Dr. Keith Eric Grant from October 2009 until the September 2015 board reorganization.

IMSAC believes that CAMTC has provided an impressively efficient and cost effective means, on a state-wide basis, of ensuring massage therapy competence and for distinguishing professional massage therapy providers and schools from individuals and entities that are antithetical to the massage therapy profession. We urge the continuation of CAMTC as a private, non-profit (501c3) organization, created and maintained pursuant to state law, administering voluntary massage certification and school approval programs at the state-level.

That said, there are two additional, crucial points we would like to address. First, we strongly request that IMSAC again have representation on the CAMTC board of directors. Independent massage schools in California contribute the majority of graduates to the field. We also contribute to vibrancy of the massage profession in our state, and our interests, as well as those of our many students and graduates, deserve a direct and consistent voice with CAMTC.

Second, we wish to alert the Business, Professions, and Economic Development Committee that recent policy adopted by CAMTC will invalidate educational hours from BPPE-approved schools (now closed, but never unapproved by CAMTC) for use on applications for CAMTC Certification. We urge that the policy, and the legal language that catalyzed it, be amended. The 2016 addition of the MBLEx test requirement for CAMTC Certification provides adequate protection for the public by ensuring that applicants have sufficient training and meet current academic standards. Hours accumulated while schools were in good standing with BPPE, even if the school was later unapproved or closed while under new management, should remain valid.

Dr. Keith Grant, will be available to address the joint committee at the March 14 Sunset hearing on behalf of IMSAC.

Respectfully,  
  
Selena Lee  
IMSAC Chair

cc: Bill Gage



March 3, 2016

The Honorable Jerry Hill  
Senate Business, Professions and Economic Development Committee  
State Capitol, Room 5035  
Sacramento, CA 95814

Dear Senator Hill and Members of the Committee:

It is with pleasure that I am writing on behalf of the Federation of State Massage Therapy Boards (FSMTB) in support of one of our member boards, the California Massage Therapy Council (CAMTC). In the absence of licensure, we support the continuation of the CAMTC administering voluntary massage certification and school approval programs to best protect the public in your State. The profession of massage therapy is unique its approach to practice, conditions of practice, and practice environment. We are supporting our member board in California to encourage legislation that would bring efficiency to the mission of public protection.

The FSMTB serves the massage therapy regulatory community in the United States and territories and provides benefit from the knowledge gained by combining the individual state resources into their Federation, the FSMTB. The mission of the FSMTB is to support our 43 member boards in their work to ensure that the practice of massage therapy is provided to the public in a safe and effective manner.

To aid state regulators and our member boards in their mission of public protection, the FSMTB maintains the Massage & Bodywork Licensing Examination (MBLEx) that was developed specifically to address the needs of the regulatory community and meet their common public protection mandate. Most importantly, our member boards, including CAMTC, govern the examination, its development, and provision. The MBLEx has been adopted as the sole examination for massage therapy licensure in the United States. In addition to the provision and governance of the MBLEx, the FSMTB has also published the Model Massage Therapy Practice Act (MPA).

The FSMTB is appreciative of the opportunity to provide this information to assist you in your diligent work of reviewing the continuance of the CAMTC to strengthen the public protection of your citizens. Should you have questions about the FSMTB, the regulatory environments in our member board jurisdictions, or comments provided, please do not hesitate to contact me.

Sincerely,  
*Debra Persinger*

Debra A. Persinger, PhD  
Executive Director





Foothill 21250 Stevens Creek Blvd.  
De Anza Cupertino, CA 95014  
Community  
College  
District

March 4<sup>th</sup>, 2016

The Honorable Jerry Hill  
Senate Business, Professions and Economic Development Committee  
State Capitol, Room 5035  
Sacramento, CA 95814

Re: California Massage Therapy Council (CAMTC)

Dear Senator Hill,

De Anza College is the first community college in California to offer a state chancellor approved certificate and degree program in therapeutic massage. The program was founded in 1992 and is based upon the medical model which requires comprehensive knowledge of medical terminology, anatomy & physiology, kinesiology, contraindications, business and ethics. The intent of the program is to prepare students for gainful employment and to professionally interact with many different members of the healthcare community.

We support the continuation of the California Massage Therapy Council (CAMTC) as a private, non-profit organization administering voluntary therapeutic massage certification and school approval programs. CAMTC's efforts are necessary to protect the public and to ensure quality education for therapeutic massage professionals.

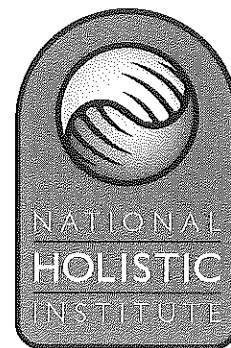
I will be available to address the joint committee at the March 14th Sunset hearing on behalf of De Anza College.

Respectfully,

A handwritten signature in cursive script that reads "Karen T. Boulanger".

Karen T. Boulanger, PhD, CMT  
Faculty, Massage Therapy Program  
Department of Physical Education

cc: Bill Gage



**The Honorable Jerry Hill**

Senate Business, Professions and Economic Development Committee  
State Capitol, Room 5035  
Sacramento, CA 95814

March 5, 2016

Dear Senator Hill,

National Holistic Institute (NHI) is a College of Massage Therapy. We have been training professional Massage Therapists in the state of California for over 30 years. NHI is a member of the California Association of Private Post-Secondary Schools (CAPPS), we are a BPPE approved school and Nationally Accredited through the Accrediting Council of Continuing Education and Training (ACCET). We support the continuation of the California Massage therapy Council (CAMTC) as a private, non-profit organization administering voluntary massage therapy certification and school program approvals.

NHI places the utmost value on quality education and professional ethics. We recognize that CAMTC's execution of the Massage Therapy Act has resulted in enhanced public protection in a number of critical ways. To name a few:

1. California consumers and employers now have means to identify qualified and legitimate Massage Therapists.
2. Certificate holders and schools who engage in illegal, fraudulent and/or unethical activities are reviewed and swiftly disciplined.
3. Trained Massage Therapists have access to a single, professional credentialing that supports their ability to work in any jurisdiction in the state. This provides consumers in under-served areas, where training may not be as readily available, access to safe and effective Massage Therapy.

Since the creation of CAMTC, NHI graduates from our seven campuses (Sacramento, Petaluma, Emeryville, San Francisco, San Jose, Studio City and Santa Ana) have predominantly chosen to pursue and obtain CAMTC certification. We hope the CAMTC certification will continue to be accessible to them well beyond the December 31, 2016 sunset.

Please feel to reach out to me with any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Tim Veitzer", is written over a horizontal line.

Tim Veitzer

Owner and President  
National Holistic Institute





**Franchise Management Group**  
**Los Angeles West & North East Regions**  
333 N. Brand Boulevard, Glendale CA 91203  
Ph: 818 246 3689 (ENVY)

March 9, 2016

The Honorable Jerry Hill  
Senate Business, Professions and Economic Development Committee  
State Capitol, Room 5035  
Sacramento, CA 95814

Senator Hill:

The family of Massage Envy franchisees in California are together the largest employer of massage therapists, and largest provider of professional therapeutic massage in the state. With over 180 locations in California, we employ approximately 5,400 therapists, serving over 300,000 members of the public every month, with over 3.67 million hours of massage services provided every year.

With the formation of the California Massage Therapy Council (CAMTC) in 2009, our businesses have been able to establish a higher and more reliable standard of qualification for employment through CAMTC certification. Our franchisees are held to the highest standards when hiring employees, and we particularly appreciate the ability that the CAMTC has to qualify certificate holders based on arrest records, not convictions typically discounted through plea-bargaining. Only a private organization can uphold these standards. We also appreciate the CAMTC being able to vet and approve schools, many of which are small, and become severely impacted when schools around them are selling diplomas.

The current CAMTC Board does not have enough representation from the massage business community. We are the glue that connects the majority of massage therapy with the public. We would like to see this change. We also have a grave concern regarding the declining number of active massage therapists. We would like the CAMTC Board to be tasked with investigating how the areas under its domain can help improve this situation.

Thank you for your consideration:

A handwritten signature in black ink, appearing to read 'Andrew Garsten'.

Andrew Garsten  
Massage Envy Los Angeles Regional Developer  
Cc: Bill Gage

March 2, 2016

The Honorable Susan Bonilla, Chair  
Assembly Committee on Business and Professions  
1020 N Street, Room 383  
Sacramento, CA 95814

Re: California Massage Therapy Council

Dear Assemblymember Bonilla:

I am writing this letter to express my complete support for The California Massage Therapy Council (CAMTC). I am the President of Burke Williams, Inc. Currently Burke Williams employs nearly 1000 CAMTC certified massage therapists and an additional 500 support staff in our ten locations throughout the State of California. We have been in business nearly 30 years and because of the actions of CAMTC, we have never experienced a higher degree of professionalism in this industry. This translates directly into the confidence and safety our guests experience in every professional massage they receive.

Further, while serving on the CAMTC Board of Directors for several years, I witnessed the dedication this organization brings to every decision affecting the elevation of standards of this profession and the safety of the public. What was once a fragmented industry fraught with unreliable and unsafe standards is now a true profession. Thanks to the efforts of CAMTC, both the public and business owners can be assured that the industry now operates with exceptional standards of integrity and continuity.

I fully support the continuation of this valuable organization and ask for your support in its ongoing efforts as a private nonprofit organization providing voluntary certification to massage therapists and approval for massage schools.

Sincerely,



Bill Armour, President  
Burke Williams, Inc.



March 2, 2016

The Honorable Jerry Hill  
Senate Business, Professions and Economic Development Committee  
State Capitol, Room 5035  
Sacramento, CA 95814

Re: California Massage Therapy Council

Dear Senator Hill:

I am writing this letter to express my complete support for The California Massage Therapy Council (CAMTC). I am the President of Burke Williams, Inc. Currently Burke Williams employs nearly 1000 CAMTC certified massage therapists and an additional 500 support staff in our ten locations throughout the State of California. We have been in business nearly 30 years and because of the actions of CAMTC, we have never experienced a higher degree of professionalism in this industry. This translates directly into the confidence and safety our guests experience in every professional massage they receive.

Further, while serving on the CAMTC Board of Directors for several years, I witnessed the dedication this organization brings to every decision affecting the elevation of standards of this profession and the safety of the public. What was once a fragmented industry fraught with unreliable and unsafe standards is now a true profession. Thanks to the efforts of CAMTC, both the public and business owners can be assured that the industry now operates with exceptional standards of integrity and continuity.

I fully support the continuation of this valuable organization and ask for your support in its ongoing efforts as a private nonprofit organization providing voluntary certification to massage therapists and approval for massage schools.

Sincerely,



Bill Armour, President  
Burke Williams, Inc.

# California Legislature

May 18, 2016

Mr. Ahmos Netanel, Chief Executive Officer  
California Massage Therapy Council  
One Capitol Mall, Suite 800  
Sacramento, CA 95814

**Re: Informational hearing, *The Role of Regulated Professions in Combatting Human Trafficking.***

Dear Mr. Netanel:

Human trafficking is a continuing problem in California. Further, the devastating reach of human trafficking may evade professional boundaries. Licensed or regulated professions are not immune to unscrupulous traffickers taking advantage of the legitimacy that is afforded to individuals with a state-issued license or state-sanctioned certificate to practice, providing a form of cover for a criminal enterprise to operate lawfully while harming victims and the communities which they operate in.

Licensed or regulated professions that are not co-opted by illegal enterprises may be uniquely situated to identify victims of human trafficking. For instance, by being educated about the signs of trafficked individuals, licensees and other professionals may help to improve outcomes for trafficking victims through reporting or other recommended methods. To better assess the role of regulated professions and professional licensees in helping to combat human trafficking problems in California, the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development is holding a joint informational hearing entitled: *The Role of Regulated Professions in Combatting Human Trafficking.*

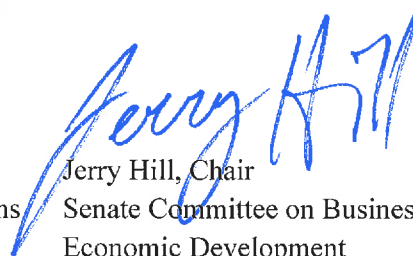
We invite you or someone from your organization to participate as a panelist at this hearing, which will be held from on Wednesday, June 8, 2016 from 9:30 a.m. to 11:30 a.m. in Room 4202 of the State Capitol. We would appreciate hearing the California Massage Therapy Council's perspective on the role of licensed professionals in California to aid in the battle against human trafficking. Remarks will be limited to 5 to 8 minutes per panelist due to time constraints. If you have presentation materials, such as a PowerPoint, please let us know. We would appreciate your RSVP by 5:00 p.m. on Wednesday, May 24, 2016.

We will be sending out a finalized agenda in the upcoming weeks. Should you have any questions, or to RSVP, please do not hesitate to contact the Assembly Committee on Business and Professions at: (916) 319-3301. We look forward to hearing from you.

Sincerely,



Rudy Salas Jr., Chair  
Assembly Committee on Business and Professions



Jerry Hill, Chair  
Senate Committee on Business, Professions and  
Economic Development





## **Joint Informational Hearing**

Assembly Committee on Business and Professions - Chair, Rudy Salas, Jr.  
Senate Committee on Business, Professions and Economic Development - Chair, Jerry Hill

### **The Role of Regulated Professions in Combatting Human Trafficking**

Wednesday, June 8, 2016  
9:30a.m.-11:30a.m.  
State Capitol, Room 4202

#### **Agenda**

##### **I. Introductory Remarks by Committee Chairs**

##### **II. Overview of Human Trafficking**

Robert Sumner, *Director, Office of Legislative Affairs, California Department of Justice*

Maggy Krell, *Deputy Attorney General & Statewide Human Trafficking Coordinator, California Department of Justice*

##### **III. The Role of Regulatory Entities**

Kristy Underwood, *Executive Officer, Board of Barbering and Cosmetology*

Ahmos Netanel, *Chief Executive Officer, California Massage Therapy Council*

Beverly May, *Director of Governmental Affairs, California Massage Therapy Council*

Mike Callagy, *Board Member, California Massage Therapy Council*

Benjamin Bodea, *Acting Executive Officer, California Acupuncture Board*

Sergio Azzolino, D.C., *Chair, Board of Chiropractic Examiners.*

Julie Elginer, Dr. PH, *Public Member, Board of Chiropractic Examiners*

##### **IV. State and Local Perspective**

The Honorable Nancy E. O'Malley, *District Attorney, Alameda County*

Minouche Kandel, Esq., *Women's Policy Director, San Francisco Department on the Status of Women*

Stephany Powell, Ed.D. *Executive Director, Journey Out*

##### **V. Public Comment**

## JOINT INFORMATIONAL HEARING

### *The Role of Regulated Professions in Combatting Human Trafficking*

Assembly Committee on Business and Professions - Chair, Rudy Salas, Jr.  
Senate Committee on Business, Professions and Economic Development - Chair, Jerry Hill

Wednesday, June 8, 2016  
9:30-11:30 a.m.  
State Capitol, Room 4202

## BACKGROUND PAPER

### Introduction

Human trafficking continues to be a problem around the world and in the U.S., including California. According to the U.S. Department of State, the U.S. government considers trafficking to include all criminal conduct in forced labor and sex trafficking, "essentially the conduct involved in reducing or holding someone in compelled service."<sup>1</sup> According to the U.S. government, trafficking can be seen in a variety of forms including, but not limited to, forced labor, sex trafficking, and bonded labor.<sup>2</sup> The U.S. is a source and destination for trafficking victims, including men, women and children, both U.S. and foreign citizens.<sup>3</sup> The trafficking of individuals can include both sexual trafficking and labor trafficking, and victims can be found in a wide range of businesses including massage establishments, hotels, and domestic service.<sup>4</sup> The Coalition to Abolish Slavery states that traffickers threaten to, or use force, coercion, abduction, fraud or deception to bring their victims under their control.<sup>5</sup> The common term "human trafficking" has been widely used to describe those activities which occur when a person is forced or compelled into service.<sup>6</sup>

The reach of human trafficking can evade professional and regulatory boundaries. Human trafficking can take place online and in brothels masquerading as massage businesses, nail

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<sup>1</sup> United States Department of State, Civilian Security, Democracy and Human Rights, Office to Monitor and Combat Trafficking in Persons, June 2012. Retrieved from <http://www.state.gov/documents/organization/194942.pdf>.

<sup>2</sup> *IBID.*

<sup>3</sup> US Department of State, 2015 Trafficking in Persons Report. Retrieved from <http://www.state.gov/j/tip/rls/tiprpt/2015/index.htm>.

<sup>4</sup> US Department of Homeland Security, Blue Campaign. Retrieved from <https://www.dhs.gov/blue-campaign/myths-and-misconceptions>.

<sup>5</sup> Coalition to Abolish Slavery and Trafficking, About the Issue. Retrieved from <http://www.castla.org/definition-of-the-issue>.

<sup>6</sup> United States Department of State Civilian Security, Democracy and Human Rights, Office to Monitor and Combat Trafficking in Persons, June, 2012. Retrieved from <http://www.state.gov/documents/organization/194942.pdf>.

salons, or other types of businesses.<sup>7</sup> According to the 2015 statistics summary released by the Polaris Project, the top three sex trafficking venues include: 1) commercial front brothels, 2) hotels and motels, and 3) residential brothels.<sup>8</sup>

The U.S. Department of Health and Human Services provides funding for the National Human Trafficking Resource Center Hotline (NHTRCH) administered by the Polaris Project. The NHTRCH is a free, twenty-four hour accessible hotline, available in numerous languages, where persons who suspect trafficking is occurring, or are being trafficked, are able to contact the hotline and be connected to find appropriate services for victim support, report potential trafficking or find additional resources for training opportunities. In the California Attorney General's report, *The State of Human Trafficking in California 2012*, the AG reported that while the hotline is available in all fifty states, in 2011 the highest numbers of cases or victims were reported in California—about 10%.<sup>9</sup> Four years later, it was reported in the Polaris Project's 2015 U.S. data report, that California continues to lead the country in the highest number of calls.<sup>10</sup> Because of California's large and diverse immigrant communities, its large economic base and its proximity to international borders, California is considered one of the top four destinations for human trafficking.<sup>11</sup>

As noted earlier, human trafficking happens in various forms and can involve activities such as recruiting, smuggling, transporting, harboring, buying, or selling persons for prostitution, domestic servitude, and sweatshop labor, among others.<sup>12</sup> Dismantling human trafficking is a large and daunting task and appears to be best addressed through partnerships between federal, state, local governments, businesses, communities, and NGOs. Between 2004 and 2010, regional task forces, some funded through grants by the U.S. Department of Justice and the California Governor's Office of Emergency Services, formally known as, California Emergency Management Agency, were established throughout different regions of California to help aid in the identification and rescue of trafficking victims. According to the 2007 report, *Human Trafficking in California: the Final Report of the California Alliance to Combat Trafficking and Slavery Task Force*, the grants provided to those regional task forces required a "strong working relationships between law enforcement, other government entities and [non-governmental

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<sup>7</sup> Human Trafficking Report in San Francisco 2015, City and County of San Francisco, Department on the Status of Women. Retrieved from [http://sfgov.org/dosw/sites/sfgov.org.dosw/files/HT%20Report\\_FINAL.pdf](http://sfgov.org/dosw/sites/sfgov.org.dosw/files/HT%20Report_FINAL.pdf)

<sup>8</sup> Polaris Project, 2015 Statistics. Retrieved from <http://polarisproject.org/resources/2015-hotline-statistics>

<sup>9</sup> Office of the Attorney General, *The State of Human Trafficking in California 2012*. Retrieved from <http://oag.ca.gov/sites/all/files/agweb/pdfs/ht/human-trafficking-2012.pdf>

<sup>10</sup> National Human Trafficking Resource Center, 2015 NHTRC Annual Report. Retrieved from <http://traffickingresourcecenter.org/sites/default/files/NHTRC%202015%20United%20States%20Report%20-%20USA%20-%2001.01.15%20-%2012.31.pdf>

<sup>11</sup> California Human Trafficking Fact Sheet, Compiled by the Center for Public Policy Studies, February 2013. Retrieved from <http://www.htcourts.org/wp-content/uploads/CA-HT-Fact-Sheet-2.27.13.pdf?Factsheet=HT-CA>

<sup>12</sup> Office of the Attorney General, *The State of Human Trafficking in California 2012*. Retrieved from <http://oag.ca.gov/sites/all/files/agweb/pdfs/ht/human-trafficking-2012.pdf>

organizations (NGOs)] that provide direct services to victims of trafficking."<sup>13</sup> As a result of those regional task forces and other NGOs, partnerships have led to successful efforts in California to tackle the challenging issue of human trafficking through increased victim services and protection and increased penalties for traffickers.

Recent news reports across the country note the ongoing issues surrounding trafficking and the relationship between businesses. A 2009 article from the *Orange County Register*, Secret victims: Sex trafficking in our midst, reported that nine Vietnamese women were caught in a police raid inside a chiropractic office that was alleged, at the time, to be a front for a brothel.<sup>14</sup> In a February 2016, news report from Channel 4, Southern California, it was reported that the Los Angeles City Attorney was filing a lawsuit against operators of an alleged ring of brothels fronted by massage businesses. In an opinion editorial in *The Washington Post*, My Nail salon may be a front for a brothel; the author noted "Human trafficking really is everywhere. Despite increases in awareness campaigns, traffickers continue to hide in plain sight, fooling even those of us who remain vigilant to exploitation. Even experts in the field...fail to recognize human trafficking on a regular basis."<sup>15</sup>

According to a 2012 press release from the International Labour Organization, it is estimated that some 21 million people around the world are ensnared in human trafficking and 90 percent of those individuals are exploited in the private economy, by individuals, or enterprises which can include domestic servitude, agriculture, construction, manufacturing and entertainment.<sup>16</sup> However, as noted by the U.S. Department of Justice, Office of Justice Programs, because of the underground nature of human trafficking, it is difficult to truly know the number of victims.<sup>17</sup>

## State Efforts

In California and across the country, a variety of legislation has been proposed or enacted address human trafficking. Many of these laws or proposals attempt to address human trafficking through various levels of victim protection and support, law enforcement empowerment, perpetrator prosecution, and community awareness.

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<sup>13</sup> Office of the Attorney General, Human Trafficking in California: Final Report of the California Alliance to Combat Trafficking and Slavery Task Force, 2007. Retrieved from [http://ag.ca.gov/publications/Human\\_Trafficking\\_Final\\_Report.pdf?](http://ag.ca.gov/publications/Human_Trafficking_Final_Report.pdf?)

<sup>14</sup> Cabrera, Yvette. Secret victims: Sex trafficking in our midst. *Orange County Register*. August 25, 2009.

<sup>15</sup> Mehlman-Orozco, Kimberly. My Nail Salon may be a Front for a Brothel. *The Washington Post*. November 20, 2015. Retrieved from [https://www.washingtonpost.com/opinions/my-nail-salon-may-be-a-front-for-a-brothel/2015/11/20/65cc15e6-84c0-11e5-8ba6-cec48b74b2a7\\_story.html](https://www.washingtonpost.com/opinions/my-nail-salon-may-be-a-front-for-a-brothel/2015/11/20/65cc15e6-84c0-11e5-8ba6-cec48b74b2a7_story.html).

<sup>16</sup> International Labour Organization. Facts and Figures. Retrieved from [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_181961/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_181961/lang--en/index.htm).

<sup>17</sup> U.S. Department of Justice, Office of Justice Programs, National Institute of Justice. May 29, 2010. Retrieved from <http://nij.gov/topics/crime/human-trafficking/Pages/problem.aspx>.



AB 22 (Lieber), Chapter 240, Statutes of 2005, is regarded as one of California's first laws in addressing human trafficking. AB 22 established civil and criminal penalties for trafficking, allowed for the forfeiture of assets derived from human trafficking, created the California Alliance to Combat Trafficking and Slavery Task Force, and provided restitution to victims, among other provisions. Since the enactment of AB 22, there have been numerous legislative efforts in California and across the country aimed at addressing human trafficking.

Some legislative actions focus on the relationship between the potential for business and human trafficking corruption. To help address the ongoing issue of human trafficking, the California Legislature passed and the Governor signed SB 1193 (Steinberg), Chapter 515, Statutes of 2012, which required that the operators of bars, adult or sexually oriented businesses, massage businesses where those providing massage services were not certified by the California Massage Therapy Council, primary airports, rail stations, bus stations, truck stops, emergency rooms, urgent care centers, farm labor contractors, privately operated job recruitment centers, and roadside rest stops post a conspicuous notice publicizing human trafficking resources. SB 1153 also required the California Department of Justice to develop a model notice and make that notice available on its website in order for those required to post the notice to be able to do so without creating their own. According to Civil Code 52.6, the notice must include the following statement:

If you or someone you know is being forced to engage in any activity and cannot leave— whether it is commercial sex, housework, farm work, construction, factory, retail, or restaurant work, or any other activity—call the National Human Trafficking Resource Center at 1-888-373-7888 or the California Coalition to Abolish Slavery and Trafficking (CAST) at 1-888-KEY-2-FRE(EDOM) or 1-888-539-2373 to access help and services. Victims of slavery and human trafficking are protected under United States and California law. The hotlines are:

- Available 24 hours a day, 7 days a week.
- Toll-free.
- Operated by nonprofit, nongovernmental organizations.
- Anonymous and confidential.
- Accessible in more than 160 languages.
- Able to provide help, referral to services, training, and general information.

In 2014, the California Legislature changed the composition of the California Massage Therapy Council in order to include a member from the anti-human trafficking community. AB 1147 (Bonilla, Gomez, and Holden), Chapter 406, Statutes of 2014, required among many other things, that the composition of the California Massage Therapy Council be reduced from 20 to

13 members and board membership must now include a member of an anti-human trafficking organization.

Other legislation in California includes bills such as: 1) SB 657 (Steinberg) Chapter 556, Statutes of 2012, the California Transparency in Supply Chains Act, which encourages large businesses to voluntarily take steps to use their substantial economic leverage to deter forced labor from being used in their supply chains; 2) SB 1279 (Pavley), Chapter 116, Statutes of 2010, which established a pilot project in Los Angeles County to create, implement, and deliver standardized training curricula that would provide a protocol for law enforcement and social services to assess and recognize sexually exploited minors within the juvenile justice system; 3) AB 499 (Swanson), Chapter 359, Statutes of 2008, which established a pilot project in Alameda County to create, implement, and deliver standardized training curricula that would provide a protocol for law enforcement and social services to assess and recognize sexually exploited minors within the juvenile justice system; 4) AB 1595 (Campos) of 2016, which will require private or public employers that provide mass transportation services to train employees on human trafficking, as specified; and, 5) AB 1942 (Garcia) of 2016, which will require training of hotel and motel employees in recognizing the signs of human trafficking and how to report those signs to the appropriate law enforcement agency.

Numerous other states have taken action to address human trafficking through a variety of laws. In addition to California, 25 other states require some form of a posting or notification about human trafficking awareness or information about the national hotline<sup>18</sup> Additionally, 31 states have passed a law to require or to encourage training requirements for law enforcement pertaining to human trafficking, while 20 states have either created or encouraged the development of a human trafficking task force.<sup>19</sup>

Recently, there have been studies and reports that support the concept of additional training for licensed healthcare professionals who may come into contact with human trafficking victims<sup>20</sup>. In *Educating Health Care Professionals on Human Trafficking*; the authors noted that although emergency department providers have training in the recognition of child abuse victims and intimate partner violence, they are not routinely educated about common health problems associated with human trafficking.<sup>21</sup> The State of Michigan recently passed a law to require the

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<sup>18</sup> 2014 State Rating on Victims Assistance Laws. Polaris Project. Retrieved from <http://polarisproject.org/sites/default/files/2014-State-Ratings.pdf>

<sup>19</sup> *IBID.*

<sup>20</sup> Dovydaitis, Tiffany, RN, WHCNP. Human Trafficking, the Role of the Health Care Provider. *Journal of Midwifery Womens Health*. 2010; 55, 462-467. Retrieved from <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3125713/>

<sup>21</sup> Grace, Aimee M., et al. Educating Health Care Professionals on Human Trafficking. *Journal of Pediatric Emergency Care*. December 2014. Vol. 30 (12), pp. 856-61. Retrieved from <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4392380/>.

Michigan Department of Licensing and Regulatory Affairs to establish training standards for identifying human trafficking victims, which encompasses licensed healthcare professionals in Michigan: including chiropractors, mental health professionals, medical professionals, nurses, and massage therapist, among others.

## **Professions**

The devastating reach of human trafficking may evade professional boundaries as licensed or regulated professions are not immune from traffickers taking advantage of the legitimacy that is afforded to individuals with a state-issued license or state-sanctioned certificate to practice; providing a form of cover for a criminal enterprise to operate lawfully while harming victims and the communities in which they operate. However, some licensed professionals may be uniquely situated to identify victims of human trafficking. For instance, by being educated about the signs of trafficked individuals, licensees and other professionals may help to improve outcomes for trafficking victims through reporting, referrals to assistance, or other recommended methods.

In California, some regulated industries have taken steps to ensure that their professions meet the appropriate standards with respect to licensing and enforcement to ensure consumer protection and to attempt to maintain the integrity of the profession. Provisions within the Business and Professions Code allow boards and bureaus regulated under the Department of Consumer Affairs to establish, through regulations, professional standards for licensure and enforcement. Strict and enforceable disciplinary standards may help alleviate licensed professions being infiltrated by illegal enterprises attempting to use legitimate businesses within California for human trafficking.

Business and Professions Code § 4955 authorizes the California Acupuncture Board to, "deny, suspend, or revoke or impose probationary conditions upon, the license of any acupuncturist if he or she is guilty of unprofessional conduct."<sup>22</sup> Business and Professions Code §4607 authorizes the California Massage Therapy Council to discipline an owner or operator of a massage business or establishment who is certified for the conduct of all individuals providing massage for compensation on the business premises. Additionally, the Business and Professions Code specifies that the California Massage Therapy Council may deny an application for certification or impose disciplinary conditions on a certificate holder for unprofessional conduct, which includes, but is not limited to, engaging in sexually suggestive advertising related to massage services and engaging in sexual activity while providing massage for compensation.<sup>23</sup>

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<sup>22</sup> California Business and Professions Code, § 4955.

<sup>23</sup> California Business and Professions Code §§ 4607, 4609(a)(1)(A), (C).

Further, the Board of Chiropractic Examiners established the responsibility for conduct on premises and specifies that "the commission of any act of sexual abuse, sexual misconduct, or sexual relations by a licensee with a patient, client, customer, or employee is unprofessional conduct and is ground for disciplinary conduct."<sup>24</sup> Further, the regulations specify that every chiropractic licensee is responsible for the conduct of employees or other persons subject to supervision in a place or practice.

These types of regulations and statutes may help to ensure that professional license holders are subject to disciplinary actions for illicit behavior, potentially discouraging illegal activities in those businesses and providing a mechanism to shut down facilities which may be operating under the guise of a professional practice.

## **Conclusion**

This hearing is intended to examine the role of regulated professions in combatting human trafficking by exploring new opportunities for regulated professions to partner with state, local and NGOs who are actively engaged in anti-human trafficking efforts. In addition, this hearing should provide guidance to the Legislature about whether or not additional legislation may be necessary to address this issue.

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<sup>24</sup> Title 16, California Code of Regulations, § 316.

## What Exactly Is Human Trafficking?

**H**uman trafficking involves both labor and sex, and is defined as the following:

- Labor trafficking is defined by the California Penal Code as the “recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of...involuntary servitude, peonage, debt bondage, or slavery.”

- Sex trafficking is defined under federal law as a commercial sex act induced by force, fraud, or coercion, or in which the person induced is under 18 years of age.

- According to Polaris Project, there are estimated more than 9,000 brothels in the U.S. that are disguised as massage parlors. This provides a form of cover, allowing for a criminal enterprise to operate lawfully while harming victims and communities. Some of these may involve human trafficking.

You may play a vital role in helping to stop this tragic condition that affects so many, some under the guise of massage.



## Additional Organizations In The Forefront Of Fighting Human Trafficking

CAMTC is not alone in the fight against human trafficking. The organizations below are focused on ending this global dilemma that is truly a nightmare for all its victims.

### Polaris Project

[polarisproject.org](http://polarisproject.org)

### Journey Out

Formerly The Mary Magdalene Project

[journeyout.org](http://journeyout.org)

### San Francisco Collaborative Against Human Trafficking

[www.sfcaht.org/index.html](http://www.sfcaht.org/index.html)

### CAST

Coalition To Abolish Slavery & Trafficking

[www.castla.org](http://www.castla.org)



One Capitol Mall, Suite 800  
Sacramento, CA 95814  
Phone: (916) 669-5336  
Email: [info@camtc.org](mailto:info@camtc.org)

# HELP COMBAT HUMAN TRAFFICKING IN CALIFORNIA





## Know The Signs

### Persons May Be Trafficked If They:

- Cannot leave their work environment or cannot quit to find another job
- Do not have control over their wages, money, or finances
- Show signs of physical abuse or injury
- Are accompanied everywhere by someone who speaks for them or allow others to speak for them when addressed directly
- Owe money to an employer or another person whom they feel bound to repay
- Moves or changes jobs suddenly and often
- Are unfamiliar with the neighborhood where they live or work
- Are not working in the job originally promised to them
- Lack identification, passport or other travel documents or don't have control over their documentation
- Provide sexual services in a strip club, massage parlor, brothel or other locations and have a manager or pimp
- Live illegally in the massage establishment
- Have restricted freedom of movement
- Are a juvenile engaged in a commercial sex act
- Are forced to work under deplorable conditions
- Work excessively long hours over long periods

## Trafficked Persons

### May Be Reluctant To Report Or Seek Services Because They:

- Do not know or understand that they are being exploited, or "trafficked"
- Are threatened that if they tell anyone, they or their families will be hurt
- Are unfamiliar with their surroundings and do not know whom to trust
- Do not know help exists, how to access it, or where to go for it
- Are unfamiliar with the laws, cultures, and languages of the destination location or country
- Fear retribution and forcible removal or deportation
- Fear law enforcement and other authorities
- Are in debt to their traffickers
- Are sending much needed money back 'home' and worry about not being able to do this.

**STOP**  
  
**HUMAN**  
**TRAFFICKING**

**If you believe someone may be a potential victim, please call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 or the Coalition to Abolish Slavery and Trafficking at 1-888-539-2373 to access help and services.**



Insert *Collaboration with CAMTC results in Safer Communities*

Insert *Western City Magazine* Cover



**CAMTC Bank Account Summary****as of 4/30/16**

| <b>Bank Name</b>        | <b>Type</b> | <b>Amount</b>   | <b>% of Portfolio</b> | <b>Rate of Earnings</b> | <b>Accrued Earnings since 1/1/16</b> |
|-------------------------|-------------|-----------------|-----------------------|-------------------------|--------------------------------------|
| Umpqua                  | Checking    | \$ 522,828.60   | 14.9%                 | 0                       | \$ -                                 |
| Cal First National Bank | CD          | \$ 250,000.00   | 7.1%                  | 0.99%                   | \$ 1,019.38                          |
| Synchrony Bank          | CD          | \$ 254,239.70   | 7.2%                  | 1.25%                   | \$ 1,041.99                          |
| EH National Bank        | CD          | \$ 250,000.00   | 7.1%                  | 1.05%                   | \$ -                                 |
| First Internet Bank     | CD          | \$ 250,000.00   | 7.1%                  | 1.25%                   | \$ 1,030.07                          |
| State Farm Bank         | CD          | \$ 255,332.19   | 7.3%                  | 1.50%                   | \$ 1,268.44                          |
| Giant Bank              | CD          | \$ 250,000.00   | 7.1%                  | 1.26%                   | \$ 1,027.92                          |
| Presidential Bank       | CD          | \$ 250,000.00   | 7.1%                  | 0.95%                   | \$ -                                 |
| Silvergate Bank         | CD          | \$ 236,257.10   | 6.7%                  | 1.08%                   | \$ 629.39                            |
| KS State Bank           | CD          | \$ 250,000.00   | 7.1%                  | 1.01%                   | \$ 629.52                            |
| TAB Bank                | CD          | \$ 250,000.00   | 7.1%                  | 0.95%                   | \$ 590.73                            |
| Preferred Bank          | MM          | \$ 250,771.58   | 7.1%                  | 0.40%                   | \$ 411.80                            |
| CA Bank & Trust         | Checking    | \$ 250,000.00   | 7.1%                  | 0.00%                   | \$ -                                 |
|                         |             | \$ 3,519,429.17 |                       |                         | \$ 7,649.24                          |



**CALIFORNIA**  
MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 320 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.444.7462 www.camtc.org

## **Report for Board Meeting June 23, 2016**

**From: Beverly May, Director of Governmental Affairs and Special Projects**

- Local Government Implementation of AB1147
- Sunset review
- Human Trafficking
- Database Development Update

I know of over 170 cities or counties that have passed ordinances that require certification. Some others have ceased issuing police permits and by policy require certification. At least 10 cities are in the process of drafting new ordinances that so far intend to require certification. Cypress, Redding and Sacramento County are some of the jurisdictions with new ordinances that do not require certification.

Although requiring certification has been the trend, CAMTC has a neutral position on cities and counties doing so. I suspect that some cities have been confused and believe that requiring certification is a state mandate, as I see such references in some of the staff reports in cities that have not reached out to CAMTC in drafting their new code. One example is South Pasadena, which states in the Background staff report of their 2016 ordinance:

“A task force that included the California League of Cities and the CAMTC met throughout 2014 and resulted in Assembly Bill 1147 (AB 1147), signed by Governor Brown in September 2014. AB 1147.... **made the certification of massage therapists mandatory instead of optional, as was the case under SB 731. ...**”.

While some jurisdictions have tried to impose only reasonable restrictions on the profession, others have made it very difficult to run a massage business. A few cities seem to be open to reviewing the unintended consequences of their new requirements on the profession.

- **Human Trafficking**

I continue to participate regularly in numerous Human Trafficking Taskforces throughout the state, particularly massage related. While proof of prostitution is

obvious in the brothels operating as massage establishments, proving trafficking is much harder, so no one seems to have reliably accurate data. At both the state and national level, there is a move towards tracking owners, looking for labor abuses, including trafficking, and exploring public private partnerships. Along with Ahmos Netanel and Mike Callagy I was one of the speakers on the CAMTC panel at the Joint Legislative Hearing on human Trafficking this June 8<sup>th</sup>.

### **Sunset review**

The next hearings on the Sunset bill, AB 2194, will be in the Senate Business and Professions Committee on June 27. As of today we have not received any amendments to this bill.

**Database Development** – See next page.

## CAMTC Projects: Database/Certification Management System Modernization and Website Redesign Status—June, 2016

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### **Project Status—Database and Certification Management System Modernization Project**

The design stage of the CAMTC Modernization Project for all user interfaces of the Certification and Application Management System (CAMS) is complete. The solution provider (inLumon) has submitted and CAMTC has accepted the following milestone deliverables:

- School Components User Interface Deliverable (includes all user interfaces for online school applications and for CAMTC to manage school applications and approved schools)
- Application and Certification Management and Government Official User Interface Deliverable (includes all user interfaces for government officials, online CMT applications, online CMT certificate holder recertification, online CMP certificate holder upgrade and for CAMTC to manage applications and certifications)

The acceptance of these deliverables allowed the final development of the system to be completed. To date, we have conducted thorough testing of user interfaces and have acceptance of design and functionality by CAMTC Subject Matter Experts.

We achieved the following project milestones ~~in May~~:

- Completed development of online school application and back office for ESD
- Completed testing online school application and back office (ESD) against user defined requirement
- Began user acceptance testing of school application and back office (ESD)

Near-term project activities focus on:

- School application and back office (ESD):
  - ✓ Completing user acceptance testing
  - ✓ Training CAMTC staff
  - ✓ Implementing 'Go Live'

Remaining project activities focuses on:

- Government portal, online CMT applications (CMT, CMT recertification and CMP upgrade) and remaining back office:
  - ✓ Completing development
  - ✓ Completing testing against user defined requirements
  - ✓ Completing user acceptance testing
  - ✓ Training CAMTC staff
  - ✓ Conducting 'soft release' to verify parallel production
  - ✓ Implementing 'Go Live'

The final functions of CAMS will be completed by October 1, 2016 to allow for:

- Coordination with Website Redesign Project—to allow for phased-in implementation of CAMS and take advantage of content management design of website
- Additional data migration validation, user acceptance testing and CAMTC training
- Improved project risk mitigation/avoidance activities

## CAMTC Projects: Database/Certification Management System Modernization and Website Redesign Status—June, 2016

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### **Project Status—Website Redesign Project**

The Website Redesign Project was launched in May, 2016. The first project meeting was held in Sacramento with CAMTC Executives, AMG staff, website developer (inLumon) and project management (Pacific Project Management, Inc.) staff on May 10, 2016 where the following was accomplished:

- Reviewed preliminary design ideas by inLumon
- Key definitions were established for project including:
  - ✓ Content Management
  - ✓ User Interface vs. User Experience
- High-level design concept for website was discussed and approved
- Overall design will be clean, crisp, clear and remain uncluttered
- CAMTC will have full control of website look and feel based on a content management style
- Coordination and timing of projects and resources were discussed and approved
- Initial project activities defined and action items and completion dates assigned

The redesigned website for CAMTC is scheduled for implementation prior to Go Live for CAMS. The newly redesigned website will be in place and fully managed by CAMTC to allow for smooth deployment of CAMS functionality.

## Treasurer's Report through April 30, 2016

### Board Meeting: June 23, 2016

#### Applications Received and Re-Certifications Billed

##### New Applications and Re-Certifications

Through April 30, 2016 CAMTC has received 80,791 New Applications since the start of operations on July 27, 2009. However, only 1,641 (or 2.0%) were been obtained thus far in 2016. This number is similar to the 1,641 received during the comparable year-ago period.

As of April 30, 2016 there are 50,075 active certificate holders, down from the 51,536 at the end of April, 2015 and similar to the 49,997 at the end of 2014.

The recertification process began in July, 2011. The modest level of New Applications was accompanied by a substantial gain in Re-Certifications billed. The total of the two measures is up substantially from the comparable period last year.

| Year              | New Applications Received Per Week | Re-Certifications Billed Per Week | Total |
|-------------------|------------------------------------|-----------------------------------|-------|
| 2016 *            | 97                                 | 571                               | 668   |
| 2015*             | 96                                 | 397                               | 493   |
| 2015              | 80                                 | 409                               | 489   |
| 2014              | 244                                | 451                               | 696   |
| 2013              | 219                                | 248                               | 467   |
| 2012              | 207                                | 296                               | 503   |
| 2011              | 264                                | 54                                | 318   |
| 2010              | 259                                | 0                                 | 259   |
| *Through April 30 |                                    |                                   |       |

YTD figures relative to **budget** are also available. Through April 30, 2016:

- Revenue from both Applications Received and Certificates Issued exceeded the budget – Applications Received was up by 47% and Certificates Issued by 3%. That certificates issued has not kept pace with Applications received continues to suggest that there may be a consistent barrier to timely processing of these applications.
- Renewals Applied was 13% over budget and Renewals Approved was up 17%.

CAMTC now has a substantial history on the percent of the Renewals billed that are paid. Through 2015 there has been a fairly consistent pattern; a little over three-quarters of those who are billed renew their certification. It was hypothesized that this figure may be a reasonable approximation of the churn in the industry; roughly 20%-25% of therapists who have been certified are no longer active or no longer practice in California every 24 months. Through April, 2016, only 70% of those billed have paid. However, there is a lag time between when bills are sent and when they are paid, so at this point, there is no reason to believe that the historical retention rate will change.

| <b>Year</b> | <b>Renewals Billed</b> | <b>Renewals Paid</b> | <b>% Billed That Are Paid</b> |
|-------------|------------------------|----------------------|-------------------------------|
| 2012        | 15368                  | 11687                | 76%                           |
| 2013        | 12913                  | 9871                 | 76%                           |
| 2014        | 23484                  | 18618                | 79%                           |
| 2015        | 21309                  | 16136                | 76%                           |

#### The Bottom Line: How Many Certificate Holders Are There

The above numbers present some indication of the amount of activity during the period and the distribution of that activity between New Applications and Re-Certifications. However, the most important measure is the total number of certificate holders and whether growth in that number is keeping pace with industry development.

As of April 30, 2016 there were 50,075 active certificate holders, down from the 51,536 at the end of April, 2015.

The following table shows the number of certificate holders on some random dates beginning in 2012:

| DATE              | NUMBER OF CERTIFICATE HOLDERS |
|-------------------|-------------------------------|
| April 30, 2016    | 50,075                        |
| December 31, 2015 | 51,499                        |
| April 30, 2015    | 51,536                        |
| December 31, 2014 | 49,997                        |
| March 28, 2014    | 45,228                        |
| April 27, 2013    | 38,825                        |
| December 31, 2012 | 35,214                        |
| June 9, 2012      | 31,595                        |

The clear pattern of growth stopped sometime in 2015. While the reasons for that are not known, among the possibilities are these:

- It is possible that the market for massage and, as a result, the number of therapists has leveled. This does not seem to be a likely explanation.
- The requirement, passed in 2015, that 500 hours of approved schooling for certification is required could be a factor. The data presented above suggests that the decline in New Applications may be accounting for at least much of the absence of growth in certificate holders...
- The CAMTC may not be getting its message out to therapists. The dollars spent on Outreach Marketing have been below budget for several years.

*If one assumes that the number of massage therapists in California is growing, then the number of new Applications which might be expected in 2016 can be estimated as 1) the number of therapists lost in the normal industry churn plus 2) the incremental number of therapists entering the market to account for the growth in its size. For example:*

- *CAMTC records indicate that at the end of 2015 there were about 51,500 certified therapists.*
- *The data suggest that about 24%, or 12,360, will not renew after two years, or half that number, 6,180, will leave the category in 2016.*
- *If we assume that the market is growing at 5% annually, 6,180 therapists will be required to replace those who leave the market and an additional 2,575 will be required to accommodate the 5% market growth.*



*The above figures are presented only as a hypothetical model; however, to the extent that it reflects reality, a goal of 8,755 New Applications Issued would be set for 2016. During the first four months of 2016, about 1,270 have been issued.*

Taking into account all of the data, there is some evidence that the number of therapists in the market who are not being certified may be increasing.

## **Financial Statements**

### Statement of Functional Activities (Income Statement)

#### Overview

The revenue allocation procedure recognizes 37% of the \$150 initial application when the application is received, 39% when the certificate is issued and the balance, 24%, over 24 months. Renewals recognize 46% when received, 42% when approved and the balance over 24 months.

Revenues for the year through April 30 exceeded the budgeted amount by 9%, while expenses were 8% below budget. The net effect is that revenues exceed expenses by \$296,697, about five times the budgeted amount of \$57,661.

Compared to the comparable period last year, revenues were up, but so were expenses. The result is that the excess of revenues over expenses this year and last was similar:

- For fiscal 2016, revenues were up 8%. The main driver of the increase was Renewals, both Applied and Approved. Applications Received and Issued were down.
- Expenses were up 10%, with several categories accounting for the increase.
- The excess of Revenue Over Expenses in 2016, at \$296,769, was within 1% of the \$300,937 achieved in 2014.

**SUMMARY OF FUNCTIONAL ACTIVITIES**  
**Through April 30**

|                | 2016        | 2015        | % Change in 2016 |
|----------------|-------------|-------------|------------------|
| Total Revenue  | \$1,548,533 | \$1,432,908 | 8.1%             |
| Total Expenses | \$1,251,854 | \$1,131,971 | 10.6%            |
| Net Revenue    | \$296,679   | \$300,937   | -1.4%            |

The following sections discuss the figures relative to budget, since the budget figures are the standards set by CAMTC. However, it might be kept in mind that those figures are judgments and the *actual* dollars and their trends over time also reflect performance.

Revenue Overview Relative to Budget

Most of the major revenue sources exceeded the budget, with overall revenues surpassing the budgeted amount by 9%.

Renewals, Applied and Approved, accounted for almost two-thirds, 65%, of revenues. Applications Received and Certificates Issued accounted for 12%, and Current and Prior Year Deferrals accounted for 15%. These figures reinforce the obvious: Renewals will continue to be of growing importance; however, the apparent weak performance (previously discussed) in obtaining new applications suggests that the potential for initial applications is not being fully achieved.

**Revenue Through April 30, 2016**

| <b>Source</b>               | <b>Revenue</b> | <b>% of Total Revenue</b> | <b>Actual as a % of Budget</b> |
|-----------------------------|----------------|---------------------------|--------------------------------|
| Renewals - Applied          | \$ 509,979     | 33%                       | 113%                           |
| Renewals - Approved         | \$ 502,992     | 32%                       | 117%                           |
| Prior Year Deferrals        | \$ 209,539     | 14%                       | 96%                            |
| Applications Received       | \$ 114,608     | 7%                        | 148%                           |
| Certificates Issued         | \$ 74,237      | 5%                        | 103%                           |
| Recertification Late Fees   | \$ 54,710      | 4%                        | 110%                           |
| Misc. Fees                  | \$ 44,437      | 3%                        | 86%                            |
| Current Year Deferrals      | \$ 13,464      | 1%                        | 117%                           |
| Denied Applications         | \$ 7,891       | 1%                        | 39%                            |
| Hearing Fees                | \$ 7,005       | 0%                        | 55%                            |
| New School Applications     | \$ 4,163       | 0%                        | 250%                           |
| Purged/Revoked Applications | \$ 2,763       | 0%                        | 14%                            |
| School Background Check     | \$ 2,747       | 0%                        | 343%                           |
| <b>Total</b>                | \$ 1,548,533   | 100%                      | 109%                           |

### Performance Relative to Budget by Major Expense Categories.

Expenses were 8%% below budget

Listed below are the major expense categories, in the order shown on the Statement of Functional Activities and the variance from the budget for 2016 -to-date. In no category did actual exceed budget. One area which has been consistently substantially below budget is Outreach Marketing. Given what appears to be the low level of New Applications, additional programs to get CAMT's message to new therapists might be considered.

| <b>Comparison of Expenses Through April 2016<br/>Actual and Budget</b> |                    |                    |  |                                |
|--|--------------------|--------------------|--|--------------------------------|
| <b>Item</b>  | <b>Actual</b>      | <b>Budgeted</b>    | <b>Variance (negative numbers mean actual exceeded budget)</b> | <b>Actual as a % of Budget</b> |
| Board & Committee  | \$8,230            | \$18,540           | \$10,310   | 44%                            |
| Outreach marketing   | \$16,589           | \$25,968           | \$9,379  | 64%                            |
| General Administrative   | \$113,542          | \$119,612          | \$6,070  | 95%                            |
| Executive Staff  | \$147,840          | \$162,740          | \$14,900   | 91%                            |
| Professional Standards   | \$501,436          | \$521,562          | \$20,126   | 96%                            |
| Educational Standards  | \$29,884           | \$36,474           | \$6,590  | 82%                            |
| General Staffing   | \$69,304           | \$69,304           | \$0  | 100%                           |
| Professional Services  | \$365,027          | \$385,566          | \$20,539   | 95%                            |
| Other  | 0                  | \$21,253           | \$21,253   | 0%                             |
| <b>TOTAL</b>   | <b>\$1,251,854</b> | <b>\$1,361,019</b> | <b>\$109,165</b>   | <b>92%</b>                     |

### Statement of Financial Position (Balance Sheet)

#### Overview

As of April 30, 2016, CAMTC is in a healthy financial position. Total equity exceeded the favorable year-ago position. At \$2,546,503 equity was up 12% from April 30, 2015.

Despite this strong position, a consideration of the factors behind that favorable equity does raise an issue:

- The asset position is strong. Assets, at \$3,566,266 are up by 3% from \$3,476,772 a year ago. Almost all the assets are in cash or cash equivalents. .
- Liabilities, however, raise some concern. Liabilities are \$1,019,762, most of which, \$863,551, are deferred income. Liabilities are down from the \$1,207,716 on April 30, 2015. This decline is because deferred income, which was \$1,058,193, is down by \$194,642 from the end of April last year. .This is of concern because there are lower liabilities to be recognized as revenue in the future...As we have discussed, the lack of growth in Certification Holders has long term revenue implications.

## Conclusions

The primary issue raised by the data is the apparent leveling in the number of Active Certificate Holders. If, as is generally acknowledged, the category of massage therapists is growing, CAMTC is not receiving the expected number of New Applications. To the extent that CAMTC is not certifying these therapists, short and longer term revenues are jeopardized. Some other issues:

- Some investigation of the extent to which the new rule of 500 hours for certification may be affecting applications is warranted.
- More important than ever might be the CAMTC goals of building awareness and a favorable image among both potential New Applicants and Renewals, the dollars spent on Outreach Marketing should be viewed as important to the long term success in staying in touch with the market
- In addition to examining the performance of CAMTC relative to budget, it is meaningful to review the figures in the context of *actual* achievement relative to past periods.

Respectfully submitted by  
Michael Marylander,  
Treasurer  
June 23, 2016



**CALIFORNIA**  
MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 320 | Sacramento, CA 95814

tel 916.669.5336 fax 916.444.7462 [www.camtc.org](http://www.camtc.org)

To: CAMTC Board of Directors  
From: Rick McElroy, Director of Professional Standards Division  
For: Board Meeting – June 23, 2016

### **PSD Interaction with Law Enforcement**

PSD continues to be on track and has performed 1175 reviews year to date. This number has remained constant for the last 3 years and is consistent with last year's number. We continue to gain further cooperation from cities and local government agencies and are building a great rapport with these agencies. Recently, we are seeing an influx of cities sending PSD information about their local disciplinary actions for us to review for possible CAMTC disciplinary action. The cities that embrace their local authority are the ones closing down businesses. Although it is too early to gauge the effect and put numbers on it, the trend is that the new ordinances are working to rid cities of this criminal element. This is but another example of CAMTC and the cities working together toward a common goal of "protecting the public."

### **PSD Outreach**

In 2015, PSD trained 109 agencies and 318 officers through its free 2-hour training sessions. So far in 2016, PSD has trained 70 agencies and 261 officers YTD. Another new trend that is occurring is that about 25% of agencies that request training aren't police departments, but are instead the district/contract attorneys, health departments, business licensing, and permits divisions, to name just a few. These agencies are seeing the value of working with CAMTC and are scheduling the training sessions for their folks as well as the police officers as a combined team effort. Another source of requests for training are happening when our executive staff speaks to city representatives and provides the PSD training flyer. In regards to total outreach from 2014 to present, we have trained over 870 officers and 297 separate agencies.

### **Media**

In 2016, PSD has issued a press release for every training session we have presented. Each chief of police or their designee has contributed to the press release with positive remarks endorsing what we do. This is yet another excellent source of outreach for training for the police.



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

To: CAMTC Board of Directors  
From: Joe Bob Smith, Director of Educational Standards Division  
For: Board Meeting – June 23, 2016

## **Approval Process Update**

There is light at the end of the school approval tunnel! To date, CAMTC has received 138 applications for CAMTC school approval. We promised schools that applied by May 1, 2015 (76 schools), that they would receive priority processing by the July 1, 2016, transition. We will exceed that goal by having almost all of the 2015 applications (a total of 123 schools) through the process by July 1, 2016, the date upon which we will only accept education from CAMTC approved schools.

Since June 2015, ESD staff has made over 120 site visits including scheduled, unscheduled, and investigative visits. ESD has received 15 applications so far in 2016 and will begin processing those once the 2015 applications are completed.

## **School Approval Notification & Publication**

ESD is currently notifying schools of their application decision. Almost all schools that applied in 2015 whose applications are complete and that have no outstanding issues should receive a decision letter by July 1, 2016. On or before July 1, 2016, CAMTC will post a list of CAMTC Approved Schools on its website. This list will be updated as new schools are added.

Of the 123 school applications received in 2015, 26 have been tabled due to closure, suspension of massage program, incomplete application, or because they have received a Proposed Un-approval Letter from PSD. Of the remaining 97, approximately 60 have been slated for approval thus far. For the remainder, about a third are receiving corrective action letters, about a third we are working diligently to complete the process, and about a third are receiving proposed denial letters, which they can appeal.

## **ESD After July 1**

In addition to completing the process for unresolved 2015 school applications, ESD will start processing the 2016 applications. We will continue monitoring and making unscheduled visits to approved schools while improving CAMTC's reciprocal communications with these schools.

ESD has begun initial testing on its portion of the new CAMS database. We are excited for the potential result. Once the ESD portion of CAMS is ready, we will migrate all of our current school data and establish protocols for capturing new data. This will help us more efficiently and effectively approve new schools, as well as monitor currently approved schools in preparation for the school re-approval process in 2018.









California Massage Therapy Council  
One Capitol Mall, Suite 800  
Sacramento, CA 95814

[www.camtc.org](http://www.camtc.org)