



January 28, 2015

Re: Written Testimony regarding Senate Bill No. 40 “the massage therapist licensure act”

Chairman Pilcher and members of the Senate Public Health and Welfare Committee

In consideration of the proposed Senate bill 40 I believe it is important for the committee to hear from the largest employer of massage therapists in the state (as well as nationally).

Simply put, Massage Envy Spa wholeheartedly supports the proposed legislation. As a brand, Massage Envy Spa has very well established standards for any potential massage therapist applying to work with our company. Those standards are very much like the standards established in the proposed bill.

As a company, Massage Envy Spa certainly didn’t need to create its own standards for massage therapists and in fact one could argue that we would have been better off, where allowed by the lack of licensing standards, to hire anyone who simply wanted to be a massage therapist. These standards were put in place by the brand founders because they wanted to insure that clients of Massage Envy Spa to know that:

1. We employed qualified people to provide therapeutic massage services
2. They would be as safe as we as a company could make it for them (through background check requirements; educational credentials; and EXTENSIVE internal training)
3. The only services we provided were for therapeutic benefit
4. To minimize the risk of injury from massage the minimum educational standards for a Massage Envy Spa therapist were set at 500 hours (the same as this legislation contemplates)
5. Our therapists are insured for malpractice to provide an even greater level of protection for the consumer

These standards work – Massage Envy as a brand averages over 1.7 million hours of massage per month and has an incident rate* of less than 0.000016% of all services. *(this is a claim of injury or misconduct)

Kansas consumers deserve this same level of protection no matter where or from whom they receive massage therapy.

Others may argue that regulation of the industry will weaken small business growth at a time when employment and business growth are key focuses for the legislature. I would argue that the lack of state wide licensing has significantly limited our company and others like us from growing in Kansas because finding therapists who meet our standards is difficult in a state where no standards are required. Current

practitioners, who may be great massage therapists due to their years of experience, simply cannot be employed by us because they do not meet our standards. Once state standards are in place, our brand will be far better positioned to serve more people with massage therapy as the pool of qualified therapists in the market grows.

Employment opportunity for individuals seeking a career in Massage Therapy is hampered, not enhanced, due to the lack of state regulation of the profession. A single license that would allow a practitioner to work in multiple cities would greatly enhance employment opportunities for those in this profession.

Some statistics for Kansas:

Massage Envy Spa currently has 10 locations operating in Kansas with an 11th location opening in Topeka in mid-2015.

In Kansas we currently employ well over 200 massage therapists

In January we performed 142,991 hours of therapeutic massage in Kansas

Our Kansas operations collectively generated more than 8 million in economic impact and paid almost 5 million in earnings to citizens of the state.

Development plans (provided we have therapists) for Kansas includes a minimum of 4 more locations in the next 4 years. Each location will employ about 20 people at startup and grow to around 40 employees in around 18 months. 160 new jobs may not seem like much, but these are stable, real jobs in the state of Kansas.

State licensing of massage therapists will not inhibit the growth of small business. The generous grandfathering in this bill will provide a path to licensing that any current practitioners should be able to achieve. I applaud the writers of the bill for providing that opportunity to currently practicing therapists; we agree that legislation should not have the unintended consequence of causing small businesses to fail. With the provisions built in to this bill, there is no reason current businesses shouldn't be able to easily comply.

State licensing will also not inhibit the ability of local municipalities to apply adequate protections through business licensing requirements. It has been argued by some cities that state licensing of massage therapists would somehow inhibit their ability to monitor and insure that massage therapy businesses in their cities are not involved in some form of criminal activity. The fact is, with the application of local business licensing and state practitioner licensing the State of Kansas will cease to be a haven for those who want to operate illegitimate business operations under the guise of massage. These businesses are relatively active in Kansas currently and this form of legislation will create a state level of control that can combine and support the local law enforcement efforts to rid the state of these businesses that soil the legitimate practice of massage therapy.

Massage therapy has seen a dramatic shift in the last ten to fifteen years toward the legitimate therapeutic service that it is. In 2003 thirty (30) states regulated and licensed massage therapists, today that number

stands at forty-five (45) states. State licensing by the state of Kansas will add the legitimacy massage therapy needs to continue that shift in the minds and hearts of the citizens of Kansas.

Thank you for your time and effort on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Les Snyder". The signature is fluid and cursive, with the first name "Les" and last name "Snyder" clearly distinguishable.

Les Snyder

Massage Envy Spa

Kansas City Regional Developer

402-618-3003