



American Massage Therapy Association California Chapter

HOW SB 731 WILL HELP CITIES AND COUNTIES

1. SB731 Creates a self-funded program called Massage Therapy Organization (MTO), whose board will include representatives of the League of CA Cities and the CA State Association of Counties
2. Applicants will undergo criminal background checks and fingerprints
3. The MTO will investigate certificates/schools for authenticity
4. The Department of Justice will be required to report subsequent arrests of applicants/certificants to the MTO.
5. **Cities and counties will be able to focus law enforcement resources on criminal activity rather than regulating all massage therapists under vice control ordinances.**
6. The MTO will be authorized to discipline certificate holders through probation, suspension, revocation, or other means.
7. The MTO will be able to share status of certificants with local authorities
8. The MTO will be required to permanently revoke the certificate of anyone violating subdivision (b) of Section 647 of the Penal Code for any offense described in subdivision (h) of Section 4603.
9. The MTO will be authorized to deny or revoke certificates for unprofessional conduct
10. Creates an unfair business practice to state that one is certified by a governmental agency, or use the title of "certified massage therapist" or "certified massage practitioner" or any other term, such as "licensed," "registered," or "CMT," without meeting the requirements of this law.
11. A city or county may adopt reasonable health and safety requirements with respect to massage establishments or businesses
12. A city or county may:
 - (A) Require an applicant for a business license to operate a massage business or establishment to fill out an application that requests the applicant to provide relevant information.
 - (B) Make reasonable investigations into the information so provided.
 - (C) Deny or restricting a business license if the applicant has provided materially false information.
13. An owner or operator of a massage business or establishment shall be responsible for the conduct of all employees or independent contractors working on the premises of the business.
14. A city or county may adopt a local ordinance that provides the right to conduct reasonable inspections during regular business hours
15. Cities and counties which require certification (under SB 731) need only cite an individual for practicing without being certified in order to prevent them from working in the city.
16. Since the business owner is held responsible for the actions of all staff, the business can be closed down for allowing uncertified therapists to work.
17. Nothing in this chapter shall restrict or limit in any way the authority of a city, county, or city and county to adopt a local ordinance governing any person who is not certified pursuant to this chapter.

SB731 will go into effect on July 1, 2010.

To view SB731 in it's entirety log onto: www.leginfo.ca.gov

For further information contact: AMTA-CA Government Relations Representatives: govrelations@amta-ca.org