

SB364 Talking Points

SB 364 is now under review by a special subcommittee of the Judiciary Committee. When it comes out of committee, it could move quickly through the Senate and on to the House. If you wish to protect your profession and This might be a good time to contact your state senator, the bill's sponsors, and members of the Judiciary Committee to let them know what you think.

Some points to remember when writing your elected officials:

1. The written word has more impact than your voice, so write and mail, fax, or email.
2. Keep the tone of your letter calm and polite.
3. Yet, be firm, clear, and concise.
4. Write well. Use good grammar, spelling, and syntax. Use the spell check feature on your computer. Ask a friend to proofread it before you send it. Typos may distract the reader from your message.
5. Keep your message simple. These folks are very busy right now.
6. Keep your letter short. If you absolutely cannot be short, use subtitles.
7. You can find your Georgia senator at <http://www.legis.ga.gov/legis/FindLegislator.htm>. Follow the directions. Remember you're looking for your Georgia senator not your U.S. senator.
8. If you need to view other peoples' letters for inspiration, ask to see them, but put your message in your own words. If you're writing multiple politicians, it's okay to use the same words, but write a sentence or two that's specific to them.
9. View the talking points below. Pick a couple for your letter or choose your own.

In the future, and if you're not already doing it, meet your elected officials when you don't need something of them. If they remember you, your letter will have more weight when you need to write them. Ask your association to have a presence at the Capitol. This could be a special day when you visit as a group, or even better, schedule a seated mass meeting. They will love it.

Key Senators

If you only have a little time to write your letter, key people would be:

1. Your Senator, especially if he is a sponsor or on the Judiciary Committee.
2. Key bill sponsor, in this case, Senator Stanton.
3. Senator Untermyer, who sponsors this bill but also was the key sponsor for the original act.
4. Chair of the Judiciary Committee, Senator Preston Smith.

Contact information for key senators:

1. You can find your Georgia senator at <http://www.legis.ga.gov/legis/FindLegislator.htm>. Follow the directions. Remember you're looking for your Georgia senator not your U.S. senator.

2. Bill Sponsors
 - a. Staton, Cecil 18th, http://www.legis.ga.gov/legis/2009_10/senate/statonbio.php
 - b. Unterman, Renee 45th, http://www.legis.ga.gov/legis/2009_10/senate/untermanbio.php
 - c. Murphy, Jack 27th, http://www.legis.ga.gov/legis/2009_10/senate/murphybio.php
 - d. Douglas, John 17th, http://www.legis.ga.gov/legis/2009_10/senate/brownbio.php
 - e. Chance, Ronnie 16th, http://www.legis.ga.gov/legis/2009_10/senate/chancebio.php
3. Senate Judiciary Committee
 - a. Smith, Preston W. (R-SS 52), Chairman,
http://www.legis.ga.gov/legis/2009_10/senate/smithbio.php
 - b. Harp, Seth (R-SS 29), Vice Chairman,
http://www.legis.ga.gov/legis/2009_10/senate/harpbio.php
 - c. Hamrick, Bill (R-SS 30), Secretary,
http://www.legis.ga.gov/legis/2009_10/senate/hamrickbio.php
 - d. Adelman, David (D-SS 42), Member,
http://www.legis.ga.gov/legis/2009_10/senate/adelmanbio.php
 - e. Brown, Robert (D-SS 26), Member,
http://www.legis.ga.gov/legis/2009_10/senate/brownbio.php
 - f. Cowsert, Bill (R-SS 46), Member,
http://www.legis.ga.gov/legis/2009_10/senate/cowsertbio.php
 - g. Crosby, John (R-SS 13), Member,
http://www.legis.ga.gov/legis/2009_10/senate/crosbybio.php
 - h. Fort, Vincent (D-SS 39), Member,
http://www.legis.ga.gov/legis/2009_10/senate/fortbio.php
 - i. Hill, Judson (R-SS 32), Member,
http://www.legis.ga.gov/legis/2009_10/senate/judsonhillbio.php
 - j. Ramsey, Sr., Ronald B. (D-SS 43), Member,
http://www.legis.ga.gov/legis/2009_10/senate/ramseybio.php
 - k. Seabaugh, Mitch (R-SS 28), Ex-Officio,
http://www.legis.ga.gov/legis/2009_10/senate/seabaughbio.php
 - l. Wiles, John J. (R-SS 37), Member,
http://www.legis.ga.gov/legis/2009_10/senate/wilesbio.php

Talking Points

4. Here are some things you might emphasize when you write your letter:
 1. That you saw Senator Staton's presentation on YouTube.
 - a. <http://www.youtube.com/watch?v=eOZwZL094h4>
 - b. <http://www.youtube.com/watch?v=2Ek9mRHF4cc>
 - c. http://www.youtube.com/watch?v=2n_jJWU9S_M
 - d. That you also support separating massage from prostitution.

- e. That you believe he has good intentions.
 - f. That he didn't appear to consider the impact of the amendments on legitimate licensed massage therapists.
2. You are concerned about increasing local regulation of massage therapists.
- a. There is a history of massage business licenses being over-regulated.
 - i. Expensive fees, sometimes over \$1000.00.
 - ii. Difficult to move practices.
 - iii. Different qualification for each city.
 - iv. Assumption that massage therapists are prostitutes.
 - v. Code being written for prostitution and not for massage therapy.
3. The term massage is protected by the Georgia Massage Therapy Act.
- a. Calling houses of prostitution "massage parlors" may violate the act if the practitioners are not licensed.
 - b. If they are licensed, the act requires separation from adult entertainment establishments.
4. Concern over how the exorbitant sanction fees might impact legitimate practitioners.
- a. Appears to have a minimum license suspension of one year if they forget to renew their license.
 - b. \$25,000 fine would be impossible to pay for a licensed massage therapist.
 - c. Suggest they separate out high fines for those in the adult entertainment business, and have separate fees for regular massage therapists that are comparable to other licensed healthcare professionals.

Sample Letter

Toni Roberts, LMT
Cumberland Muscle Therapy
2470 Windy Hill Road, SE, Suite 227
Marietta, Georgia 30067

March 2, 2010

Senator Preston W. Smith, Chair
Senate Judiciary Committee
301-A Coverdell Legislative Office Building
Atlanta, GA 30334

RE: Senate Bill 364 Amending Chapter 24A of Title 43, the Massage Therapy Practice Act

Dear Senator Smith,

I understand your committee is reviewing SB 364. I have watched Senator Staton's YouTube presentation and believe his heart is in the right place. Prostitution can be difficult to control, and I have a special interest that in prosecuting those who practice prostitution under the guise of massage therapy. However, I did not see that Senator Stanton considered the negative impact this bill would have on legitimate licensed massage therapists.

Municipal regulation

I understand that municipalities have retained the right to regulate massage therapy establishments. However, by including this in the bill, I am afraid they will put the additional restrictions we faced before we were licensed, restrictions that included:

- Code that regulated prostitution establishments rather than massage therapy, but were called massage parlors, a pejorative term.
- Fees as high as \$2000.00 annually.
- Requirements above and beyond a state license.
- A return to a patchwork of regulations, making it difficult to impossible to move our practice.
- Practices of legitimate practitioners being shut down because a city changed the code.

The only requirements a legitimate licensed massage therapist should have to open an office should be:

- An active state massage therapy license.
- A clean, safe, private office (since clients are required to disrobe and lay on a table).

- Ethical conduct.

Fines and punishment

I also have a concern over the exorbitant fines and punishments, beginning with a minimum of a one year license suspension for not receiving your renewal and forgetting to renew your license, and fines up to \$25,000, an impossible fee for the everyday massage therapist.

Please separate the fines and punishments for legitimate practitioners who are otherwise behaving ethically from those who are practicing illegally or unethically under our licensing act.

Title protection

I have a concern over the continued reference to “massage parlors. To continue to refer to brothels as massage parlors not only violates Chapter 24A, but continues to put legitimate practitioners in harms way. There are times that massage therapists are threatened when they refuse to supply sexual services to someone who comes expecting such a service. At the very least, it is a wasted earning hour with an added emotional cost when we have to kick a person out for misbehaving when we could have relieved tension and pain from legitimate clients. ”

“Massage parlor” as an alternate term needs to be removed from government and media language. The word “massage” as well as the practice of massage is protected under Chapter 24A in Section 1:

Massage therapy services combined with escort or dating services or adult entertainment.

(c) It shall be unlawful for a person or business entity or its employees, agents, or representatives to practice massage therapy or to use in connection with its name or business activity the terms 'massage,' 'massage therapy,' 'massage therapist,' 'massage practitioner,' or the letters 'M.T.,' 'L.M.T.,' or any other words, letters, abbreviations, or insignia indicating or implying directly or indirectly that massage therapy is provided or supplied unless such massage therapy is provided by a massage therapist licensed and practicing in accordance with this chapter.

Please defeat this bill, or amend it to protect the more than 5,000 legitimate licensed massage therapists.

Sincerely,

Toni Roberts, LMT