



Government Relations Report 2012

At 10.45 a.m. on Tuesday, April 3rd, 2012, the State of Idaho joined the other forty three states that have professional regulation for Massage therapy when Governor C.L. (Butch) Otter signed Senate Bill 1295a – Massage Therapy Licensing Act.

I hope you're all sitting comfortably, because if you think this is going to be a brief report – think again. I have an extensive list of individuals and organizations that need to be thanked for their tireless work, help and support for Senate Bill 1295a.

Chapter Legislative Team:

Consisting of: Susan Beck, Lenny Burdick, Suzi Lindberg, Hayley Lowry, Trisha Pennell, Tamra Roth, Judy Silcock & Paul Weston.

I would like to single out two of our Legislative Team, whose commitment to this effort enabled us to be ultimately successful in pushing this Bill through the legislative session.

I would like to recognize Lenny Burdick, aka “techno-goddess”. Lenny became my editor, gentle critic and general calming influence when things were going “pear-shaped”. She is our website administrator, our financial wizard, and most critically, she became our de-facto “go-between” and “go-to” contact with other complimentary practitioners in the Boise area. She patiently explained the contents of the Bill when folks would call her in the throes of a knee-jerk panic, which inevitably left them in an “Oh – that’s okay then” frame of mind.

Going into the session, we knew that we had an organizational gap in the Boise area. Serendipity is a wonderful thing. Lenny had stepped in at the Western Unit meeting, and persuaded Suzie Lindberg it was her life-long ambition to take over as Western Unit Representative.

What we didn’t know at the time, was that Suzie’s office is about three blocks from the State Capitol, and more importantly, that she was totally committed to helping the Chapter and the State of Idaho achieve licensing for our profession. Suzie cleared her schedule on multiple occasions to team up with Suzi Budge, our lobbyist, to be our “boots on the ground” at the State Capitol. Her other talent is as a communicator. She was able to clearly explain during testimony to both Committees, the idiosyncrasies of the Boise “licensing” requirements, and how it was a financial burden to practitioners.

Please join me in thanking Lenny, Suzie and the rest of the legislative team for all of their outstanding efforts on our behalf during the Sixty First Legislature of the State of Idaho.



The “team” in conference at the State Capitol

Paul Weston, Suzi Budge, Hayley Lowry, Trisha Pennell, Ryan Fitzgerald, Suzie Lindberg & Susan Beck

Chapter Professional Legislative Team:

Suzanne Budge (Lobbyist) & Sally Hacking (Consultant).

We were so fortunate to have had such outstanding professional support from Sally Hacking, our Government Relations Consultant and Suzi Budge, our Legislative Lobbyist.

Sally’s expertise and experience in national and state government relations proved time and time again to be critical to our success. Her willingness to jump in with a piercingly accurate judgment at just the right time resolved any number of sticky legislative questions. When there was doubt – there was Sally!

If there was one thing that I came away with from the legislative session, it was the fact that Suzi was held in such high regard and truly respected by legislators from both sides, as well as her professional lobbyist peers. I learnt more about Idaho politics and the legislative process, and how it really works from shadowing Suzi around the Capitol for a few days than, to be honest, I ever really wanted to know!

To be absolutely clear about this – Senate Bill 1295a would not have passed this legislative session without Suzi’s expertise, guidance and powers of persuasion.



AMTA National Legislative Team:

Donovan Griffith, Joe Roth, Chris Studebaker

Thanks to Joe, Donovan & Chris for their logistical support throughout this campaign. If we needed a conference call at short notice – it happened. If we needed specific legislative information – we got it. A special note of thanks to Joe for helping us through the process when we were struggling to find a legislative lobbyist, and then for working with Suzi Budge, and bringing her on board just when we needed her.

I would also like to thank the AMTA National office team and LLAP grant committee for funding our original LLAP grant, without which, we wouldn't have been able to fund our legislative campaign.

ABMP National Legislative Team:

Jean Robinson (ABMP Government Relations Director)

I would like to thank Jean for all of her work in supporting our bill on behalf of her ABMP members. She was typically the first to respond to “sticky” emails that had to be dealt with in a timely manner, which she did with her no nonsense and pragmatic approach to government relations. She was able to join us in Boise for the Senate Committee hearing, and did a wonderful job testifying on the Bill's behalf. Unfortunately, she wasn't able to make it for the House Committee hearing due to a family emergency. Thankfully, that resolved happily, and Jean continues to keep her members updated on events here in Idaho via ABMP's website.

Organizations that supported SB 1295a:

- Idaho Association of Chiropractic Physicians - Ryan Fitzgerald (Lobbyist)
- Northwest Career Colleges Federation - Gena Wikstrom (Executive Director) & Kris Ellis (Lobbyist)
- Idaho Athletic Trainers' Association - Brent Faure (President)
- Idaho Physical Therapy Association - Alan Crothers (President) & Ben Davenport (Lobbyist)
- Idaho Bureau of Occupational Licenses - Tana Cory (Bureau Chief) & Roger Hale (Attorney)
- Idaho State Board of Education - Harvey Lyter (State Coordinator for Private Colleges & Proprietary Schools)
- Idaho Medical Association – Susie Pouliot (Chief Executive) & Ken McClure (Lobbyist)
- Idaho Occupational Therapy Association
- Idaho Nurses Association
- Gritman Medical Center - Kara Besst (President & CEO), B.J.Swanson (Chair - BOD) & Janie Nirk (Vice Chair - BOD)
- St. Luke's Health System - Kamron Keep (Integrative Medicine Coordinator)



Legislators:



Senator James (Jim) Hammond - District 5, Kootenai County

Jim Hammond has been our staunch supporter and Bill sponsor from the start of this legislative effort over three years. At the conclusion of the 2011 legislative session, SB 1078 (our original bill) was formally withdrawn by Senator Hammond, when it became clear that the bill would not receive a hearing. This was due to the Senate Health and Welfare Committee needing as much time as possible to work through state Medicaid cuts. On his instruction, IBOL in collaboration with Legislative Services completed a re-drafting of the bill, bringing it in line with Idaho statute. This gave us the foundation for SB 1295a.

Senator Hammond presented SB 1295a at the Senate Health & Welfare Committee hearing, and despite some unexpected pressure from a couple of Senators, went on to lead the debate on the Senate floor to a successful conclusion. On both occasions, he demonstrated a clear understanding of the subject matter and the importance of the Bill to our profession. Thanks to Senator Hammond who did sterling work on our behalf, and whose commitment and dedication to the citizens of Idaho should be viewed as an example to all legislators.



Representative Jim Marriott - District 28, Bingham County

Representative Marriott was a member of the House Commerce & Human Resources Committee that heard our testimony supporting the Bill, and agreed to sponsor the bill and speak on its behalf during the House debate and final vote.

Notable Supporters of Senate Bill 1295a:



Senator Patty Anne Lodge (R) - Chair
Senate Health & Welfare Committee
District 13 – Canyon



Representative Steve Hartgen (R) - Vice Chair
House Commerce & Human Resources Committee
District 23 – Twin Falls



Rep. Frank Henderson (R)
District 5 – Post Falls



Rep. Wendy Jaquet (D)
District 25 - Ketchum



Rep. John Rusche (D)
Minority Leader
District 7 – Nez Perce



Summary of Process:

We were quite fortunate to have been successful in passing the bill in the final hours of the session. Many unexpected delays, both procedural and substantive, hindered our progress along the way, any one of which could have ultimately derailed the bill. Although the bill had been in the public venue since the 2011 legislative session, multiple tweaks were required to garner support of other health care practitioners, the private schools, the State Board of Education, and the Bureau of Occupational Licensing.

After clearing the hurdle of the hearing in the Senate Health and Welfare committee, two senators insisted the bill needed to be amended to clarify that the casual backrub would not require licensure, thus the amendment in the Senate to clarify that licensed Massage Therapists would be paid for their services. We can thank Linda Chatburn, a Boise area practitioner, for getting directly engaged with her Senator, Mitch Toryanski, to help break that logjam.

Moving from the Senate side of the legislature to the House, we had laid our groundwork with the Chairman of the House Health & Welfare Committee, Representative Janice McGeachin (R-Idaho Falls), and several members of that committee, during the time our members were in town for the Senate Health and Welfare committee hearing on S1295.

When the bill passed the Senate and moved to the House, S1295 was unexpectedly assigned to a different committee in the House, the House Commerce & Human Resource Committee. We owe a special thanks to Representative Steve Hartgen (R-Twin Falls), who, as acting committee chairman, gave us a special hearing for our bill at a time when many legislative committees were shutting down during the final days of the legislative session.

All of these delays pushed us into the waning days of the session where even a small procedural problem could have doomed the bill. S1295 was voted on in the final days of the legislature and after a lively debate on the House floor, the 39-29 vote was close enough to then get additional scrutiny from the Governor's staff. So, when the bill finally reached the Governor's desk, additional issues were raised about the bill. We were ultimately able to satisfy all of the many concerns (real and perceived) that were raised throughout this circuitous and sometimes tortured process.

(Text & information provided by Suzi Budge)

2nd Regular Session, 61st Idaho Legislature - Legislative Session Timeline

02/27/12 Senate Health & Welfare Committee: Passed 7-2

AYES -- Bock, Broadsword, Darrington, Heider, Lodge, Schmidt, Smyser

NAYS -- Nuxoll, Vick

03/14/12 Senate vote: Passed 28-6-1

AYES -- Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, Mortimer, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Werk, Winder

NAYS -- Fulcher, McKague, McKenzie, Nuxoll, Pearce, Vick

Absent -- Andreason

Floor Sponsor - Hammond

03/19/12 House Commerce & Human Resources Committee: Passed 7-2

AYES -- Hartgen, King, Lake, Marriott, Nessel, Ringo, Trail

NAYS -- Simpson, Thayn

Absent -- Loertscher

03/22/12 House vote: Passed 39-29-2

AYES -- Anderson, Andrus, Batt, Bell, Bilbao, Black, Block (Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Cronin, Eskridge, Gibbs, Guthrie, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Marriott, Nessel, Pence, Perry, Ringo, Rusche, Shirley, Sims, Smith (30), Smith (24), Stevenson, Trail, Wills, Wood (27)

NAYS -- Barbieri, Barrett, Bateman, Bayer, Bedke, Boyle, Crane, DeMordaunt, Hagedorn, Hart, Harwood, Loertscher, Luker, McGeachin, McMillan, Moyle, Nielsen, Nonini, Palmer, Patrick, Raybould, Roberts, Schaefer, Shepherd, Simpson, Thayn, Thompson, Vander Woude, Mr. Speaker

Absent and excused -- Ellsworth, Wood (35)

Floor Sponsor - Marriott

03/27/12 Bill delivered to Governor

04/03/12 Bill signed by Governor C.L. (Butch) Otter



What does it mean and what happens next?

SB 1295 creates the least level of professional regulation to offer the best public protection. Licensure of Massage Therapy will create:

- A defined scope of practice.
- An entry level education and training.
- Required continuing education.
- An avenue for discipline and complaints for consumers and practitioners.
- A state regulatory body empowered to enforce sanctions against those who violate the public trust.
- Preemption of local regulations, creating state-wide fair standards.

The “Board”:

Part of the legislative / administrative process is the creation of the Idaho State Board of Massage Therapy. The law goes into effect on July 1st, 2012. After this date, the Governor can appoint the Board. Anyone interested in serving can go to the Governor’s Office website at www.gov.idaho.gov. Under the Administration tab is the appointment program which has applications for appointments to Boards. Applications may be submitted before July 1st, 2012 for consideration.

Once the Governor has made the appointments, the Bureau of Occupational Licenses will work with the appointees to set up the Board’s first meeting. In the next several weeks, the Bureau will also be adding a link on its website for the Board. The Bureau will post information on the site as it becomes available (for example, the law will be posted now and the board members when appointed.)

When the Board meets it will develop rules to present to the legislature next session. If the legislature approves the rules, they will go into effect when the Concurrent Resolution on rules is signed by the Pro Tem and Speaker. This is generally around the end of the session in March or April. **Once these are in effect, the Board will have the applications available so that individuals can apply and be licensed by July 1st, 2013 as required by law.**

The following statement is taken from IBOL’s webpage:

“The Board has been given authority by law to regulate that profession by developing and enforcing various requirements. The Board’s primary and over-riding mandate is to focus on the protection of the health, safety, and welfare of the general public of Idaho. As a member of the Board, you are an advocate of the public and should strive to always act in the public’s best interests”.



A final note. I asked Suzi Budge for some feedback on our legislative teams' performance during the session. This was her response:

“You and your crew have been a pleasure to work with, very responsive and willing to follow instructions (always a good trait in a client, but not found as often as one might like). So no worries and only glowing feedback! Now if I could only get those pesky legislators to be so accommodating? Not likely, however”.