



MAYOR AND COUNCIL COMMUNICATION

DATE: 2/05/2013

CONSENT

ITEM #: 8

MOTION *as part of the Consent Agenda*

AGENDA ITEM: Therapeutic Massage Licensing Code Amendments; Ordinance 08-067

SUBMITTED BY: Adam Bell, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED: The current language regulating massage therapy in the City Code requires 500 hours of educational training. Staff is recommending that the City Council, as part of the Consent Agenda, amend the therapeutic massage portion of the City Code to allow those with specified equivalent qualifications to be eligible for licensure.

BACKGROUND INFORMATION & STAFF REPORT: The City of Lake Elmo instituted a city license structure in December of 2012. The City notified those Lake Elmo businesses known at the time to be performing therapeutic massage of the new City licensing requirements. Despite the near universal support for city licensing, several business owners informed staff that the current requirements were difficult to comply with due to the changes in massage therapy education curriculum over the past few decades. There are several massage therapists currently practicing in Lake Elmo, who have done so for several years, but who did not receive the number of classroom hours that current massage program students receive. City Staff also discovered that there were several more businesses and individuals performing massage in Lake Elmo than Staff was previously aware of.

Current City Code only allows a practitioner license to be issued after an applicant provides proof of 500 hours of therapeutic massage training. It was learned that many of those 500 hours are clinical hands-on training. Staff has contacted several of the local educational institutions who provide therapeutic massage training in the area to determine what the current certification/graduation requirements are. Minnesota currently has no State certification for massage. Most of the other states in the region do.

City code currently does afford applicants until January 1, 2014 to obtain the 500 hours of training. However, it was also learned that the majority of the hours earned closer to 500 are hands-on practice. Current practitioners who have been performing massage for the past five years or longer would not benefit from additional hands-on practice or training.

Staff then looked at several of the surrounding communities to identify how those communities handle this issue. It was discovered that those communities with a high number of classroom hour requirements, as does Lake Elmo, also allow for equivalency standards. Based upon this

new information and additional research, Staff believes that additional equivalency standards should be added to Lake Elmo's licensing structure.

The following is a summary of the new language proposed by Ordinance 08-066 regarding educational requirements:

- a) Proof of 500 hours of therapeutic massage training; or
- b) A diploma or certificate of graduation from a comprehensive massage therapy program from an accredited institution or program (an accredited institution or program are also defined in the new language); or
- c) Proof of passing a national certification exam; or
- d) Proof of 100 hours of therapeutic massage training and proof of having practiced massage therapy in the City of Lake Elmo for at least five years immediately preceding the application. This criterion is only allowed until January 1, 2014.

Staff believes that these accommodations for current Lake Elmo businesses and therapists can be made while still effectively maintaining the high level of quality in the standards the City has set forth for licensing therapeutic massage.

RECOMMENDATION: The Staff recommends approval of the proposed amendments to the therapeutic massage licensing chapter in the City Code to allow those with specified equivalent qualifications to be eligible for licensure by taking the following action:

“Move to approve Ordinance 08-067, amending the educational criteria required for a city license for the practice of therapeutic massage in the City of Lake Elmo.”

ATTACHMENTS:

1. Ordinance 08-067