

DATE: April 29, 2020

TO: Lisa Griffin, Ohio Department of Health

RE: Massage Therapy

Lisa,

Massage therapy is licensed as a “limited branch of medicine” by the State Medical Board per ORC Chapter 4731; the licensing statute and rules (which define the scope of practice), test and educational requirements, etc. do not distinguish massage therapy by *location* (which could be in a client’s home, in a massage therapy business, in a doctor’s office or hospital, etc.). Nor is there any concept of “under the direction of a physician” or anything like that, as with certain other medical professionals.

Although we haven’t seen the order language, the “Continued Closures” document released by ODH/ODSA on 4/27 includes “massage therapy *locations*” as remaining closed under the heading “Personal appearance/beauty services.” Based on this language, the State Medical Board and the Chiropractor’s Association, among others, have sent out guidance to the industry that the exact same massage therapy that can be conducted in a chiropractor’s office cannot be conducted in a massage therapists own office. Even if we are talking about the same individual massage therapist, as they often practice in multiple settings as independent contractors.

This distinction creates an inherent, significant business impact disparity within the massage therapist community that is patently unfair and negatively impacting small business owners who had to shut down completely six weeks ago. It also does not seem to me to be intended and per our conversation with State Medical Board staff was not discussed with or recommended by them. I am not aware of any medical/safety rationale for this distinction.

We request that all licensed massage therapists be able to re-open their practice, consistent with the decisions made regarding veterinarians, dentists, chiropractors, physical therapists, etc. Note that in addition to local health department enforcement ability regarding compliance with your orders, the State Medical Board would be able to rescind the license of any massage therapists found to not be following appropriate protocols (again, just like the other medical professionals mentioned).

--Sean