



Alfred Westlake Colorado Coalition of Massage Therapists

18 hrs ·

In thinking about the agenda for our next teleconference on July 18 at 8am.

I think that it is a great idea to revisit the DPOS issues.

But more importantly I would like to have more discussion on the scope of the CCMT. So I think that we should have time on the agenda for the discussion of scope.

I would like to see these things that were removed from the website placed back firmly in our statement of scope:

Legislative Issues

- Licensing • Education • Title Protection • Portability
- Small Business Issues • Insurance Issues • Local regulations

This to me is the more important issue as we cannot proceed with anything else until we have determined if it is in our scope. If something comes up that is unclear then we need to have a clear method for deciding.

As to the DPOS issues. I think that we should have some discussion with Garin on the logistics of this. I also think that we should find ways to educate the Senate Education Committee on how DPOS is currently interpreting the statute and is impeding small businesses that are not a threat to the public. I think that we should ask Garin to contact Senator Owen Hill, the chair of the Senate education committee, and feel him out on a bill that would clarify that CE does not, or will not in the future, fall under the purview of DPOS. I think that Representative Dave Williams would be another good person to contact.

DPOS is currently dodging making a determination on certain CE providers. This is because they know that they are on shaky ground. The problem is that Most CE providers are afraid to come out of the woodwork for fear of being pursued. In the last legislative session Senator Hill (along with Representative Williams) introduced a bill that was designed to reign in DPOS that got tabled in the last session. Part of the problem with the bill is that it misses or misunderstands how DPOS operates. This is made clear in the recorded testimony of the education committee hearing of the bill.

<https://leg.colorado.gov/bills/sb18-260> this is the bill.

<http://coloradoga.granicus.com/MediaPlayer.php...> this is the senate education committee hearing.

In listening to the testimony one can tell that DPOS is dodging around Senator Hill's question on their authority and how they apply it. He clearly does not realize that they believe that they have the authority to regulate everything. I think that this next session may be an opportune time to gain his and other members of the education committee's support in reigning in DPOS's over regulation of Massage Therapy CE. I am trying to put together a transcript of the above recording so that it is easier to point out the exact places in the testimony that DPOS becomes evasive. But if you listen to the recording at around the 11 minute mark is where it begins.

I think that it would be great to have CE as a requirement for license renewal. But that is a more involved and difficult and for some it is a controversial issue. This would be more a straight forward and much less controversial as it would not set up a mandate for CE. It would simply establish limits on DPOS so that they no longer interfere with small massage CE providers offering their courses. I think that there is a good chance that some form of SB18-260 will be reintroduced in the next session and that it might be fairly easy to have something added to it at the outset or to have an amendment added to it as it makes it's way through the legislature. I think that it is something that the senate education committee would be very receptive to once they understood what was happening. It also would not involve the arduous process of "opening" the practice act.

You have asked me for a Proposal and an Action Plan, along with which you have asked for: " A fuller view of the process you envision along with how you might project what resources--both financial and volunteer/paid hours-- would be involved." I am not sure how to do this at this juncture. I would point out that this is a change in our usual way of operating as I have never heard of anyone being asked for this as criteria for simply beginning a discussion in the past. Was this something that came up for the monitoring and work done in conjunction with the bill in Aurora? Or Sb1320? I was unaware that we even had a budget. Do we have funds for spending on such things? So I am not sure how to give you what you have asked for and I am not sure why it would be part of the discussion at this point.

Again I think that the first thing that needs to be cleared up is that issues to do with Massage Education and Massage CE are our issues. Because otherwise the discussion continues to be pulled back to that question and it makes it hard to have a more complex and detailed discussion of what to do or how to do it. The circular discussion is frustrating and non productive. We are a Coalition of Colorado Massage Therapists and anything that affects Colorado Massage Therapists should be on our radar. We claim that our membership includes Schools and Massage Educators and also that we are interested in the professional standing of massage therapy so it stands to reason that massage education is in our interest along with a variety of other issues that touch our profession.

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Thanks,
Alfred

