

Ethics, Beliefs and Regulations Online Course

3 CE Hours

Text, Preview Exam, and Course Guide

Presented by the:

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Instructions for the Ethics, Beliefs and Regulations home study course

Thank you for investing in the Ethics, Beliefs and Regulations online course, a 3 CE hour course designed to further your knowledge in the principles and practice of ethics and regulations in massage therapy. This guide will contain all of the instructions you will need to complete this course. This is a 3 CE hour course, so that means it should take you approximately 3 hours to read the text and complete the multiple choice exam and course evaluation.

The following are steps to follow in completing this course:

- 1. Read and review the exam and text in this file. The exam is provided for review before testing online and is the same as the online exam.**
- 2. When you are ready to test online, access the online examination by logging in to your account at <https://www.massagetherapyceu.com/login.php>.**
- 3. Complete your examination and print your certificate. The exam is open book and there is no time limit for completion.**

You must pass the exam with a 70% or better to pass this online course. You are allowed to access and take the exam up to 3 times if needed. There is no time limit when taking the exam. Feel free to review the text while taking the test. This course uses the text *Ethics for Massage Therapists*, Chapters 1-4 and 14, by Terrie Yardley Nohr. All of the answers can be found in the text. It is advised to answer the exam questions in the study guide before testing online. That way, when you are testing you do not have to go back and forth through the online exam.

If you have any questions please feel free to contact us at 712-490-8245 or info@massagetherapyceu.com. Most state boards require that you keep your “proof of completion” certificates for at least four years in case of audit. Thank you for taking our Ethics, Beliefs and Regulations course.

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It is the responsibility of the practitioner to determine the appropriateness of the information presented in terms within the scope of practice. This information is in no way meant to diagnose or treat medical conditions or replace state regulations regarding massage therapy.

Ethics, Beliefs and Regulations Exam

Chapter 1

1. What are beliefs?
 - a. What you personally feel is true
 - b. An individual's or group's standards of behavior
 - c. Beliefs about what is right and wrong or good and bad
 - d. Something of worth or held in esteem

2. Ethics involves _____, not simply moral issues of right and wrong or legal questions of what the law requires.
 - a. Something you hold in esteem
 - b. Standards of behavior
 - c. Scope of practice
 - d. What you personally feel is true

3. All of the following are guidelines to keep in mind that may help if someone makes a negative comment about the massage profession EXCEPT:
 - a. Get angry and defensive
 - b. If a comment is truly out of line, take the opportunity to educate
 - c. People are often fearful of what they do not understand
 - d. Learn to walk away

Chapter 2

4. What can you do if a client starts to talk about other issues than the massage or personal matters during the massage session?
 - a. Start talking about your own feelings and beliefs on topics other than the massage
 - b. Say nothing to the client and think about your own feelings and beliefs while performing the massage
 - c. Bring the client back to a focus on the session through an emphasis on breathing and talking about the goal for the session
 - d. End the session and explain to the client that you cannot work on them because you have different feelings and beliefs

5. Which of the following can be signs that a client is uncomfortable with a particular technique, pressure, or area being worked on?
 - a. Muscles tensing in other parts of the body and/or pulling the drape more tightly around them
 - b. Fidgeting on the table and/or making a fist
 - c. Holding their breath and/or talking nervously
 - d. All of the above

6. All of the following should be included on a client intake form EXCEPT:
 - a. What the client's goals are for their massage session
 - b. Any areas where clients do or do not want you to work on
 - c. Information about the client's religious affiliations
 - d. Any information required by your state's laws and regulations

Chapter 3

7. What is a code of ethics?
 - a. A consensus of a group or association about its expectations concerning ethics principles and behavior
 - b. A definition or set of parameters for activities a professional is or is not allowed to perform as defined by one's competency, training, and laws and regulations
 - c. A document stating an individual's or group's beliefs, standards, and ethics expectations
 - d. Accepted way in which ethical behavior is performed
8. What is scope of practice?
 - a. A consensus of a group or association about its expectations concerning ethics principles and behavior
 - b. A definition or set of parameters for activities a professional is or is not allowed to perform as defined by one's competency, training, and laws and regulations
 - c. A document stating an individual's or group's beliefs, standards, and ethics expectations
 - d. Accepted way in which ethical behavior is performed
9. The guidelines and structure of a professional code of ethics:
 - a. Helps bodyworkers know what behaviors are expected and are useful when you must make decisions in your practice
 - b. Ensures the public that all bodyworkers have the same training and office procedures
 - c. Follows exactly what laws and regulations have been passed in each state
 - d. Conflicts with the practitioner's obligation to act in the best interest of the client and the profession
10. The codes of ethics outlined in Chapter 3 from several different associations and groups in the massage and bodywork field all have similarities which require therapists to:
 - a. Maintain confidentiality of clients and be committed to high quality of care and the best interest of clients
 - b. Continue education and make accurate claims about types of modalities
 - c. Respect clients, refer them when needed and not sexualize massage and bodywork
 - d. All of the above

Chapter 4

11. Which of the following are rules and regulations established at the local level?
 - a. Civil laws
 - b. Ordinances
 - c. Federal laws
 - d. State laws

12. In cases such as the regulation of a profession, a _____ may oversee enforcement of the law.
 - a. Police officer
 - b. Public representative
 - c. Client
 - d. State board

13. What does the scope of practice for a massage therapist state?
 - a. What a therapist can or cannot do while practicing as a massage therapist, technician, or bodyworker
 - b. The total number of hours of education required to practice as a massage therapist, technician, or bodyworker
 - c. The laws and rules established and enforced by governing bodies that protect or restrict actions by all citizens or specific parties
 - d. The expectations of the general public of what is appropriate or inappropriate activity by massage therapists, technicians, or bodyworkers

Chapter 14

14. What is a personal code of ethics?
 - a. A set of laws that govern the practice of massage therapy in your state
 - b. A living document that you may change in the future as you see fit
 - c. A nationwide code of ethics for all massage therapists to follow
 - d. Showing the responsibility or proof of performing a task or duty

15. When researching requirements for practicing massage therapy, a therapist should ask themselves all of the following questions EXCEPT:
 - a. What are the requirements in your state to practice as a massage therapist?
 - b. How much money do you want to make within a year?
 - c. Will you be working as an employee or independent contractor?
 - d. If you are working as an employee, do you have a copy of company policies?

This completes the Ethics, Beliefs and Regulations exam.

ETHICS FOR MASSAGE THERAPISTS

■ TERRIE YARDLEY-NOHR, LMT



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Dedicated to massage students now entering the
massage profession and to the many practicing
massage therapists who have laid an ethical
foundation for them to follow.

PREFACE

When entering the field of massage therapy, students rarely think about ethics and the profound effect ethics can have on their career. Students are always taught the technical skills needed to become good bodyworkers, but often too little time is spent teaching and discussing ethics, students' own personal beliefs, and the beliefs clients bring to their massage therapy sessions. Often a new therapist is surprised by clients' questions or concerns and are at a loss for how to address situations that commonly arise.

In massage therapy classes, students seem continually to raise questions about how to handle many situations they will encounter in practice. Often these have little to do with the technical skills of massage therapy but rather involve values, morals, and ethical questions. Unsure what to do, some students may try to take a hard line with clients or not address an issue at all. Neither approach is a good solution for the client or therapist, however, and neither contributes to a healthy therapeutic relationship. The alternative is to study ethical principles and think about issues one will face in practice, and thereby become prepared to prevent most problems and comfortably manage situations when they do arise.

This book originated in a commitment to help massage students begin their new career with a firm foundation: knowing who they are and what they believe and why. Building on this foundation, students will be able to learn to accept the wide variety and diversity of clients, many with very different backgrounds, whom they will encounter in practice. Balancing the art and science of massage therapy with ethical behavior and good interpersonal skills takes practice, but all students can be successful when they are prepared to do so.

This text begins with an exploration of self and gradually builds to a larger understanding of clients' needs and expectations. Many resources within the profession of massage therapy can help students begin their career, and this text frequently encourages the use of such resources. Building from the material presented here, students and new practitioners of massage therapy can then develop their

own code of ethics to ensure a safe and effective environment for both them and their clients.

PEDAGOGICAL FEATURES

To aid in learning, the following pedagogical features have been included in this text:

- **Chapter preview:** a chapter-opening bulleted list briefly introducing key chapter topics.
- **Key terms:** special terms that students should learn will be boldfaced at their first use in the chapter, listed and defined at the beginning of the chapter, and included in the glossary at the back of the book.
- **Key point boxes:** boxes appearing occasionally throughout each chapter that summarize key points in bulleted lists.
- **Exercises:** various review and thought-provoking exercises sprinkled throughout each chapter that students can complete on their own to help learn and review the chapter content.
- **Scenarios:** realistic massage therapy scenarios with critical thinking questions that prompt the student to apply the knowledge they have learned in the chapter.
- **Case studies:** extended case examples of massage therapists and their clients that illustrate ethical concepts discussed in the chapter.
- **Code of ethics:** sample codes of ethics.
- **Personal journal:** write-in exercises in which students explore their own thoughts and feelings, such as inventorying their attitudes, exploring past events that relate to how they feel now about touch, etc.
- **Chapter summary:** brief paragraph at chapter's end to pull it all back together.
- **Additional activities:** end-of-chapter review and learning activities that are in addition to the exercises appearing sporadically throughout each chapter.

User's Guide

Ethics for Massage Therapists provides you with a structured format for learning ethics in the field of massage therapy. In the book, you will find a discussion of core industry standards of practice, laws, morals, rules, and regulations for building an ethical practice.

Look for these learning features inside:

CHAPTER PREVIEW & KEY TERMS

Orient you to the information presented in the chapter. ▶

CHAPTER PREVIEW

- Disclosure as sharing information with other health care providers or your clients
- Client disclosure of information about their health history for the safe practice of massage
- Nondisclosure of information placing the client at risk during massage
- Third-party disclosure as a health care provider sharing information with another party
- HIPAA regulations guaranteeing the information rights and responsibilities of patients and health care providers
- Therapist disclosure of information regarding treatment, outcomes, credentials, and personal health issues to clients
- Ethical behavior involving knowing the boundaries related to disclosure

KEY TERMS

- Beliefs:** what you personally feel is true
Culture: the customary beliefs, habits, and traits of a racial, religious, or social group, often depending on one's country and language
Ethics: an individual's or group's standards of behavior
Morals: beliefs about what is right and wrong or good and bad
Values: something of worth or held in esteem

BOX 8-1 Helpful Hints to Ensure Client Disclosure

1. Include a brief paragraph on your health history form explaining the reasons for asking about clients' health.
2. Look for clues in the client's answers on the health history form, such as fever, fatigue, soreness, etc.
3. When in doubt, ask the client questions during the oral interview.
4. Watch for signs and symptoms that could mean the client has a condition that could contraindicate massage.
5. Keep good notes and records of your session with clients. You may see patterns develop that need further investigation.
6. Ask clients at the beginning of each session for any new information about their health.
7. Include on your form a statement that the client has disclosed all known health information. The client should sign and date this statement. This helps prevent clients from knowingly not disclosing health information, and helps protect you legally if the client has not disclosed a condition that could become worse with massage.
8. Always be honest in recording information that you have learned. Clients have no argument with a professional who is honest.

◀ BOXES

Break down important information into an easy to understand format.

Your Personal Journal

This chapter has frequently asked you to think about your life and how you have come to believe and feel as you now do. Take a few minutes now to reflect on your thoughts and feelings about bodywork and why you have chosen this profession (Fig. 1-2).

Be as honest with yourself as you can—these are not thoughts you need to share with anyone else.

1. What is your general view of bodywork?

2. Why do you feel it is a valuable career?

3. What is your biggest fear?

YOUR PERSONAL JOURNALS

Require you to reflect on important ethical issues and ask important questions regarding those issues. ▶

EXERCISES

Questions throughout the chapter require you to reflect on the information learned and form opinions about ethical & unethical behavior. ►

EXERCISE 5-3

Practicing how to talk to a client who makes an inappropriate request should be an important part of your training.

Pair up with another student. One is the therapist and the other the client. Use props as needed (desk and chair, massage table, massage chair). Different pairs of students use the following scenarios. Take the time to compose your scenario and present it to the class. Afterwards, the rest of the class should offer suggestions for how to handle the incident.

1. A new client calls to make an appointment for a massage. He asks a lot of questions including what the therapist will be wearing.
2. A female client tells her male therapist that she would like to have lunch with him sometime soon.
3. A male client asks his female therapist for advice about a problem in his marriage. He keeps bringing it up during the session.
4. A male client does not like to be draped and keeps taking the draping off during the session.

SCENARIO

Samuel had been practicing massage for 5 years at a very busy resort spa. In this time he built up a regular clientele who often requested him for their vacation massages. Two weeks ago, Samuel learned from his doctor that he was HIV-positive. Although personally devastated by the news, he was not worried about his massage practice. The doctor reassured him that he would likely not develop AIDS for many years to come and could possibly lead a very normal life for a decade or more. The doctor also gave him information about how HIV is spread and precautions to take. Samuel read all of the information. He knew that HIV is not spread through skin-to-skin contact but understood that he must watch carefully for any breaks in his skin or other ways his body fluids might infect others. Samuel now must decide if he will tell his employers and his clients.

Discuss the following questions, considering each possible action:

1. Should Samuel tell his employers and clients? What are the advantages and disadvantages of telling and not telling?
2. Is there one ethically and professionally correct thing to do?
3. List possible ways Samuel could handle this situation while being ethical and professional.

◀ SCENARIOS & SCENARIO QUESTIONS

Present you with practice-based scenarios so that you are able to apply information learned in the text to a working environment. Questions at the end of each scenario require you to think critically about the situation at hand.

CASE STUDIES

Practice-based situations where the massage practitioner faces an ethical issue. ►

CASE STUDY

A female bodyworker has had regular sessions with a male client for about 6 months when he begins to ask her personal questions. He asks if she has a boyfriend and says he'd like to take her out sometime. She tries to avoid his questions as best she can and tries to change the subject and continue with the session. Over the next few sessions, however, he continues to ask more about her personal life. It is getting hard for her to avoid this conversation. He finally asks if she would like to have dinner with him soon. She tells the client that it is against her profession's code of ethics to become personally involved with a client and that she will not go out with him as long as he is a client. This answer lets the client know that the professional code encompasses what she as a therapist can and cannot do.

KEY POINTS

Summarize essential information in bulleted lists throughout each chapter. ►

Key Points

- It is important to know both parties' expectations.
- Expectations can frequently change.
- Group dynamics play an important role in conflicts and resolution.
- Policies and procedures can help prevent conflicts.
- Conflicts between a therapist and client can be prevented with good communication.

ADDITIONAL ACTIVITIES

After you and your classmates have a sense of what laws and rules apply to a massage therapy practice in your area, have a class discussion to answer these questions:

1. What areas of the law or rules protect clients?
2. What areas of the law protect therapists?
3. Do any areas of law restrict the practice of massage or cause hardship for therapists?
4. Do any areas of law need more definition?
5. How many of the therapists you and your classmates interviewed were well educated about laws and regulations?
6. How would you go about changing a law or rule that needs revision?

◀ ADDITIONAL ACTIVITIES

At the end of each chapter, these activities require you to seek out more information on the topics covered in the chapter and apply the ethical issues covered in a practical way.



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This book is written for every student I have had the privilege of teaching. Each student has brought me new questions, concerns, and approaches to situations that arise in the field of massage therapy. I have seen your fears and concerns, and I truly hope that this book will help you address the many issues that affect all new therapists in their massage career.

YOUR BELIEF SYSTEM

CHAPTER PREVIEW

- Development of your own beliefs
- How your values and morals were formulated
- Understanding your present beliefs and values
- Your beliefs about the bodywork profession

KEY TERMS

Beliefs: what you personally feel is true

Culture: the customary beliefs, habits, and traits of a racial, religious, or social group, often depending on one's country and language

Ethics: an individual's or group's standards of behavior

Morals: beliefs about what is right and wrong or good and bad

Values: something of worth or held in esteem

Our society is composed of people with many different belief systems and cultural backgrounds. Different individuals and groups have distinctly different **beliefs** about what they consider wrong or right. For example, capital punishment is viewed as acceptable by some people and some cultures and not by others. Different personal histories also influence what different people believe and follow in their everyday lives. Within the same culture, for example, individuals often view issues very differently. Are such issues as the appropriate age for dating or premarital sex personal choices or are they moral issues? Different people see these issues in different ways. Personal beliefs also involve simple, day-to-day issues such as following rules at work, etiquette, and even things that some people believe are common sense. Many, many factors play a part in how these different beliefs came about.

As an individual, you have your own belief system that influences you every day, often moment by moment, without you even realizing it is affecting how you think, talk, and act. When driving, for

example, you know that it is against the law to make a U turn in the middle of an intersection, so most of the time you naturally make your turn somewhere else without giving it a second thought. You believe that following the law is the right thing to do. When you see someone else making an illegal turn, you may believe that person is breaking the law. This is just one simple example of how our beliefs affect our daily actions.

In this chapter you will explore your personal belief system and consider how it formed. Understanding your own personal beliefs and values is important in the profession of massage and bodywork, because these beliefs and values contribute to your personal ethical principles. Examining the varied aspects of your personal beliefs, values, morals, and ethics will help you develop guidelines for your successful practice in bodywork. Success in the practice in bodywork means not only financial success but also, first and foremost, development of valuable and healthy therapeutic relationships with your clients and peers. A solid foundation for

your practice helps reassure both clients and other therapists.

In this chapter and the ones that follow, we discuss how to increase your understanding of your own values and ethics, examining where you are now and looking ahead to what is needed in your practice.

Key Points

- Understanding your personal beliefs is important.
- Beliefs and morals are learned.
- Your beliefs contribute to a successful massage therapy practice.

PERSONAL DEVELOPMENT OF VALUES

FAMILY INFLUENCES

Often when individuals are asked who had the greatest influence on their lives, they naturally answer their parents or other close family members, relatives, or friends. This is understandable because it is these individuals with whom you spend most of your time during your first 15 to 18 years. Your family members likely were your caretakers and provided the essentials you needed. Their influence on your belief system starts as soon as you are born and often continues even after you leave home. After adolescence, other valued people will have influence, such as teachers, a spouse, close friends, and even your own children.

As a toddler, you begin learning right and wrong by being told so by other people. Your mother or caretaker tells you not to hit your sister or pull the dog's tail. You are told to look both ways before crossing the street and that it's not nice to make fun of people. Children generally trust what others tell them and often develop conditioned responses to many situations. After you begin school, other people begin to influence what you consider right and wrong. Teachers and other influences may reinforce what you have learned or may present a different point of view. When receiving conflicting points of view, individuals may eventually reformulate what they believe is right or wrong, or may hold to their original beliefs.

As you enter the adolescent years, still more influences are introduced. Information and influences extend beyond the smaller world of family and school and begin to involve the larger world. Peers have a great influence on what you value and how you think and act. Television, radio, and the Internet provide a large amount of information and have been shown to influence people's belief systems. Because individuals today have much information readily

available and are exposed to a huge amount of diverse and different information, it is easy to understand that many people question their learned values, even at an early age. Available information includes diverse information about other societies, beliefs, religions, and cultures. With so many influences, which can often be conflicting, it is not unusual that many teens rebel against what they have learned within their family. Adolescents are exposed to many different viewpoints in school and various social settings and may begin to look elsewhere for a broader understanding of what is right and wrong.

Up until adolescence, most individuals have listened to what their caretakers say about things that happen in the world. You may have adopted your family's values and beliefs about many things, including ideas as simple as thinking a mother should stay at home to raise children to more complex beliefs such as religious beliefs. You may have heard your caretakers or other adults, for example, make positive or negative comments about other cultures and their beliefs. This could have a profound effect on how you respond when you meet a person from another country.

When family members feel that something is wrong, they typically express their unhappiness or anger about it. Because you are raised this way and frequently hear such comments, you too may believe the same thing or have the same feelings. This is only natural because what family members say is very important to you. It may not be until you are older and have been exposed to other points of view and information that you begin to see things in a different light.

When you leave your family and are living on your own, you likely have a new sense of freedom. Without even realizing it you may continue to rely on your previous beliefs, or you may develop new beliefs and values. Living on your own can test what you think to be wrong or right. It is natural for a person to try new ways of doing things. It is a way to test the old ideas and look for something new. Many lessons are learned and sometimes, as the old saying goes, "You have to learn the hard way." Making a mistake often causes a shift in your thinking and leads to evaluating what you may do differently in the future.

In adulthood, however, most people's values and beliefs are fairly well formulated. Often individuals end up still believing in some of the values that were instilled in them in their youth, although some differences may have developed as a result of their own life experiences. At the same time, as an adult, you are interacting with a wider range of people in the world and may experience conflicts between your values and beliefs and those of other individuals (Fig. 1-1).

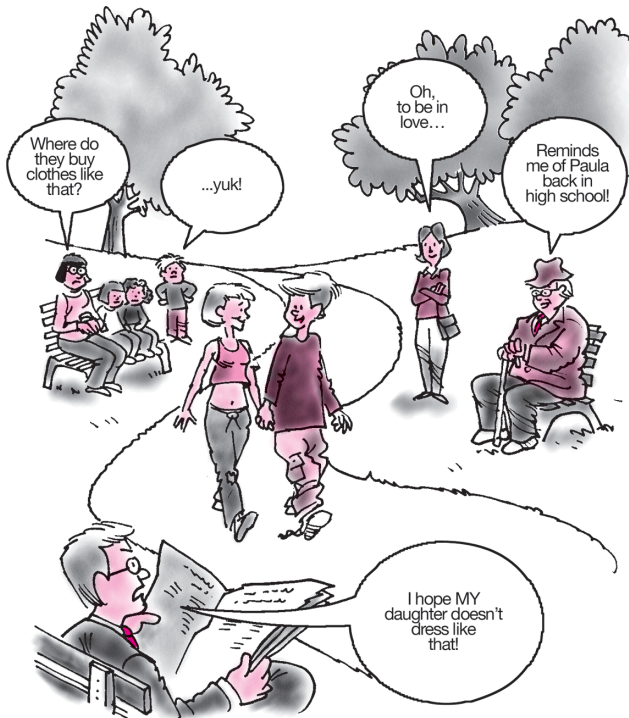


FIGURE 1-1 ■ Because of differences in background and many other factors, people have a wide variety of values and beliefs.

As you form a serious relationship with another person, for example, a common source of conflict is differences in what you feel is right and wrong. Conflicts can occur over things as simple as a difference in opinion about doing housework or preparing meals. Larger conflicts in belief systems may involve religion, cultural customs, or family customs. Mature adults, however, can learn to compromise and be flexible while respecting the different beliefs of others—although if two parties have strong opposing beliefs, a conflict could occur. As you will see later in this chapter and in Chapter 2, some values may involve serious ethical or moral beliefs, and then you will need to decide whether or not you should compromise.

Key Points

- We learn through developmental stages.
- Family influences are important.
- Beliefs vary from person to person.

Thinking about your past will help you see how you have come to believe what you do today. The influences of three people in your life involve just a tiny fraction of all the influences on your beliefs to this point in your life. In the following sections, you will see how other factors also have influenced your present values.

EXERCISE 1-1

Think about three people you believe have influenced you. Try to name at least one value or belief that each person helped instill in you. Remember that beliefs and values can be either a positive value or a negative value (for or against something). Finally, reflect on whether you think this belief or value helps you or hinders you in today's society.

Person belief or value

Affects you how today?

INFLUENCES OF CULTURE

The culture in which you were raised has a lot to do with how you think and believe. **Culture** can be defined as the customary beliefs, habits, and traits of a racial, religious, or social group, often depending on one's country and language. Therefore you can think of culture as the larger environment surrounding a group of people. America is one culture, but within most cultures there are many subcultures involving different ethnic origins, religions, geographical features, and belief systems. Steeped within cultures and subcultures are many traditions, such as holidays, clothing, and food preferences. Staying close to the environment in which they were raised often gives individuals a safe feeling.

The term "culture shock" refers to the experience of suddenly encountering a very different environment outside one's familiar culture. For some, this causes stress. For others, exposure to other cultures leads to reconsideration of their own values and more respect for the diversity of thoughts and traditions of other cultures. Think about the environment that you were raised in and what you have learned from it. Think about the times you may have gone to stay with a friend and how different that friend's family traditions and environment may have been. Which of your values or beliefs might have been very different if you had grown up in a different culture?

INFLUENCES OF ENVIRONMENT

Physical environmental factors also influence how you think and what you believe. If you were raised on a farm and moved into the city when you went to college, you might initially have a hard time

adjusting to crowds and the hustle and bustle and noises of the city. Likewise, if you grew up in a large city and then moved to a small town, you may have trouble adjusting to the quiet and relaxed environment of many small towns. Yet, in either situation, adapting to a new environment can help you both better understand ways of living and help broaden your values and beliefs.

The environment includes not only the physical surroundings but also the people who inhabit an area. Particular groups or populations often possess particular beliefs and habits. A community's shared beliefs are generally influenced by traditions and the community's success in coping with its traditions, habits, and beliefs. Beliefs and values can be very different in different places. A massage therapist opening a practice in one town may be looked upon as a welcome addition to the community, while in a different community another therapist may encounter opposition due to ordinances or rules enacted in the past to drive out prostitution.

Why are these two environments so different? One community may have had problems with prostitution at some point in the past and now associates massage with prostitution. Many illegal businesses have in the past advertised using the term "massage." In addition, change can be threatening to a community's sense of comfort if people like the way things have always been. Furthermore, a profession like massage therapy that involves touching a person's body often threatens some individuals' comfort zone. In large part this attitude results from misinformation and misunderstandings about what massage and bodywork professionals truly do. Later chapters discuss working with the public and educating others about your new profession.

Key Points

- Beliefs gradually become values.
- Values are part of who you are.
- Understanding our past help us understand our present.
- We are influenced by culture, environment, and the world at large.

EXPOSURE TO THE WORLD

The exposure you have had to world events, news, education, and other cultures and belief systems also greatly influences how you think. The thought processes of people who have lived most of their lives sheltered from other ways of thinking and doing things generally reflect only what they know and have seen themselves. Their beliefs and values

may be more directly attributed to their upbringing in the family and immediate environment. This is not to say that their beliefs are in any way wrong or not as important as those of someone else who has been more broadly exposed to the world. It is true, however, that there are many ways of seeing and interpreting information, and the more exposure a person has to outside ideas and information, the more information that person has on which to base beliefs and values.

Modes of communication, especially, have changed dramatically in the last decade, as have people's exposure to information communicated through the media. A few decades ago, newspapers were the main source of information, often providing a great deal of information about events. As television became the main source of news for a large segment of the population, the amount of coverage about individual events on the evening news decreased to a small fraction of the information presented in newspapers. People watching television often received a thumbnail sketch of the news, while those reading newspapers often got more detail. Now many people receive their information primarily from the Internet, which allows them to pick out only what they want to learn on any given topic. At the same time, however, many people are concerned that some of this information may be inaccurate or biased, and that many individuals may not be receiving the larger picture. Nonetheless, all of these sources of information continue to influence our beliefs and values.

On the positive side, many people today have more information available on which to formulate their opinions and beliefs. The media has played an important role in helping people see the benefits of massage. Only a few years ago, the only mentions of massage in the news generally involved stories about a massage parlor or some illicit activity. Today, hundreds of news stories, articles, and Internet sites explain the different massage modalities and their positive effects. For example, news readers or viewers may see a story about the positive effects of massage for premature babies in a hospital. Exposure to the outside world can influence us in many different ways. These factors are another dimension to consider as you analyze your present beliefs and values and try to sort out what things in your past have led you to become the person you are today.

VALUES TO BELIEFS

When does a belief become a valued part of your life? This is an important question when evaluating

EXERCISE 1 - 2

Think about how your beliefs and values have come about. Answering the questions below will help you realize the sources of your present beliefs.

1. Name two people who were strong influences for you as a child.

2. Can you remember a phrase or saying from each of these people that sticks in your mind?

3. During your adolescence, do you remember any values or beliefs of your caretakers that you questioned?

4. What led to you questioning these values or beliefs?

5. What resulted from your questioning? Did your belief change?

what is important in our belief and value systems. If you were to count how many times a day you say or think, “I believe that ...,” you may be surprised. We say things like this frequently when we believe that something is true or right. If you say, “I believe the store is two blocks down the street on the right,” you are saying you *think* this is true but you are open to the possibility that it is not precisely true. But if you say, “The store is two block down the street on the right,” you are saying you *know* this is true. See the difference? The second statement is, for you, an absolute statement of fact, that it *is* where you say it is.

The same holds true for many beliefs and values. When you believe in something, when you really feel its importance, you know it is the right thing to believe or do. When that belief becomes part of your value system, you take ownership and it becomes part of who and what you are. When you *know* something is right or wrong, and you see no room for exceptions, this belief has become a valued part of who you are. Think about this when you are speaking to others, and notice when you say “I know” versus “I believe.”

Something that you value is a strong part of your foundation. For example, saying “I believe I will not take financial advantage of a client” does not mean quite the same thing as “I will never take financial advantage of a client.” The process by which beliefs

and values become your foundation is important for becoming an ethical person.

VALUES AND MORALS

When does a value become a moral belief? Remember, a **value** is anything you hold to be important, while a **moral** is a strong belief that something is always right or wrong. You may value personal hygiene, for example, but it is unlikely you would consider it immoral not to brush your teeth first thing in the morning. Other values do become morals, however. You may believe it is immoral to steal or to harm another person. These are personal values about serious matters of right and wrong. Often people think of morals as absolutes, such as saying it is never moral for anyone in any place at any time to steal from another. For many people, morality is based on religious beliefs. As well, a country’s laws are usually based on a shared moral system about what is right and wrong. For example, the law against murder reflects the shared moral belief that murder is wrong.

Ethical beliefs are similar to moral beliefs but are not exactly the same. For many people, **ethics** depends somewhat on the situation; it is not an absolute principle. For example, you may believe that it is wrong to lie to people. Does that mean you would never, ever lie to anyone in any situation? Most of us can easily think of situations where being completely honest could hurt another person or when we might instead “tell a little white lie.” Does that mean we have committed an immoral act? Most of us would likely say no, that we did the right thing because it was more important not to hurt the other person than it was to be brutally honest. We value telling the truth, and it is an ethical principle for how we live, but it is not a moral absolute. In everyday conversation people often use the words “moral” and “ethical” as if they mean the same thing, but it is sometimes important to distinguish between the two.

In the same way, we should distinguish between law and ethics. Certain business practices, for example, are illegal, and a business can be punished for breaking these laws. Other situations, however, involve ethical principles. It may be legal for a business to increase its prices when demand for an item is high, but some may question whether this is ethical. Remember: *ethics involves standards of behavior*, not simply moral issues of right and wrong or legal questions of what the law requires.

In a day-to-day massage therapy practice, we are seldom confronted with larger issues of morality or

EXERCISE 1-3

Find an article in a newspaper that identifies an ethical problem. (Ethical issues are often discussed in relation to business, politics, or even sports.) Read the article and report to the class what the situation was and how it involved an issue of ethical behavior.

legality. But ethical issues may often arise. How much training should I have in a certain technique before I perform it on a client? How honest should I be when a client asks me what I think about another health care professional? Is it appropriate to become close friends with one of my clients? These involve potential ethical issues. Such questions are not always easily answered—that’s the reason for a book like this. You can begin to understand such issues, however, by first understanding what you value right now in your life, and then building on that foundation as you develop professional ethics for your practice.

DEFINING YOUR BELIEFS IN THE BODYWORK PROFESSION

As a student studying for a career in massage or bodywork, you may have heard comments about your new career from family members, friends, or co-workers. You may well have the support of your family and friends. Yet, students sometimes have concerns about comments that are not flattering or may even be intimidating. It is perfectly natural to feel angry or hurt by such comments. In the past, massage was linked in many people’s minds with undesirable behaviors such as prostitution, and the mere mention of the word massage may make some people think you are entering an unsavory career. It is perfectly natural that some people who do not understand the profession of massage therapy may have different values or beliefs about it. Later, we discuss how to deal with such situations.

It is just as important, however, to understand your own beliefs about a career in bodywork and

massage. Developing your own code of ethics, what you value or believe is right or wrong in your profession, will help you feel at ease and be comfortable with and proud of the work you do. During your training you will learn a great deal about the effects and benefits of massage, all of which you can use when talking with someone who has a different view of the profession. Clients, other health professionals, and the general public will gain a strong respect for who you are when they understand the benefits of massage and see how your values and beliefs are part of who you are as a practitioner. Your foundation needs to encompass not only massage skills and techniques but also your beliefs and values. It is important to present to others a strong foundation so that they feel they will be treated in an effective and safe way.

Always remember that people have different values and beliefs that have been shaped by their own past life experiences, just as your values and beliefs were shaped by yours. Your own strong sense of identity will help you through situations when your own values may be in conflict with others.

COPING WITH DIFFERENT BELIEFS ABOUT MASSAGE

The general public has many different thoughts, attitudes, and beliefs about massage and bodywork. The media have helped spread the word about the positive effects of many different modalities. The growing number of massage therapists and different facilities that offer massage has increased the public’s exposure to bodywork. Massage therapists often offer the public information

EXERCISE 1-4

Beside each word below, write the first word that comes to your mind.

- massage _____
- touch _____
- masseuse _____
- spa _____
- boundaries _____
- bodywork _____
- ethics _____

Do you see a pattern in your responses? Try to describe it.

Your Personal Journal

This chapter has frequently asked you to think about your life and how you have come to believe and feel as you now do. Take a few minutes now to reflect on your thoughts and feelings about bodywork and why you have chosen this profession (Fig. 1-2).

Be as honest with yourself as you can these are not thoughts you need to share with anyone else.

1. What is your general view of bodywork?

2. Why do you feel it is a valuable career?

3. What is your biggest fear?

4. What comments from others have made you angry or hurt your feelings?

5. What do you do when these comments are made?

about massage. Chair massage in public venues has helped increase the public's awareness of massage and is the first massage experience for many.

Even with all this positive information available, at times, unfortunately, some people still make negative comments about massage that are hurtful or may make you angry. Some students of massage therapy feel they sometimes have to defend their new career to family or friends. As you continue your training, you will gain more information that can help you cope with situations like this. Over time, you will feel more comfortable talking about your career and the healthful effects of massage.

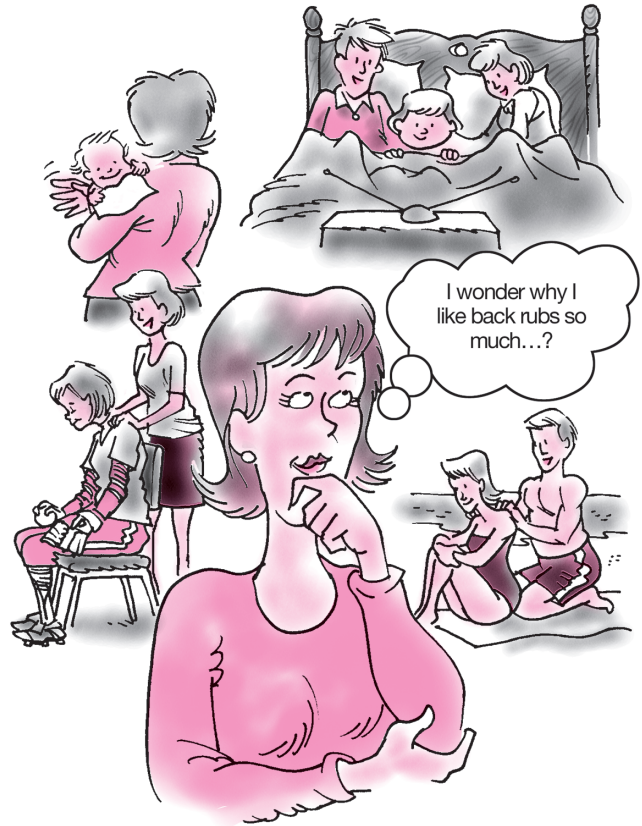


FIGURE 1-2 ■ Both ideas and emotional responses are shaped by many factors in our background.

You will learn how to turn a negative situation into a positive, educational experience. Following are some guidelines that may help you when someone makes a negative comment.

1. **Don't get angry or defensive.** You have nothing to defend. You are training in a wonderful career that has a very valuable place in society today. Instead of getting angry, take a moment to share your enthusiasm. You might begin by saying, "You may not know how many doctors these days are sending their patients to massage therapists. Lots of research has shown how massage helps people become much healthier."
2. **The person who made the comment may just be kidding.** Friends and family do like to have fun with each other. You might say, "I know a lot of people think being a massage therapist is not a real career, but I can't wait to work in the health care community and help people feel better."
3. **If a comment is truly out of line, take the opportunity to educate.** An important responsibility of all massage therapists is to educate the public about what they do. Most negative comments are made because

people truly do not understand this type of work. You might say, “There are so many misconceptions about what massage therapy really is. To practice in most locations, we are required to have extensive training, such as a minimum of 500 hours of school. In most states we are a licensed profession, much like doctors, nurses, and physical therapists.”

4. **People are often fearful of what they do not understand.** Educating the public about the positive values of massage will help them learn what bodywork is all about. You can help calm their fears with information about the profession. You might say, “Massage therapists are educating the public about the positive benefits of massage and working with clients to provide the safe and nurturing aspects of massage and bodywork.”
5. **Learn to walk away.** There are a few people you will not be able to educate or convince. Because of something in their background or belief system, they believe that bodywork is not a good thing, and no amount of talking will change their minds. These people will not become your clients. Sometimes it is better just to say nothing at all.

As you understand better how people’s values and beliefs develop, you will understand more fully why others think the way they do. You will see some diversity in beliefs even within your own classroom. It is good to discuss differences and to accept this diversity. Remember: there seldom is one right way to think or one best belief. Keep an open mind about what others think and say. This can be a valuable learning tool. You will encounter a wide diversity of clients in your new profession, and it is important to be able to understand how others think.

Your values and beliefs contribute to your own personal code of ethics, which along with the professional ethics you will learn will determine

Key Points

- Massage has historical associations we need to understand.
- Understanding your own beliefs about bodywork is important.
- Professional values lead to pride in your work.
- Learning how to cope with comments from others is important.
- Accept diversity.

how you act and treat other professionals and clients. Your values and beliefs will help you set boundaries and parameters that ensure safety for both you and your clients.

SUMMARY

Values and beliefs are a personal reflection of who you are and what you believe. As we begin to form values and beliefs in childhood, we also learn how we should behave in different situations. Eventually our values and beliefs become our personal code of action, which may be similar to or different from other people’s.

Values, beliefs, ethics, and morals are all important aspects of successful businesses and professionals today. The general public and other health care professionals pay considerable attention to our professional values, beliefs, and behavior. Understanding who you are and where your values and beliefs came from is a starting point for developing professional ethics.

SCENARIO

Susan has just begun her practice as a massage therapist. Her mother is a nurse, and Susan grew up with a great respect for all the health professions and how they can make a difference in people’s lives by helping them regain or maintain their health. She chose massage therapy as her profession in part because she enjoys hands-on work and in part because of her own experience with massage, which played a major role in her recovery from a serious sports injury in high school. In her massage therapy program everyone acted very professionally and accepted the value of professional massage.

Now, just a month into her practice, she has experienced some negative comments from others. At a party recently she was introduced as a masseuse, leading a couple of people to make tasteless jokes about her profession and how easy it would be to “pick up guys.” Susan found it very difficult to respond to those comments.

In small groups, discuss various ways to answer these questions.

1. What are some potential ways that Susan could have responded to the comments?
2. Explain how this situation could be turned into an educational opportunity.
3. Do you feel that this type of obstacle would be challenging if you experienced it? What can you do to cope if this occurs to you?

VALUES AND EMOTIONS

CHAPTER PREVIEW

- Gaining awareness that beliefs often involve strong feelings
- Understanding your feelings about giving and receiving massages
- Understanding the client's feelings
- Achieving a successful therapist–client relationship

KEY TERMS

Intake form: a form used in most practices in which clients provide information about their health, contact information, and other information that a therapist or other health care provider deems pertinent

Safety zone: the client's physical areas that a therapist may touch without provoking anxiety; also referred to as the client's "comfort zone"

All individuals have their own beliefs, values, and morals. We may have similar beliefs about many things, but there are also significant differences among people. In the previous chapter, you saw why people's beliefs and values vary and gained a better understanding of how your own beliefs, values, and ethics developed. Because you personally own and take pride in your beliefs, you naturally are often emotional about them. In this chapter, you will learn how your values and emotions and your client's values and emotions may be the same or may conflict, how problems may develop and can be resolved, and how emotions are involved in ethics.

BELIEFS AND FEELINGS

When you strongly believe in something, it is only natural for you to believe it is true. But as we saw in Chapter 1, beliefs are not the same as facts, and two people can have two different beliefs about the same realities. In an ideal world we could all talk openly and calmly about our beliefs and understand the

difference between facts and beliefs—and then we might more easily respect the different beliefs of others. In reality, however, we are often very emotional about what we believe. This emotion makes it more difficult to recognize that other people are not necessarily wrong when they believe something else. A classic health care example is abortion: people on both sides of this issue often have very emotional beliefs about whether abortion is right or wrong. As in most issues involving beliefs, there is no simple answer—no "facts" that definitively prove either side's position. People on both sides of the issue may have the same information but perceive it differently. Many such issues are prevalent in our society today, and in most instances you can observe how strongly people *feel* about what they believe.

When our emotions are involved, we tend to take a stronger stand on what we believe. The issues become more personal, and we can be reluctant to listen to others who believe differently. This occurs frequently, for example, in political campaigns. Politicians take positions on issues they feel strongly about. Examples are human rights, universal health care, and taxes. They have strong feelings about

what they believe is the right thing for our government to do. Campaigns often become very heated because of the emotions attached to these beliefs. Voters often agree or disagree with these beliefs and vote accordingly, often with just as much emotion. But again, there is usually no simple “truth” that makes positions right or wrong—these are different beliefs that result in part from different personal backgrounds and in part from different interpretations of information. A variety of interpretations can and should be expected—this is part of what makes our world so interesting and diverse. But what about the emotions associated with these different beliefs? Strong emotions can have positive effects when they motivate individuals to act as they believe but can have negative effects when they get in the way of understanding another person’s beliefs and feelings.

Emotions are similarly very important in a massage therapy practice. In fact, the situation is very similar to voting for a candidate: clients who disagree with your values, beliefs, or ethics most likely would have reservations about becoming a client. A client who is not comfortable with how you act, talk, or behave may not feel comfortable working with you in a massage setting.

Clients with a wide variety of beliefs and values will enter your practice. A therapist who turned away all clients with different beliefs would have a very small practice. Learning to accept diversity and working with clients in a professional manner are part of being a successful therapist. Remember that clients take ownership of their beliefs just as you do with yours, and it is important to respect the differences.

Communication between the client and therapist during a session is important. Checking in with clients on pressure and pain levels and addressing issues pertinent to the session are important aspects of a therapeutic relationship. But some clients will start to talk about other issues or personal matters. Talkative clients may just be nervous or friendly, or they may be trying to avoid issues that come up through bodywork. Listening to a client talking about personal beliefs or other matters may start the therapist thinking about his or her own beliefs, resulting in a loss of focus on the work being done. It then is important to be aware of what is happening and redirect your focus back to the session. Often it can be difficult not to engage in conversation with the client, especially when the client is asking you questions. Bring the client back to a focus on the session through an emphasis on breathing and talking about the goal for the session. It is important not to start talking about your own feelings and beliefs during the session, especially on

topics that have nothing to do with the session itself.

Key Points

- Strong emotions are often attached to beliefs.
- Emotional reactions can harm the therapist-client relationship.
- Professionalism helps avoid conflicts.

YOUR OWN FEELINGS

When you first began to think about doing bodywork for a living, do you remember any reservations you may have had? Consider these in Exercise 2-1.

Most massage therapy students enter school with some concerns or mixed feelings about doing bodywork for a living. For example, some students cannot imagine having to massage someone’s feet. Most schools teach massage techniques for the feet, some even incorporating reflexology and the zones of the feet. Some students may hope they can get by in

EXERCISE 2-1

Answer the following questions regarding your feelings about the bodywork profession.

1. What initial reservations did you have about touching clients?

2. Who did you express these concerns to? (Or have you expressed these concerns to anybody?)

3. Could these reservations lead to any problems? How might these reservations affect your clients?

4. What can you do to help resolve these concerns?

Share your answers with other students or discuss these in class. You may find that other classmates share the same concerns. Finding possible solutions can help alleviate some of your fears.

their practice without working on a client's feet, but for many clients, having their feet worked on is one of the best parts of a massage. Think about your feelings for a moment: do you personally not like to have your feet worked on, or is it that you do not like touching another person's feet? Do you therefore assume everyone else feels the same? Maybe you have ticklish feet and it is difficult for you when someone touches them, or maybe you fear encountering a fungus on a client's feet. You can see how the emotions associated with such beliefs can be problematic when giving a massage.

Issues like these can be overcome as therapists become more educated about problematic areas. For example, a therapist who is afraid of catching a fungus from a client can learn the signs and symptoms of potential problems and the universal precautions to take to prevent disease transmission. Learning to work on ticklish feet may be as simple as learning different approaches and pressures to apply.

It is not unusual for students to enter massage school without ever having received a professional massage. Most people have received some type of massage from a family member such as a mother or grandmother rubbing their shoulders or back when they were sore. We most likely have very good feelings and thoughts about this type of touch. It is generally agreed by most people that massage has many positive benefits for both the person receiving and the person giving a massage.

Most people believe that receiving massage feels very good and can alleviate painful areas. But "most" is not all, and many people have never had a professional massage and therefore may have mixed emotions or concerns. Those concerns may involve, for example, having a stranger rather than a friend or significant other give the massage. After answering the questions in Exercise 2-2, you may need to look within yourself to understand any issues you may have regarding bodywork. It is worthwhile to confront these issues now while still

a student. Working through your own concerns will help you better understand and work with your clients. Some of your clients may have the very same concerns that you have had.

Knowing what each type of massage and the techniques involved feels like will also help the person performing a massage relate to what a client is feeling. Can you imagine performing techniques without ever knowing what they feel like? Therapists could watch and think they know what it would feel like, but most professional therapists generally agree that what you see and feel can be different. Many details of massage are very subtle, and receiving a massage will help you "feel" what those little details are and why they may be important to a client. Clients will also report what they did or did not like about the draping or the environment of an office. Therapists may not realize how noisy an office is or that the draping was not tight enough until someone brings it to their attention. Many clients may not feel comfortable criticizing a therapist but instead will just find someone else to work on them.

Another benefit of receiving a professional massage is that it will help you understand what a client may feel like before the client's first massage. Clients often receive a gift certificate for a massage and may be concerned or have questions about the massage. Maybe the client is concerned about getting undressed or may have an issue with a certain part of his or her body. These are natural concerns for many people. As a professional, you want to make the session a very positive experience for all clients and have them return regularly. Working with your clients to address their concerns and meeting their needs is a very important part of being a massage professional.

Massages received from a professional as often as possible are a valuable learning tool. You can learn a great deal from other professionals while receiving a massage, and these massages will also help you take care of yourself. You will be recommending regular massages to your clients—doesn't it make sense to "practice what you preach"? It would be difficult to understand how particular techniques feel if you have not received the work yourself. Receiving massage from someone who has been practicing for many years can not only help you better realize the personal benefits of massage but can also give you valuable information about new skills, marketing ideas, and techniques that your clients might enjoy.

Most massage schools require that you both give and receive massages as part of the learning process. This is a wonderful part of your training in that you can experience the different types of techniques and skills with other students, and the feedback you

EXERCISE 2-2

If you have personal issues or fears that you do not want to discuss openly in class, write them down and talk to your instructor in private to work through them.

1. What are your concerns or reservations about receiving massage? _____
2. Do you have concerns about having someone else work on you? _____
3. How do you think you can address their concerns? _____

receive from others is valuable information for improving your work. Students need to experience all the touch therapies in order to process the information kinesthetically—for your body to understand it as well as your mind. Talk with your instructors if you are having difficulty with this aspect of training; they will understand and help you work through it. Most therapists at one time or another have been frustrated or did not like a particular type of massage. For example, you may at first not like giving a sports massage, but when you received the work yourself, you found that you benefited from the techniques.

Key Points

- It is common for students to have concerns about giving and receiving massage.
- Receiving massage from other professionals is a valuable learning tool.
- Receiving massage helps therapists relate to clients' concerns and questions.
- Address any concerns or questions with a mentor or your instructor.

THE CLIENT'S FEELINGS

Generally two types of individuals receive massage. The first have few if any reservations about receiving bodywork. Some may have received a great deal of work in the past and have no hesitation calling to make an appointment. Even with experienced clients, however, do not assume that their feelings will always be positive. For example, you have a new client who does not seem shy about receiving massage. You begin to work on her and everything goes well until you do some work on the upper leg and gluteal area. You suddenly notice that she is tensing up. You talk with the client, and she tells you she does not like to be touched in this area. Possibly you are the first massage therapist to work in this area. Communicating with clients about what you are doing is necessary, telling them what muscles are involved and why the work you are doing will help alleviate a symptom or problem. It is important to leave room for the client to communicate to you, and if the client continues to feel uncomfortable, leaving the area alone would show respect for the client's concerns. A client may also have some very strong emotional issues associated with a part of the body you are working on. Issues involving past abuse or neglect can suddenly arise while doing bodywork, often leaving the client feeling uncomfortable or vulnerable. A therapist should always be

conscious of a client's reaction to the work and work only within the client's comfort zone.

Other clients, typically with little or no massage experience, may be apprehensive about someone touching and working on them. Clients experience a wide array of feelings about what is appropriate in touch therapies. Some may feel uncomfortable disrobing for a massage, while others easily accept this. Some may—and should—feel that certain areas are out of bounds and should not be touched or worked on by a massage therapist. Some states have laws and regulations stipulating what areas are not to be touched, but clients' own feelings about areas of their bodies are equally if not more important than any state regulations. If you cross over the line of what the clients feels comfortable with, the client most likely will become emotional or tense. For example, you may feel that it is important to work the abdominal area, but some clients feel very vulnerable in this area and do not want to be touched there (Fig. 2-1). Their feelings may be related to an emotional protection or privacy issue. It is crucial to respect the client's needs for privacy. Even when you feel an area of the body needs work, it is the client who decides if and when the area will be worked. It is important to always address the client's needs and



FIGURE 2-1 ■ Your feelings about the massage may not be the same as the client's. For example, not everyone feels comfortable with abdominal massage.

goals for a session. Pushing a technique or working on an area that a client does not like is not addressing the client's needs.

Signs that clients feel uncomfortable with a particular technique, pressure, or area being worked on include:

- Muscles tensing in other parts of the body
- Pulling the drape more tightly around them
- Fidgeting on the table
- Making a fist
- Holding their breath
- Talking nervously
- Bouncing their foot

All of these are signs that your client is in distress. Many clients do not feel comfortable telling you to stop but may simply lie there and endure the negative emotions they are feeling. As a professional bodyworker, you need to watch for these signs and communicate with the client to correct the situation. Even when asked, however, some clients may not feel comfortable telling you what is wrong. In this case, you can simply suggest stopping the work in that area or moving on to another area. If you do not pay attention to the signs of discomfort or you fail to check in with a client, the client may not return for another session. Such clients may not even be able to identify what they did not like about the session—but they will recall that they had some type of unpleasant feeling.

Clients' feelings about what they believe is right or wrong can be very strong. If a client believes that no work should be done on the abdomen, then that is the client's belief. If so, be very cautious about trying to convince the client to let you work on this area. If you think that working on the abdomen will help with a client's back pain, it is your responsibility to explain why you would do the work and how it has worked for other clients. Describing the technique and the benefits it offers gives clients the information necessary to make an educated choice about what they want or do not want in bodywork. Some clients may even take several sessions to decide they want to have a technique done. As clients gradually feel more comfortable with your work, they may trust you more to work in a vulnerable area.

The feelings of clients about being touched by another are one focus of the field of study now often called the psychology of touch. Many articles and books have addressed this issue. Elliott Greene and Barbara Greenwich-Dunn, in *The Psychology of the Body*, Elliott Greene, Barbara Greenwich-Dunn, Lippincott William and Wilkins; Baltimore, MD; 2004. explain that many psychological factors are involved in massage therapy. On the positive side, touch has several psychological roles:

- Touch is necessary for survival of infants and becomes associated with feelings of love, safety, and happiness.
- Touch is important for growth and development. But touch can also affect development negatively, such as when a child is punished by being slapped, spanked, or pinched; abusive touch can result in emotional scarring.
- Touch can promote emotional as well as physical healing.

Yet, as we have seen, touch can be perceived as threatening or intimidating by some clients, depending on their past experiences and feelings. It is crucial for massage therapists to understand the many possible dynamics involved in a client's feelings. For example, a client who has strong feelings about having the upper leg worked on may feel threatened; the client may become very emotional and may react by crying or becoming more tense, or may even ask you to stop the massage. Although you may think that area should be worked, the client may feel differently. The client may not feel like saying the area is sensitive to touch and could try instead to divert your attention to another part of the body. As a professional therapist, you must respect your clients' feelings about areas they do not want to be touched and their reasons why.

CASE STUDY

In her first appointment, Sara told the massage therapist that her back hurt but she had a hard time letting anyone work on it. She agreed to let the therapist try some light work on her upper back. As the therapist began to work, he noticed that her entire body tensed up whenever he touched her. The therapist asked if he was applying too much pressure, and at first Sara said it was okay. He told her he noticed that she was tensing up all over and asked if he should work on another area for a while. Sara said that it was really bothering her to have work done in this area right now and maybe he could just work on her legs for now.

After several sessions, Sara began to relax with the therapist and allowed him to work a little more each session on her back. Even though she was not completely relaxed, she was beginning to see the benefits of having her back worked on because it did decrease her physical pain. During her tenth session, she explained to the therapist that she had been mugged several years before and that her attacker had grabbed her from behind, hit her in the back, and held a knife to her throat. Sara said that she was seeing a psychologist and had discussed these issues with her. The psychologist explained to her how bodywork can cause the

emotions associated with past physical events to resurface. Sara now felt comfortable enough to tell her massage therapist why she tensed up while he was working in certain areas.

Many clients may not feel comfortable telling their massage therapist information like this in their first sessions. But as they develop trust, they often begin to reveal information that helps the massage therapist make sense of their reactions. If a therapist feels a client is having difficulty coping with a response to bodywork, it is often good to refer the client to a psychologist, psychiatrist, or counselor.

Key Points

- Clients have different feelings about certain body areas.
- It is important to understand the apprehension clients may have.
- Respect the client's feelings and privacy.

Greene and Greenwich-Dunn also write about the many psychological elements affecting how clients respond to massage. Massage therapists, they write, should attempt to understand these aspects in their clients:

- A client's beliefs and values involve their roles and motivations, including if the client should take an active or passive role in the therapeutic relationship; should the therapist only help to facilitate the client's progress or take on a more authoritative role in the relationship?
- A client's expectations for the massage session may be consistent with or vary widely from the therapist's expectations.
- The client's personal history, of both massage therapy and touch in general, strongly affects his or her present attitudes and expectations.

All these factors are important as you work with the client, build trust, and establish a climate of emotional safety. These factors also help to build your professional reputation among clients, peers, and the community. Being proficient in massage techniques is a required part of the professional relationship, but equally important is how a therapist relates to a client in an emotional, nonphysical way.

WORKING WITH CLIENTS

ETHICS AND TRUST

Whenever you provide a service or product to the public, they expect it to be presented in an ethical

way. When clients book an appointment for a massage, they naturally assume that your behavior will be ethical and they will feel safe while receiving a massage. Clients want to believe that you have high moral and ethical standards. Although they may not know much about you, they trust that they will be well taken care of as a client. Word of mouth is one of the most common ways that an individual becomes a client. People ask their friends, family, and co-workers about massage therapists they have seen, and they trust that these people will let them know who they can begin to trust as a therapist.

Trust is a very important issue in the massage community. You are asking clients to take off some or all of their clothing and have you touch parts of their body not usually touched by strangers (Fig. 2-2). If at any time the client begins to feel "unsafe," the client usually becomes very emotional or feels threatened. Clients who feel unsafe are not having their needs met and likely will not return for another session. You cannot assume that clients automatically know that you have only good intentions in mind for their massage—you have to earn their trust.

Clients expect you to act ethically according to their way of thinking, not yours. For example, how do you know precisely what a client's "safety zone" is? As discussed in Chapter 1, there are many differences in people's belief systems. Assuming that you always know what is good for a client can lead to problems in your practice.



FIGURE 2-2 ■ A massage therapist must monitor the client's reaction to the massage.

EXERCISE 2-3

1. List six potential areas in which a person's beliefs and values could differ from yours.

2. Could any of these areas cause a potential problem in your practice? How?

3. What do you consider your own safety zone?

4. How would you feel if someone else crossed what you consider your safety zone?

5. How do you think you would react?

Therapists should never assume they know what a client thinks or believes. The following sections will help you understand what a client has the right to believe and the importance of working with those beliefs. This is one way to earn a client's trust.

EMOTIONAL SAFETY

Remember that because of their past, your clients may have issues with certain aspects of being touched, and it is important to respect what feels right to them. For example, clients may have had siblings that frequently pestered them by tickling their feet. Clients may be sensitive to someone working on their feet because this made them uncomfortable.

Clients may choose not to tell you they have issues with parts of their bodies, or they may not even realize it until you touch the area. Either way, it is not ethical to pry into clients' feelings about their body. Because you are likely to encounter this type of situation, you should be prepared to handle it. First, it helps to be as informed as possible about the client's likes and dislikes through your **intake form** and the client interview. The more you know, the less likely it will be for a problem to arise unexpectedly in the middle of a session. Second, once a client has expressed a concern, either by saying something to you or by reacting in a way that you notice, it is your responsibility to be proactive in respecting the client's feelings and

wishes. If you ignore the situation and proceed with the massage, the client could feel that you have crossed over his or her personal boundaries. The client's needs should always be the focus of any session, even though a client may not always be aware of what those needs are at the beginning of a session. For example, if a client asks you to address a low back pain during a session, but while you are working on the area, the client begins to seem uneasy, it is best to check in with the client and assess whether work should continue in that area or you should move to another area.

It is not always easy to define what exactly makes a massage practice safe and ethical, and perceptions can vary between therapists and clients. Therapists who have been in practice for a number of years often are fairly comfortable with their values and beliefs and do not consciously have to think about what they do with every client. They instinctively know that they have to continually address the needs of the client and keep their focus on the session. A new therapist has to work at focusing on the client's needs along with the techniques during a session. Time and experience help a new therapist begin to feel more comfortable with not having to think about every variable of the session. The variables will begin to become part of who you are and what you do with each client. A therapist should be aware that a client is both receiving and giving information on a physical and mental level during a massage session.

It is also important to maintain a balance in the information you need. For example, in the earlier case study of Sara, it was good that the massage therapist learned that the client had an issue with her upper back, and knowing that she had been attacked helped the therapist make sense of her reaction. The therapist did not, however, need to know the details of the attack. He was not a psychotherapist treating the emotional aftermath of the attack but a bodyworker treating the physical effects of the attack in a positive and reinforcing way. It can be nurturing for clients to work with someone who is willing to help the healing process without being invasive.

COMMUNICATION

Before the first session begins with a new client, a professional massage therapist should know what the client's expectations are and any issues the client may have. You can learn this information in several ways.

Initial Contact

When a new client calls, that person begins checking you out almost immediately. The prospective

client may ask for information about the services you offer, such as price, the different types of massage you perform, and other general questions. The person will listen to your tone of voice and want to be reassured that you are a good and safe therapist to make an appointment with. If you seem unsure of yourself or give vague answers, the caller may not feel comfortable making an appointment. If you have a receptionist or others in your workplace who answer the phones and make appointments, make sure they are fully trained to answer questions as well as know how to build trust with clients. Some businesses fail to train receptionists or telephone staff adequately, and their information can easily be wrong or give clients the wrong impression. You can imagine how misinformation could be problematic in a massage practice.

For example, in a massage therapy school students were asked to research the services being provided in the area where they would be opening their practices. Students reported back to the class what they were told, and talked about how some receptionists and therapists did not do a good job answering their questions. One student had asked what type of Oriental sessions were offered. The receptionist told her they had “Shitzu therapy.” (Obviously she should have said Shiatsu—not Shitzu like the breed of dog!) These students quickly learned the value of therapists educating the person who talks to the public on their behalf.

Client Intake Form

On your intake form, it is good to ask clients what their goals are for their massage session(s) (Fig 2-3). You may have assumed a client wants a relaxation massage, for example, when actually he or she wants pain relief from a recent back injury. Just as important are questions about areas where clients do not want work. You can include on your intake form a list of areas for clients to check off those they do or do not want worked on. This allows your clients to easily indicate what they feel comfortable with and helps prevent situations in which you might make incorrect assumptions or have to ask about things the client may be uncomfortable talking about. Alternatively, a diagram of the body can be used to allow clients to mark areas they do or do not want included in the massage.

It is also very important to note, that some states require that certain information be obtained from each client. Be sure to check on your state’s laws and regulations regarding information that may be required, and include this as part of your health history or client intake form.

Client Interview

The client interview is an important step in building trust with a client. Many clients are surprised about the amount of information that massage therapists request on a health intake form. Begin by explaining the form to the client, including reading any disclosures the client should sign. There are two schools of thought about how to conduct an interview. The first is to leave the client alone while filling out the form. This gives the client some time to think about the information requested. Other therapists feel more comfortable being with the client when the form is filled out and asking questions about the client’s health. There is no one right way to do the client interview, as long as therapists choose what they feel is the best way to gather the needed information.

If your client is filling out the form, it is important to sit down and discuss and clarify any concerns related to the health history. For example, the client may have put down a medication that is not familiar to you. Asking the client what the medication is for can give you additional information about the client’s health. An important question to ask either on the health history form or verbally is the client’s goal for the session. Most clients have at least a general idea of what they want to achieve during a massage. Knowing the client’s stated intention helps a therapist know what direction the massage should take. If several different types of treatment could meet that goal, it is good to discuss these options at this time with the client. At the end of interview, before the session begins, restate the goals for the session.

The time it takes to interview a client may depend on the client’s current health. If a client has recently had a health concern or has a number of health conditions that should be discussed, the interview could take up to 15 to 20 minutes. Some clients are anxious to tell you everything about their health, while others are somewhat wary of giving you personal information. Explaining why you need to know certain information for their own safety helps reassure clients that you are not just being nosy. Taking the time to evaluate what type of work should be done due to a client’s health is an important responsibility for all therapists. If a client is fairly healthy and lists only a few things on the health history, the interview process can take only a few minutes.

Careful Observation and Focus on the Client

Therapists should pay close attention to clients from the time they walk in the door until they leave. When you greet them on their arrival, you’ll already

Client Intake Form

Name _____ Date _____
 Address _____
 City, State, Zip _____
 Phone (Day) _____ (Evening) _____

Where did you hear about us? _____
 Reason for your visit _____

Health History
 Medications you are currently taking: (Please include over-the-counter medications)

Reason for taking above medication(s): _____

Please list any surgeries and the approximate date:

Please indicate if you have had any of the following conditions:

<input type="checkbox"/> Headaches	<input type="checkbox"/> Seizures	<input type="checkbox"/> Sinus infection	<input type="checkbox"/> Concussions
<input type="checkbox"/> Fractures	<input type="checkbox"/> Back pain	<input type="checkbox"/> Neck pain	<input type="checkbox"/> Arthritis
<input type="checkbox"/> Asthma	<input type="checkbox"/> Swelling	<input type="checkbox"/> Fainting	<input type="checkbox"/> Heart disease
<input type="checkbox"/> Skin rash	<input type="checkbox"/> Numbness	<input type="checkbox"/> Joint disease	<input type="checkbox"/> Digestive disease
<input type="checkbox"/> Blood clots	<input type="checkbox"/> Allergies	<input type="checkbox"/> Cancer	<input type="checkbox"/> High or low blood pressure

Please list any medical conditions you may have that are not listed above. *It is important that your therapist be informed about all medical conditions, because massage can make some conditions worse. All information is confidential.*

During your massage session, the therapist may be working on the following parts of your body, always using appropriate draping for your safety and comfort. Please check any areas you do **not** feel comfortable having the therapist work on.

Neck Shoulder Back Arms Legs Chest Abdomen Feet Gluteals

I have informed the therapist of all conditions I am currently aware of and attest that this information is accurate and true. Therapists will not prescribe any medications, will not perform any spinal manipulations, and will work within their scope of practice, abiding by all laws, rules, and regulations that apply. Please sign and date below.

Client Signature

Date

FIGURE 2-3 ■ Example of a client intake form.

be getting a general sense of what state the client is in. If they have having a rough day or they are apprehensive about receiving a massage, you will be able to see those emotions if you pay close attention. Educating a new client about the massage session and the room will also help an apprehensive client relax and feel more comfortable. Educate the client about how they will be draped for the session. Explain that you will ask them occasionally about how comfortable they are, but they should feel free to speak up at any time if the pressure is too heavy or too light, if they feel chilled, or if they have any other concerns. Explain the general pattern of the massage routine you will be using. This will keep clients from wondering what the therapist will be doing next. Let clients know how to position themselves on the table and what coverings you will be using. Also reassure clients that they will have plenty of time to get ready for the massage and you will knock before entering the room. During the massage, keep observing the client for any sign of distress, such as tensing up, bouncing a foot, or fidgeting on the table.

After the Session

After completing the session, tell the client you are leaving the room. Instruct clients to get up slowly, in case they feel a little dizzy or light-headed. Explain to the client how to get off the table. Explain to clients where to go after they have dressed. Leave the room, but stay close enough to hear in case a client calls for assistance. Check in with clients to see how they feel and if they have any questions. This is also a good time to explain to a client the after effects of the massage. For example, if work was done on a problem area, the client could have some soreness the next day. This is also the time to give any additional information or homework to a client. During the session, if you have suggested that the client stretch a particular area, this is the time to either show the client how to do that or to provide information on the stretches.

Some facilities have a client fill out an evaluation form. It is best to keep this short and to the point. Asking simple yes-or-no questions is best to allow the client to give feedback. A place for comments at the bottom of the form lets clients who want to say more express their thoughts. If appropriate, book another appointment with the client and be sure to write down in your notes any client concerns or questions for their next session.

All of these suggestions and ideas should help you assure your clients that their safety and well-being are important in your practice. Any therapist who does not use a health history form or ask clients about their needs and preferences is not

EXERCISE 2-4

1. Write a script explaining your massage routine to a client. _____
2. Practice your script so that you can follow it without using your notes. _____
3. Present your script to the class. (Use props as needed, such as a massage table.) _____

doing a professional job. It is critical to know what a client's health is, because many health conditions contraindicate a massage. Clients will return to a therapist with whom they feel safe but will rarely book another session with a therapist who performs massage simply to earn a paycheck.

CHARACTERISTICS OF SUCCESS

Successful bodyworkers will tell you that treating clients ethically is one of the most important features of their practice. Following are some additional important components for having a successful relationship with your clients.

1. Professionally communicate with your clients. You should know enough about their health to safely treat them. But if too much discussion is taking place about a condition, the relationship may become more personal than professional. Some clients may want to give you the entire story, for example, about the car accident that affected their back.
2. It is your responsibility to ask for information that will help you treat clients effectively. You should know what would make the client feel uncomfortable. For example, the client may have ticklish feet.
3. If a conflict does arise, address it immediately. If a client is visibly upset, ask about it right away and try to resolve the problem. Respect the clients' rights and feelings and do not pry into their personal issues.
4. Be proactive. Gather the information you need to treat your client safely and effectively. Inform the client about the treatments and modalities you will be using.
5. When in doubt about a client's needs, ask a mentor in your field for help. Respect your client's privacy by not disclosing identifiable personal information. Discuss the situation with your mentor to find the appropriate action to take.

6. Always keep the client's safety and trust in the forefront of your thoughts.

Key Points

- A client's trust in a massage therapist is crucial.
- Your massage practice should feel emotionally safe for your clients.
- Effective communication clarifies the client's expectations.
- Clients will trust a therapist who works toward their goals in massage sessions.

SUMMARY

It is perfectly normal for people to be emotional about their personal beliefs, values, and ethics. As a massage therapist, you should have strong feelings about being ethical in your practice. As you become still more aware and knowledgeable about professional ethics and behavior, you will see even more value and importance in understanding what your clients believe and feel. Take ownership of your ethics, and these principles will become a strong foundation for your practice. Clients will feel

your strong foundation and good ethical makeup. They will feel safe and trust your professionalism. You will enjoy the benefits of emotional safety in your work while you build a great practice.

Never forget that clients will come to you with a wide variety of beliefs and values that may be quite different from your own. Be nonjudgmental and flexible as you work with these beliefs. If a client expresses or acts on a belief or value not in keeping with your professional ethics, as we will see in later chapters, you have the right not to accept or keep this person as a client. The safety of both your clients and you as the practitioner should always be foremost and is the basis for the professional ethical codes you will learn about in the next chapter.

ADDITIONAL ACTIVITIES

With the class divided into two groups, one group should write questions or requests that clients potentially have before or during a massage session. Present these to the other group, who should then answer or demonstrate what the group members should do in each situation. Then the class should discuss other ways these questions could be answered or addressed.

CODE OF ETHICS

CHAPTER PREVIEW

- Importance of professional ethics for therapists and clients
- Codes of ethics for the massage therapy profession
- Applying codes of ethics in a massage therapy practice
- Regulating ethical behavior

KEY TERMS

Code of ethics: a document stating an individual's or group's beliefs, standards, and ethical expectations

Professional ethics: a consensus of a group or association about its expectations concerning ethical principles and behavior

Scope of practice: a definition or set of parameters for activities a professional is or is not allowed to perform as defined by one's competency, training, and laws and regulations

Self-regulation: process by which a group, association, or profession sets guidelines, expectations, and repercussions for inappropriate behavior

Standards of practice: accepted way in which ethical behavior is performed

Most businesses, groups, and organizations understand the importance of having a document that states their values and beliefs about ethical behavior and expectations. This document is called a **code of ethics**. An association's code of ethics puts its beliefs and values into public view for members of the association and anyone who may be considering using a professional from that group. The code of ethics helps individuals and group members conduct their business in a way that the profession considers ethical. The code may also help form the guidelines for how a professional may act when faced with a situation in which an ethical decision is needed. A code of ethics has guidelines for many situations and is often particularly useful for an individual who is new in the profession and who has not faced situations that may require an ethical decision. No one can know in advance what to do in every possible situation,

but having these basic guidelines to follow can be very helpful.

Your professional ethics, as discussed in the preceding chapters, may be very similar to your **professional ethics**, but there may also be some marked differences, as you will discover in this chapter.

FROM PERSONAL TO PROFESSIONAL ETHICS

As you examined your own personal beliefs, values, and morals in the previous chapters, you realized the importance of being aware of your own ethics for your practice of massage and bodywork. You take ownership of your personal code of right and wrong. Your personal knowledge and awareness will assist you when a situation arises in which you need to make an ethical decision. Taking steps to bring

this awareness to the forefront is an important part of becoming a successful practitioner in the bodywork profession. Some members of the general public may still have some reservations about bodywork because of the past associations with illegal practices and the fact that massage is a very personal undertaking for those that receive it. How the public perceives your ethics or lack of ethics can be important for your success in the massage profession.

If all practitioners wrote their own personal codes of ethics, there would be some similarities, but there might also be some differences or gray areas. The very nature of personal ethics means some areas are subjective. Draping practices are an example of such differences. The general principle of providing draping that ensures the client's safety and privacy may be interpreted differently by two different therapists. How you choose to drape may be influenced by your own feelings of what feels safe and provides privacy, and that could be different from what someone else feels is safe and private. A professional code, however, helps resolve such differences.

Another example involves the right to refuse a client for just and reasonable cause. If a client makes a slightly off-color remark, is that enough of a reason to refuse to treat him or her? Some therapists may feel threatened by such remarks, while other may feel they can handle the situation. If a client were to react negatively to being refused treatment, the massage therapist can refer to a code of ethics and explain that inappropriate remarks are a just cause for refusing treatment.

After professional associations and groups initially formed in the bodywork community, it was not long before these associations realized that they needed to present the public and potential members with a statement of their belief and value system. Documents expressing a code of ethics were written to show potential members the expectations of the group for ethical conduct. These codes also demonstrated to the public what ethical standards group members are expected to maintain for behavior. Groups and associations in the massage community have long felt the need for safe and effective training for their members and for telling the public what they should expect from a professional bodyworker. Therefore, they formulated guidelines for their members to follow. These guidelines also define inappropriate behavior. If a client makes a complaint against one of the group's members, these guidelines help the association determine if the massage therapist in fact did something wrong. Although all individuals have their own beliefs about what is right or wrong, the professional association's code of ethics reflects a consensus of what the group feels is right and wrong. Two such codes

of ethics are shown here, from the American Massage Therapy Association (AMTA) and the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB). Codes from other groups and associations are presented later in the chapter.

American Massage Therapy Association Code of Ethics

This Code of Ethics is a summary statement of the standards by which massage therapists agree to conduct their practices and is a declaration of the general principles of acceptable, ethical and professional behavior.

Massage therapists shall:

1. Demonstrate a commitment to provide the highest quality massage therapy/bodywork to those who seek their professional service.
2. Acknowledge the inherent worth and individuality of each person by not discriminating or behaving in any prejudicial manner with clients and/or colleagues.
3. Demonstrate professional excellence through regular self-assessment of strengths, limitations and effectiveness by continued education and training.
4. Acknowledge the confidential nature of the professional relationship with clients and respect each client's right to privacy.
5. Conduct all business and professional activities within their scope of practice, the law of the land, and project a professional image.
6. Refrain from engaging in any sexual conduct or sexual activities involving their clients.
7. Accept responsibility to do no harm to the physical, mental and emotional well-being of self, clients and associates.

The National Certification Board for Therapeutic Massage and Bodywork Code of Ethics

The Code of Ethics of the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) requires certificants to uphold professional standards that allow for the proper discharge of their responsibilities to those served, that protect the integrity of the profession, and that safeguard the interest of individual clients. Those practitioners who have been awarded national certification by the NCBTMB will:

- Have the sincere commitment to provide the highest quality of care to those that seek their professional services.
- Represent their qualifications honestly, including their educational achievements and profes-

sional affiliations, and will provide only those services which they are qualified to perform.

- Accurately inform clients, other health care practitioners, and the public of the scope and limitations of their discipline. Acknowledge the limitations of and contraindications for massage and bodywork and refer clients to appropriate health professionals.
- Provide treatment only where there is reasonable expectation that it will be advantageous to the client.
- Consistently maintain professional knowledge and competence, striving for professional excellence through regular assessment of personal and professional strengths and weaknesses and through continued education training.
- Conduct their business and professional activities with honesty and integrity, and respect the inherent worth of all persons.
- Refuse to unjustly discriminate against clients and other health professionals.
- Safeguard the confidentiality of all client information, unless disclosure is required by law, court order, or is absolutely necessary for the protection of the public.
- Respect the client's right to treatment and informed and voluntary consent. The NCBMTB practitioner will obtain and record the informed consent of the client, or client's advocate, before providing treatment. This consent may be written or verbal.
- Respect the client's right to refuse, modify or terminate treatment regardless of prior consent given.
- Provide draping and treatment in a way that ensures the safety, comfort and privacy of the client.
- Exercise the right to refuse to treat any person or part of the body for just and reasonable cause.
- Refrain, under all circumstances, from initiating or engaging in any sexual conduct, sexual activities, or sexualizing behavior involving a client, even if the client attempts to sexualize the relationship.
- Avoid any interest, activity or influence which might be in conflict with the practitioner's obligation to act in the best interest of the client or the profession.
- Respect the client's boundaries with regard to privacy, disclosure, exposure, emotional expression, beliefs, and the client's reasonable expectations of professional behavior. Practitioners will respect the client's autonomy.
- Refuse any gifts or benefits which are intended to influence a referral, decision or treatment

that are purely for personal gain and not for the good of the client.

- Follow all policies, procedures, guidelines, regulations, codes, and requirements promulgated by the National Certification Board of Therapeutic Massage and Bodywork.

WHY PROFESSIONAL ETHICS ARE IMPORTANT

Professional ethics are the standards that members of that profession agree to adhere to. Most professions have general rules that most members of the profession agree are important and should be followed. The application of general guidelines in every situation, however, often involves some interpretation of these guidelines. That is why most associations in the bodywork profession have developed a code of ethics to which members of these associations are expected to adhere.

A code of ethics is a living document in the sense that it is always being scrutinized for any changes that may be needed. As the guidelines are tested in the practice of bodywork, an association may see the need to change its code to help members better understand the expectations. An example of this is the wording in codes involving therapists disclosing information regarding their training and the effects of the different types of modalities that they offer. More than 100 massage modalities are now available to the public, and the associations ask that their members truthfully explain what type of training they have had and the expected effects of the client's session(s). You may have heard that, in general, rules are written because someone has done something wrong. This is also true of associations and the codes they write and adopt. Some of those guidelines have been written because some people have crossed a line into what most in the profession consider to be unacceptable behavior.

On the positive side, guidelines can offer assistance or structure that may be needed if an ethical decision is required. For example, if your client asks you to perform a chiropractic adjustment on his neck while doing a massage, a simple answer is that it is ethically, or in some cases legally, beyond your **scope of practice** to perform that type of technique. Clients can readily understand such an answer. Such questions arise because the general public often does not understand where the scope of practice for a bodyworker begins and ends, especially with all the different types of alternative therapies available today.

THE IMPORTANCE OF PROFESSIONAL CODES FOR BODYWORKERS

The guidelines and structure of a professional code of ethics helps bodyworkers know what behaviors are expected and are useful when you must make decisions in your practice. You can refer to the code of ethics if a client questions why you have made a certain decision or behave in a particular way. For example, if your client says she does not care if you stay in the room while she disrobes, you might first say that you feel better leaving the room to give her privacy. If the client still does not understand this concept, you can point out that it is against your professional code of ethics—which makes a very clear statement to the client.

The code of ethics is therefore a safety net for bodyworkers when situations arise in which you cannot quickly or easily think of how to explain your behavior or decision to a client. In the example above, changing the uncomfortable situation into a simple ethical issue states the case in a way that a client would have a hard time arguing against. As a new practitioner, you may find it difficult sometimes to give a quick, confident answer to a client's question or request. With a professional code of ethics, however, you can confidently give the client a valid, specific answer as to why you may or may not do something. Most, if not all, bodyworkers have faced ethical questions in their practice, and with time you too will feel confident with your answers to a client's requests. Your own comfort level will increase with time and experience, but in the beginning of your practice, you can rely on your association's code of ethics to give you the initial structure that you need.

CASE STUDY

A female bodyworker has had regular sessions with a male client for about 6 months when he begins to ask her personal questions. He asks if she has a boyfriend and says he'd like to take her out sometime. She tries to avoid his questions as best she can and tries to change the subject and continue with the session. Over the next few sessions, however, he continues to ask more about her personal life. It is getting hard for her to avoid this conversation. He finally asks if she would like to have dinner with him soon. She tells the client that it is against her profession's code of ethics to become personally involved with a client and that she will not go out with him as long as he is a client. This answer lets the client know that the professional code encompasses what she as a therapist can and cannot do.

The general public has high expectations about receiving services from professionals, but often the public does not consider that professionals also have expectations for how they are treated by the public. Often clients do not stop to think that they may have requested something that is inappropriate. The earlier example of a client asking for a chiropractic adjustment can be an innocent request from a client who does not know that bodyworkers are not trained to do this type of procedure.

EXERCISE 3-1

Look over the four codes presented in this chapter.

1. Pick out three individual codes that you feel would be easy for you to follow and adhere to. List your reasons.

2. Are there any items in any of the codes that you feel uneasy with or do not understand how you will comply? List your reasons.

3. Have a class discussion regarding the codes that seem clearly defined and would be easy to follow. Discuss with the class which code statements may present some challenges. As a group, come up with alternative wording or solutions of how to follow the codes.

Key Points

- Professional ethics provide structure and guidelines.
- Professional ethics provide safety for practitioners.
- Professional ethics are written into codes that can be shown to clients when needed.

THE IMPORTANCE OF PROFESSIONAL CODES FOR CLIENTS

A segment of the U.S. population continues to scrutinize the practice of bodywork and massage. People in many other countries generally do not have a problem with accepting massage as a

legitimate profession. In the United States, however, the sex trade for a long time used the word “massage” to refer to illegal practices such as prostitution and other sexual services, and some in the general public still raise an eyebrow when people say they perform massage therapy for a living. The media have done a very good job of showing the positive sides and the true meaning of the massage profession over the last 10 years, but it is still important that we continue to demonstrate to the public that bodywork professionals follow professional ethics.

The public, who are your clients, need to trust that they will be treated in a professional manner. This means that they need to trust that we will perform only the bodywork techniques we are trained to do. How would you feel if a doctor performed a type of surgery on you in which he or she had little or no training? The same holds true for all the different types of bodywork. The public wants to know that you are a skilled practitioner in the types of therapies that you offer.

The public also needs to know that they will be treated with respect. This means that you will listen to the client’s needs or goals for the session and not simply do what you want or feel like doing. For example, if your client tells you that he has pain in his upper back and neck and would just like to have a relaxing massage, it would be inappropriate to perform deep tissue or trigger point therapy during the session without his permission. It is not appropriate to perform a modality on your client without discussing it with him first. There have been many cases in which clients have requested a certain type of work or goal for the massage and the therapist ignored the request or did not do as requested and clients left the session feeling like their issues or needs were not addressed. Clients request a service or goal and will trust a therapist who meets their needs.

Clients usually do not ask for your code of ethics when making an appointment. They may see it in your brochure or posted in your office. Often clients are referred to you by a person or client who feels you are a good therapist. Part of being a good therapist is having a strong ethical makeup.

Key Points

- Clients want to trust their therapist.
- Ethical structure and guidelines help clients know expectations for both the client and the therapist.
- Ethics become part of who you are as a professional.

PROFESSIONALISM AND ETHICS

Professionalism and ethics seem to go hand in hand in the business world today. You cannot turn on the television or read a newspaper without hearing about something that a business or person has done that is illegal or unethical. Criminal charges and lawsuits are being filed in record numbers these days because of such behaviors. Criminal charges are usually filed when an individual or business has done something that is against the law. Lawsuits can be filed in cases when laws have been broken and someone is looking for compensation or the law does not cover an issue and a possible ethical issue has arisen. Unfortunately, there have been cases where criminal charges have been filed against someone doing massage, mainly when sexual activities were involved. Lawsuits have been filed for damages when a client felt that he or she had been injured or damaged in some way during a massage session. It is important for bodyworkers to know what laws, rules, and regulations pertain to their profession.

Ethics are the highest standards that a person or a profession can follow. Laws state what is wrong or right to do, but an unethical person may “bend” or work around the law or use loopholes or technicalities to work things to their advantage. A professional who is serious about having a good reputation, however, will not look for loopholes to get around the law but will work within professional guidelines to provide ethical services.

DEVELOPING A CODE OF ETHICS

Most professions have developed a code of ethics that can be referred to by all parties as the guidelines and expectations for its members or professionals (Fig. 3-1). For example, when an association has a code of ethics and someone questions the behavior of a member of that association, the code of ethics is used to determine if that member did or did not do something unethical. Without a code of ethics, it would be a more difficult and subjective task for the group to decide right and wrong behavior. Most groups or associations used a process of **self-regulation** to evaluate, on the basis of their code of ethics, any complaints that are received. Associations and professions use their codes of ethics continuously in this important way.

In addition to a code of ethics, some groups and associations develop other documents such as **standards of practice**. These standards are an expanded, more specific version of the code of ethics that can help identify and define all elements in the code and fill in areas that might otherwise be open to subjective interpretation. Standards offer more specific definition



FIGURE 3-1 ■ Consult your professional association's code of ethics whenever you are in doubt about something.

and explanation of the expectations contained in a code. For example, a code may state that clients are to be treated in a sanitary facility, and the standards will describe specifically how a facility is to be maintained in this way. Use of a 10% bleach solution for cleaning and sanitizing, storage specifications for materials, and following universal precautions (precautions recommended for all health care providers) are all examples of specific guidelines in standards of practice. If any aspect of the code of ethics can be interpreted in several different ways, the standards of practice will generally provide a more concrete structure to follow.

Standards of practice may or may not be part of an association's documentation. If you are a member of an association and need further explanation about anything in the code of ethics or standards, you can contact the group for clarification.

A profession's scope of practice, however, is different from the standards of practice. Scope of practice is a legal definition or set of parameters for activities a professional is or is not allowed to perform. State laws, rules, or regulations may define the scope of practice for massage therapists. A professional organization can also define what it deems is appropriate for a member to practice. The legal definitions usually very specifically describe the techniques and skills a therapist can perform. If a therapist were to practice outside that scope, the legal repercussions set down by the state could result. For example, if the scope of practice states that no spinal manipulations will be performed and a therapist deliberately adjusted someone's back, the client would have the legal right

to file a complaint with the state agency or board. All therapists should know their scope of practice and know the implications for practicing outside that scope of practice.

Key Points

- Most professions develop a code of ethics to define expectations for the public and its members.
- A code of ethics changes as the profession or members of a group deem necessary.
- Standards of practice help to define the specific guidelines of a code of ethics.
- A scope of practice defines what a therapist can and cannot do.

HOW ASSOCIATIONS WRITE A CODE OF ETHICS

As associations or groups form, the individuals who help organize them soon realize the need for ground rules or guidelines to help the group and its members practice efficiently. Some groups begin with very simple documents, while others may start out with a lengthy code. Often a small core group of people works on a document to present to a board of directors or to the members for approval. A code of ethics is usually considered a living document, which means that changes are made when a group deems there is a need.

The American Massage Therapy Association (AMTA) is a member-driven organization of massage therapists. The National Board of Directors oversees a number of committees that work on documents such as the code of ethics or standards of practice when the board determines that work is needed on these documents. Many groups review their documents every few years or on an as-need basis. If something within the code seems not to be working or is being interpreted in different ways, the group may go back to work to define the expectations more clearly.

A code of ethics is a very public document for many groups. It is a statement of what they believe and their expectations for their members. Every member is given a copy of the code of ethics, and after joining the group each member is expected to follow the code's guidelines. The code of ethics is available to the general public through advertising and marketing materials, requests for information, and Internet sites. It is easy to understand why so many groups spend a great deal of time on this document to ensure the public has the correct perception of their profession.

Associated Bodywork and Massage Professionals (ABMP) Professional Code of Ethics

As a member of Associated Bodywork and Massage Professionals, I hereby pledge to abide by the ABMP Code of Ethics as outlined below.

Client Relationships

- I shall endeavor to serve the best interest of my clients at all times and to provide the highest quality service possible.
- I shall maintain clear and honest communications with my clients and shall keep client communications confidential.
- I shall acknowledge the limitations of my skills and, when necessary, refer clients to the appropriate qualified health care professional.
- I shall in no way instigate or tolerate any kind of sexual advance while acting in the capacity of a massage, bodywork, somatic therapy or esthetic practitioner.

Professionalism

- I shall maintain the highest standards of professional conduct, providing services in an ethical and professional manner in relation to my clientele, business associates, health care professionals, and the general public.
- I shall respect the rights of all ethical practitioners and will cooperate with all health care professionals in a friendly and professional manner.
- I shall refrain from the use of any mind-altering drugs, alcohol, or intoxicants prior to or during professional sessions.
- I shall always dress in a professional manner, proper dress being defined as attire suitable and consistent with accepted business and professional practice.
- I shall not be affiliated with or employed by any business that utilizes any form of sexual suggestiveness or explicit sexuality in its advertising or promotion of services, or in the actual practice of its services.

Scope of Practice/Appropriate Techniques

- I shall provide services within the scope of the ABMP definition of massage, bodywork, somatic therapies and skin care, and the limits of my training. I will not employ those massage, bodywork, or skin care techniques for which I have not had adequate training and shall represent my education, training, qualifications and abilities honestly.
- I shall be conscious of the intent of the services that I am providing and shall be aware of and

practice good judgment regarding the application of massage, bodywork or somatic techniques utilized.

- I shall not perform manipulations or adjustments of the human skeletal structure, diagnose, prescribe or provide any other service, procedure or therapy which requires a license to practice chiropractic, osteopathy, physical therapy, podiatry, orthopedics, psychotherapy, acupuncture, dermatology, cosmetology, or any other profession or branch of medicine unless specifically licensed to do so.
- I shall be thoroughly educated and understand the physiological effects of specific massage, bodywork, somatic or skin care techniques utilized in order to determine whether such application is contraindicated and/or to determine the most beneficial techniques to apply to a given individual. I shall not apply massage, bodywork, somatic or skin care techniques in those cases where they may be contraindicated without a written referral from the client's primary care provider.

Image/Advertising Claims

- I shall strive to project a professional image for myself, my business or place of employment, and the profession in general.
- I shall actively participate in educating the public regarding the actual benefits of massage, bodywork, somatic therapies and skin care.
- I shall practice honestly in advertising, promote my services ethically and in good taste, and practice and/or advertise only those techniques for which I have received training and/or certification. I shall not make false claims regarding the potential benefits of the techniques rendered.

Ontario Massage Therapy Association Code of Ethics

Preamble

The ethical foundation of the practice of Massage Therapy consists of moral obligations which ensure the dignity and integrity of the profession.

The aim of the Code is to define clearly those obligations and those professional duties which must be observed by every practitioner and also to define some of the major and minor abuses which must be avoided.

Study of the Code should develop in every student and every practitioner a highly sensitive professional conscience. It is the imperative duty of

every Massage Therapist to adhere strictly not only to the regulations prescribed by the Code of Ethics, but equally to its moral precepts.

In addition to the items covered in the Code of Ethics, every Massage Therapist should be cognizant of and must abide by the regulations of the Regulated Health Professions Act and the Massage Therapy Act as they pertain to Massage Therapy.

Section 1 Service to the Public

1. The Massage Therapist's first duty is to the public.
2. The Therapist should inform the patient of fees, and the type of treatment recommended prior to such treatment.
3. When it is necessary in the interest of the patient, the Therapist should recommend that the patient seek expert medical advice.
4. A Therapist must respect the confidence of the patient, not discussing the patient by name without his or her consent.
5. A Therapist's establishment must be clean and neat.
6. Linens and towels must be laundered before each use with another patient.
7. On the patient's request, the Therapist must render a receipt for all monies paid.
8. A Therapist must not make unreasonable or unsubstantiated claims regarding massage generally or his or her techniques specifically.

Section 2 Service to the Public

A Therapist must not make disparaging remarks concerning the practices, abilities or competence of other Massage Therapists or about practitioners in other health disciplines.

Notwithstanding the above, where a member of this Association is aware and has proof of the misconduct of, breach of trust or other violation or transgression of this Code of Ethics by any member of this Association, it is his or her duty to bring such knowledge and proof to the attention of the Board of Directors of this Association.

Section 3 Records

The Therapist must maintain accurate and up-to-date records of the dates and types of treatment given to each patient, and fees charged.

certain key areas such as the scope of practice, referrals, appearance, confidentiality, respect, and knowledge. Some code statements are very specific, while others may leave room for some interpretation. Some similarities include requirements that therapists:

- Maintain confidentiality of clients
- Be committed to high quality care and the best interest of clients
- Continue education
- Respect clients
- Refer clients when needed
- Make accurate claims about types of modalities
- Not sexualize massage and bodywork

As you read through the codes, you will notice the focus of each one. In some, respect for the client's needs, confidentiality, and integrity are foremost. In others, specific expectations for therapist are more obvious. Each group or association that formulated these codes had its own reasons to put its codes in writing. The authors of these codes also had strong feelings about what is needed in the bodywork profession. Some may have felt that clients had been taken advantage of and that strong guidelines were needed to protect clients. Others may have felt that bodyworkers needed more stringent guidelines in order to be successful. All of the codes contain important and pertinent information for use by therapists and clients, and almost all of the codes cover certain key issues. Several of the codes draw clear-cut lines regarding sexual contact and involvement between clients and the therapist. These statements help prevent any subjective interpretation of such conduct.

EXERCISE 3-2

1. Read through the four codes of ethics again. Make a check mark beside every statement that is clearly defined and leaves little or no room for interpretation.
2. Place an X by any statement that is not clearly defined and leaves room for interpretation or questions.
3. How could you restate any code statements you marked with an X to make them more clearly understood?
4. Do you feel all code statements should be included in your own personal code? If not, which would you not include? Why?

SIMILARITIES AND DIFFERENCES IN CODES

The codes of ethics included in this chapter are from several different associations and groups in the massage and bodywork field. As you read through the different codes, you will notice that most codes address

REGULATION OF ETHICAL PRACTICES

THERAPIST MISBEHAVIOR

A code of ethics can be a working document for a group or association to assist members and the general public to know the guidelines and expectations for bodyworkers. When a member of a group does something that a client feels is inappropriate, the client has the right to file a complaint against the therapist. Clients may or may not already have a copy of the code that the therapist should follow, but they may then seek out the code and may find that there has been a violation. The client can contact the therapist's association and learn the process by which a complaint is made. Sometimes a client may instead contact the local police, city hall, state board or agency, or even a business association if he does not know what else to do. Clients may also tell other therapists what happened and ask them for assistance or guidance. In other cases, they may simply drop the issue and be left with a bad opinion about the profession of massage and bodywork.

Most groups, associations, and state agencies have policies and procedures for filing a complaint. Most have a grievance committee for complaints that will follow a set procedure to handle a complaint. Rarely is a complaint handled by only one person within a group. Confidentiality is an important component of this process, along with obtaining legal advice about how to handle the complaint. A client may even feel the need to file a lawsuit against a therapist.

A group or agency may take a variety of actions on a complaint. These actions are generally clearly stated in the group's policies, procedures, or by-laws. Actions may include a warning letter, suspension, revocation of a membership or license, or dropping the complaint. Both parties will be informed of any action that is taken.

The American Massage Therapy Association has the Commission on Grievances that handles complaints made against its members. The commission has a set procedure for submitting and reviewing complaints. Appropriate legal issues and the code of ethics are considered when reviewing the complaint. It is important for all bodyworkers to know about the processes for such actions when joining a group or association and when working under state laws and regulations.

CLIENT MISBEHAVIOR

Clients are not regulated by the groups or associations of bodyworkers. When a client misbehaves, the therapist has cause to be concerned and can turn to his or her professional or personal code of ethics for

guidance in handling the situation. Any client who tries to make a therapist act unethically should not be kept as a client. If a client innocently asks you to do something that is against your code of ethics, simply state what your policy or code is, and most clients will realize that they have crossed a boundary. If the client continues to request something that is unethical, you may need to let the client go. Depending on the situation, a therapist may need to end a session and not schedule any further appointments. Many codes and regulations state that a therapist may choose not to treat a client for any reasonable cause. Reasonable cause includes a client asking you to do something that goes against what you believe is right or that your professional code of ethics states is inappropriate. If your professional code does not clearly state a boundary issue, you should confidently stay committed to your own beliefs and values about what is right and wrong.

SCENARIO

Your client has referred her sister to you because of the sister's high-stress job. Both sisters continue to see you weekly on different days. While receiving a massage one day, your original client asks how her sister is doing. You tell her she is doing well. She begins to pry for more information, asking if you know why her sister is so stressed. She also asks how long her sister's sessions are and how often she comes to see you. She seems truly concerned about her sister.

1. Can you give your client the information she is asking for? _____
2. What should you say to your client regarding treatment of her sister? _____
3. Is there any part of a professional code of ethics that can help you decide what to say to this client? _____

In the scenario presented, the client's questions lead the therapist to review her policies and codes. The original client was most likely genuinely concerned about her sister. Explaining the guidelines for confidentiality in your code of ethics would assure the sister that you must keep all information about all clients confidential, even among family members. If a situation arises when you feel a session is not in compliance with your ethical standards or professional code of ethics or if a client is placing you in an unsafe situation, you have the right to stop the session and ask the client to leave. You also have the right not to schedule any further appointments with

the client. The safety of both the therapist and client is an important ethical issue. If a client does something that may be against a law or regulation, it is important to end the session. This issue is discussed more fully in Chapter 4 on laws and regulations.

Key Points

- Know your ethical boundaries.
- Practice how to tell a client about your ethical code.
- Clients can make innocent requests, not knowing they are asking you to break your code.

APPLYING CODES OF ETHICS IN YOUR PRACTICE

Even before you graduate and begin your practice in bodywork, you should embrace a code of ethics for your profession. While still in school, begin practicing the ethical standards and following the guidelines that you will use throughout your career. Give every massage to fellow students the same as if the student were a client. This will help you practice and begin to feel more comfortable when working on actual clients. If you practice in a student clinic, you will likely experience clients asking questions that may put you on the spot, and you may be unsure how to answer. Look to your instructors, supervisors, or mentors to help you know how to answer such questions or requests. Practice talking to clients and answering questions with your fellow students. Addressing requests and answering questions confidently help assure clients that you have strong convictions in your ethics.

Once you begin to practice, like many practitioners you may choose to be affiliated with a group or association that has a code of ethics. Many massage therapists display a copy of this code of ethics in their office for their clientele to see, and some may include the code in a brochure

or flyer given to clients. Not all clients take the time to read the entire document, but they may still notice that you follow a code of ethics. A client who still has some reservations about massage or bodywork may be reassured by reading that you follow a specific code of ethics.

Therapist can also write their own expanded version of a code of ethics. Based on your personal values and beliefs, you may feel the need to clarify certain issues or even add areas that are not covered in other codes. Many individuals work in facilities where more than one therapist practices, sometimes with a staff having a number of different backgrounds, such as in physical or occupational therapy. In such cases a client could easily be confused and ask you to perform services you are not trained to do. Educating the public and other facility personnel helps them understand that it is your ethical responsibility to work within your scope of practice.

SUMMARY

Even the best codes of ethics and standards cannot address all the possible issues that a practitioner may encounter while doing bodywork. Clients have various physical and emotional issues you should be prepared to handle. Issues involving trauma, abuse, physical handicaps, and body functions can all present dilemmas for bodyworkers. Many of these issues are addressed in later chapters of this book, and you can discuss them with other students and instructors. Such discussions can introduce you to situations that you may not have thought about when you chose this profession. As you encounter such issues, you will see the importance of understanding and having tools such as a code of ethics to help handle difficult situations. As you read the following chapters, keep your beliefs and values in mind. You now have the foundation for your own personal code of ethics, and by the end of this book you will be ready to write your own ethical code.

LAWS, RULES, AND REGULATIONS

CHAPTER PREVIEW

- Laws, rules, and regulations affecting your massage therapy business and your actions
- Why and how laws are made
- Importance of knowing laws, rules, and regulations
- Ethical practice within the boundaries of laws, rules, and regulations

KEY TERMS

Accountability: showing the responsibility or proof of performing a task or duty

Civil law: system of law involving relationships or disputes between two parties

Criminal law: system of law regarding actions that are harmful to the public

Laws: rules established and enforced by governing bodies that protect or restrict actions by all citizens or specific parties

Ordinances: rules and regulations established at the local level

Regulations: rules of conduct that are often associated with laws, involving an expansion or explanation of the laws

In almost every walk of life, laws, rules, and regulations affect how we act. Laws, ranging from guidelines for duties such as paying taxes to protecting us from injury, violence, and damage to our personal belongings, affect everyone. Laws and regulations are rules that governing bodies have determined people must follow. In most cases the governing body also states the consequences for people who do not obey the laws.

Laws are enacted not only to protect the public from harm but also to keep agencies and governing bodies running smoothly and with **accountability**. With civil law, for example, governing bodies give citizens the right to file a lawsuit against another party for damages when they feel they have been wronged.

In this chapter, you will learn about the importance of laws, rules, and regulations; how they affect your massage practice; and how ethical behavior involves working within laws and regulations.

LAWS

Laws are passed to protect the public, to keep governing bodies running effectively, and to set guidelines for appropriate behavior. Almost all countries have some structure of laws that states what behaviors are acceptable and what are not. The laws of different countries vary greatly, often depending on the type of government that runs the country and that society's ideas of right and wrong. In the United States we elect officials at the national, state, and local levels to set our guidelines. Literally thousands of laws, rules, and regulations are created every year by these governing bodies.

Each level of government establishes rules of conduct for a defined population. Our national governing body is the U.S. Congress, the legislature, a branch of the federal government. We elect representatives and senators to serve in Congress. They create the laws for the entire nation for matters

such as taxes, the environment, criminal acts, and business operations. Federal laws and regulations apply to everyone in the United States.

At the state level, we also elect officials who serve in a state legislature. The laws and regulations created by this body affect people living only within that state. A state legislature passes laws, for example, that may give the people in that state additional protections beyond those in federal law. A state cannot pass a law that is contradictory to a federal law, however. For example, if the U.S. Congress passes a law making it illegal to dump certain chemicals in any river, a state cannot override that law to authorize this dumping in the state. In some instances, the federal government may set certain general guidelines for the entire nation but allow states to determine specific aspects of that regulation. Setting the speed limits for highways is an example. The maximum speed limit may be 65 or 70 miles an hour for all federal highways, but a state can set a lower speed limit in areas it deems dangerous. Other areas are left entirely to the states to determine what laws may be needed. This is the case with licensure for massage therapy. Currently some states have laws and regulations pertaining to massage, while in other states only cities or counties have regulations. Some areas have no state laws or regulations or local ordinances that apply to massage therapy.

Currently, no national laws govern the practice of massage and bodywork. Although it might seem beneficial to have consistent laws, rules, and regulations that apply to all therapists in all locations, there is no present movement toward this goal. The National Certification Exam is currently accepted as a test for licensure in many states, but it is not required at the national level. Not all states that require licensure for massage and bodywork accept the National Certification Exam as a requirement for their state licensure. Because of such differences, you must research the laws and regulations of any state or area where you are thinking of building a practice.

THE RELATIONSHIP OF LAW AND ETHICS

Laws and ethics are closely related but are not the same thing. Many laws are based on ethical principles. For example, it is unethical to hurt someone, and laws also make this a criminal act and apply some form of punishment.

When a law is broken, police and the court system take action against the offender. With a civil offense, individuals may file lawsuits against others who they feel have wronged them. When an ethical offense occurs, however, it may be a professional association that takes action against the offender. For example, if

a client feels unfairly treated by a therapist, the client can file a complaint with the association, which then determines if indeed an unethical act has occurred and what should be done.

Laws at the national and local levels cover many actions and behaviors, but they cannot cover every possible aspect of what is right and wrong. Unscrupulous people will always try to “bend” the law or find loopholes in the law. A society’s ethical principles may clearly indicate what is right or wrong, but unfortunately some individuals will not behave within those parameters but may still avoid breaking the law.

The law also changes to reflect current beliefs and issues. For example, in the early and mid-2000s, our society has emphasized business law and ethics. Many criminal and civil proceedings involved corporations and their owners or directors. Many criminal cases and individual lawsuits focused on activities involving the stock market. In general, laws change with the times and a society’s needs. Ethical principles, however, do not change as easily, because our society generally has a strong foundation of right and wrong. Yet at times ethics and the law may conflict. For example, some would argue that legal limitations on gay rights in some areas conflict with the general ethical principle of fairness.

Massage therapists should accept the responsibility to know both the laws and ethical codes that apply to their profession. This information is readily accessible with research. Even if you do not join a professional association, adopting an accepting ethical code for your own professional practice will help your clients know that their well-being is important to you.

WHO MAKES LAWS?

Laws, **ordinances**, rules, and **regulations** are all created at various levels of government. Citizens must follow all federal and state laws as well as local ordinances. State laws generally have similarities and differences from state to state. For the practice of massage and bodywork, 33 states now have some regulations. Most of these states define criteria for a license to practice, such as a certain number of hours of massage training, and many require a certification examination. In addition, most create a board to oversee practice and the profession within the state. In other states, local or county regulations often apply to therapists. It is the responsibility of all therapists to become educated about what local, county, and state regulations apply to their practice.

States differ, however, in other regulatory matters, such as the number of hours of training required, the type of examination used, the makeup of the

board that regulates the profession, and the cost of licensure. For example, in some states the medical board oversees massage practice, while other states have a separate board that regulates only massage.

Often local ordinances also regulate the practice of massage. Some community ordinances have education requirements for therapists, some require background checks and health examinations, and some regulate geographical areas where a practice can or cannot be located. Some communities have no specific regulations at all for massage and bodywork businesses. Most communities have general regulations that require anyone opening any business to have a business license. Some communities have additional rules and regulations for certain types of business such as massage therapy, doctor's offices, manufacturing plants, and food establishments. Every therapist planning to work in any community should ask at city hall or the county offices about the requirements for practice within that community. Opening a practice without completing the proper paperwork could lead to closure or fines by the local authorities.

Therefore, you need to know all laws and regulate pertaining to your location. You will learn your own state's requirements during your massage training, but if you are considering practicing in another state, you should contact officials there to learn its requirements for massage practice. Among different states, the training requirements range from 300 to more than 1,000 hours of training in order to be licensed to practice massage and bodywork. When relocating, you should contact both the state and local governments about licensure requirements. For example, if your current school offers a training program of 720 hours and you are thinking about relocating to another state, you should first contact that state's secretary of state office to learn how many hours of training are required. If it requires more than 720 hours, you will need additional training before you can begin practice there. Many other professions such as nursing, chiropractic, athletic training, and physical therapy are also regulated by state guidelines and laws.

PROCESS OF MAKING LAWS

In the United States, at the national level, the government has three primary branches: the legislative, executive, and judicial branches. Congress is the legislative branch that, in keeping with the Constitution, passes legislation for laws and regulations. Congress consists of senators and representatives elected to serve in the Congress. The executive branch also consists of elected officials, led and directed by the President. The judicial branch consists of the federal

court system, in which federal judges are appointed by the executive branch and confirmed by the legislative branch. The Constitution designed this system of checks and balances to prevent any one branch of government from having too much power. For example, the executive branch can veto a law made by the legislature, and a court can rule on the constitutionality of a law. All branches are subject to the principles of the Constitution.

In general, laws are created because a need is shown for some type of regulation. Interested parties, agencies, or legislators assert that some regulation is needed for a particular behavior or practice or for the regulation of a professional group. For example, health care for elderly individuals is a major concern in our country today. Many legislators are looking at ways to make health care more affordable for elderly people. Many states are considering laws to reduce the cost of prescriptions, medical treatments, and nursing care. Special interest groups representing the elderly population present their arguments to a state legislator who may then propose a bill with specific steps to protect the group. Legislators may also reject the arguments of special interest groups proposing legislation if they do not believe there is a need for the new legislation or do not believe the legislation could pass. Different states have enacted laws regulating massage for a variety of reasons. Some view such laws as a way to protect the public from unscrupulous practitioners, while others may do so to provide guidelines for the education of massage therapists and to define the scope of practice for massage therapy.

Once a senator or representative decides to propose a new law, the process begins. The proposed legislation, called a bill, is first written. In most cases, this step requires study and research and possibly many months of writing and rewriting. Different interested parties often work together during this process to produce a final version of the bill, which is then presented to the legislature. In the case of massage practice, interested parties may include national and state massage associations, coalitions, special interest groups, and individual therapists. It is a costly process to produce legislation, and in many cases the funding is supplied by one of these groups. Special interest groups, associations, and coalitions help with this process to assure that laws and regulations are written to help ensure the safety of the public and to ensure that therapists are not unfairly restricted in their practice. For example, testing massage therapists for sexually transmitted diseases would be not only unrealistic and unfair but a burden for many.

The next step is for the legislature to consider the bill. The bill is introduced, is given a number, and is

usually referred to a committee. A bill concerning massage and bodywork may be referred to a professional licensing and regulation committee or to a health care committee; each state has its own system of committees. When the committee receives a bill, it has three choices. It can set up hearings, discuss it within the committee, or decide not to discuss it at all. The committee chair often makes the decision whether a bill does or does not move forward.

Another group or individual can affect the legislative process at this point: lobbyists. A lobbyist employed by an interested party or business meets with the committee chair or other legislators to convince them of the need for passing the bill. At the same time, a lobbyist from another group opposed to the bill may be trying to convince the committee to drop the bill. Lobbyists can be hired by any group with an interest in the outcome of the legislation. Associations, coalitions, businesses, and special interest groups often fund the proposed legislation and lobbyists. Massage associations too have worked with lobbyists to affect the outcomes of legislation.

While the committee is considering a bill, it may hold hearings. In a public hearing anyone with an interest in the bill can make a presentation to the committee to argue for or against the bill. In addition, if committee members see a need for a change in the bill, they may rewrite a portion of the bill.

Once the bill is final, if the committee decides to bring it to the full Senate or House of Representatives, the bill then passes to that legislative body for discussion and a vote. At this stage the media often report on legislative debates about bills that involve some controversy. If the bill passes the first legislative body, it then goes to the other body. For example, a bill that passes in the House of Representatives then goes to the Senate for consideration. In the Senate it is assigned to another committee, which goes through the same process again. Often the full process from proposal to enactment of a law can take 3 to 5 years. In any given year, most state legislatures consider 100 to 200 bills. This process involves a considerable amount of information, especially since most state legislatures meet only 3 or 4 months of the year.

If changes are made to the bill while it is in the second house, it may be sent to a committee made up of legislators from both houses, called a conference or consensus committee. This committee tries to work out the differences, and if they do, the revised bill is then sent back to both houses for a vote. Lobbyists are often involved in all aspects of trying to get the bill passed.

Once a bill passes through both chambers without additional changes, it then goes to the governor to be signed into law. The governor has the right to veto

the bill if he or she disagrees with it. The legislature then may or may not attempt to override the veto with another vote. If the governor signs the bill or the legislature overrides a veto, the bill becomes law.

Listed below are some examples of laws governing massage therapy:

- The state of Missouri requires a minimum of 500 hours of massage training in a state-approved school. This includes instructors who have been approved by the State Board of Therapeutic Massage.
- Florida law states a license can be denied or disciplinary action can be taken for fraudulent representation in the practice of massage.
- Some states now require all massage therapists to have continuing education hours for license renewal.

On the local city or county level, governing bodies establish regulations, generally called ordinances. An ordinance adds to existing federal and state laws to meet the specific needs of the community. For example, a business license is required in most communities. Local ordinances may also require a building inspection, business applications, and a business fee to open a business.

Elected officials at the local level may be called city councilors, aldermen, or selectmen. They perform in much the same way as legislative officials do at the state and national levels. An interested party who sees a need for guidelines brings a proposal before the city council or board. The board may consider the proposal or may refer it to a special group or committee for a recommendation. Public hearings may be held to hear the community's opinions, followed by further debate or a vote.

Local requirements for massage therapists, like state regulations, can be quite diverse. In some communities, old ordinances and regulations can hamper massage therapists today. Many of these ordinances were enacted to restrict massage parlors. For example, in some cities it is illegal to operate a massage business within 500 feet of a school, church, or bar. Many massage therapists have worked to help update such outdated regulations.

Listed below are some examples of local ordinances that still affect massage and bodywork:

- Any person engaged in the practice of massage must submit to a background check for a criminal record.
- A person wishing to practice massage within the city limits must undergo a health examination by a licensed doctor.
- A massage therapy practice must keep a log of all clients for a minimum of 2 years.

EXERCISE 4-1

Contact two therapists in your area and ask if you can interview them. Ask questions such as these:

1. What state laws and local ordinances affect you and your practice?
2. Were these laws in place when you opened your practice or did they come about after you were already in business? If the latter, what changes did you have to make?
3. Have these rules affected your practice in a positive way?
4. Have these rules affected your practice in any negative way?
5. Should additional rules be made to protect you or your clients?

Report back to your class what you have found.

- A window must be present in any massage room.
- A person wanting to practice massage must undergo a check for sexually transmitted diseases.

ENFORCEMENT OF LAWS

Once a law is passed and is on the books, that law must be enforced. The law itself specifies who is to enforce it. For example, **criminal laws** are enforced by the police and court system, which act upon violations of that law. People who break the law are arrested and brought before a court to determine if they are guilty or innocent and what the appropriate punishment should be.

In cases such as the regulation of a profession, a state board may oversee enforcement of the law. A state board is usually made up of people in the profession, who work to help therapists follow state laws and regulations and who respond to violations. For example, if a bodyworker is practicing without a required state license, the board may send a cease-and-desist order stating the person must stop the practice of bodywork until he or she has applied and been accepted for licensure. If this person does not stop practicing, he or she could be subject to a fine or other penalty, again according to what the law prescribes. The law or regulations related to it generally define what the board has the power to do when a violation takes place.

All professional boards must work within the requirements of the laws. If a law states a board can fine a person for practicing without a license, the board can do so upon evidence that this violation has happened. Boards work with legal council, often a state attorney, when enforcing laws and regulations. A practitioner who has questions or concerns about a law should always address the state board for clarification.

Key Points

- Most laws are made to protect the public.
- Currently, laws, rules, and regulations affecting massage and bodywork are passed and enforced at the state and local levels.
- Laws, rules, and regulations vary at the state, county, and local levels.
- It is important to know what rules apply to you in your practice.

CASE STUDY

Judith had graduated from massage school about a year ago and had been working at a local spa several days a week. Then because of her husband's job relocation, they had to move to another town a few hours away. Since massage therapists can move fairly easily, Judith was confident that she could start another practice in their new town. After moving, she looked for a good location for her practice. She decided to open her own office and have space for other therapists to work.

She checked with the city offices to obtain copies of any rules or ordinances that applied. She had found a great location and was getting anxious to get a lease signed and open for business. She read the ordinances and found that a massage practice could not be located within 500 feet of a church, school, or bar. The ordinance seemed rather archaic to her, and as it happened, the office space she wanted to use was close to a small church. When she called city hall and inquired about this, she was told this ordinance had been on the books for over 25 years and would be enforced.

Judith contacted one of the alderman in her town and asked about the possibility of changing the ordinance. The alderman listened to her arguments and asked her to state her case at an aldermanic meeting. She was put on the agenda for the next meeting. Judith did some research, including contacting the national association that she belonged to. The association provided her with information about why these ordinances had originally been passed and how many communities had changed or updated such rules. Judith

appeared before the board and presented a valid case for changing these rules. The board agreed with her and thanked her for her education about massage therapy. This rule was then changed, and Judith opened her practice a month later.

RULES AND REGULATIONS

When a new law is enacted, the governing body may set up a state board to oversee the law. In many states, the board is appointed by the governor. The board generally has 5 to 10 members, most from the profession involved, but many states also appoint a member of the public or someone from a related field. For example, some states may require that a nurse or chiropractor sit on the state board of massage.

The board's goal is to make the law work in practical ways for the profession. This requires a set of rules and regulations, often called the "rules and regs." The rules and regulations expand on the law itself, including explanations for how practitioners should do what the law requires. The board cannot go beyond what the law states it should do, and in most cases one of the state's attorneys helps the board determine where this line is. Typically, once a law has passed and the board is seated, it can take more than a year to write the rules and regulations. Checks and balances are important, and in most states once the rules are written, a public hearing is held to allow practitioners and the general public to respond to the proposed rules. After the public hearing, the board may rewrite the rules and regulations as needed to work more efficiently.

Rules and regulations are important to help delineate the law. Most laws involve general principles and contain general language that may seem vague in certain areas. If laws were left to individual interpretation, opinions would vary about what they mean. Rules and regulations, therefore, help define the intent of the law. For example, a law may generally state that massage therapists must practice the principles of safe sanitation, and the rules may more specifically state that a 10% bleach solution must be used to disinfect all equipment that comes in contact with clients and that massage therapists must wash their hands with an antibacterial soap between clients. As simple as this may sound, it is important for the rules and regulations to be clear and specific guidelines so that there is no room for varying interpretations. For example, if a client complained that a therapist did not use good sanitation, unless the rules and regulations clearly defined good sanitation, the board could have difficulty determining whether the

therapist was sanitary or not. Clearly defined rules can prevent varying interpretations of the law.

Another example is a clarification of the exact amount of training needed for licensure. The law may state that 500 hours of training are required. The rules may further state that certain numbers of hours are required in certain categories such as anatomy, physiology, kinesiology, massage theory and techniques, pathology, ethics, health and safety issues, and cardiopulmonary resuscitation.

WHY RULES AND REGULATIONS ARE NECESSARY

Rules and regulations are extensions of the law intended to guide those affected by the law in practical applications. The rules and regulations help to guide persons in the specifics of what is acceptable and unacceptable in their practice. It may take a long time and considerable effort to change a law, but a rule or regulation that is not working can generally be changed with less effort.

More importantly, the rules are there for those whom they affect. They protect both the public and the therapist from harm with clear-cut guidelines. For example, if a client files a complaint against a therapist about insufficient draping and the state regulations clearly define what the minimal draping should be, the state board can then work with the therapist to use draping practices that are appropriate for clients. If the regulations did not clarify the specifics of required draping, however, board members would then have to determine what they felt was appropriate—an issue that, again, is subject to a great deal of interpretation. Rules and regulations are necessary to reduce the amount of interpretation needed to determine whether a violation has occurred.

From an ethical viewpoint, rules and regulations can help prevent ethical questions and situations from arising in the first place. With the draping example, some therapists may not see it as an ethical issue if a client is not draped, yet the client may feel violated. But if a regulation states that certain areas of the body must be covered during massage, then the rule is very clear. If a therapist ignores this rule, the client has cause to file a complaint. Regulations are also helpful in the opposite case. If a client does not want to be draped, it is easy for the therapist to tell the client that not using draping is against the state law.

Another example is a regulation that requires the client's informed consent for treatment. Some states specifically state what information is required for massage treatments. An additional example is a requirement of confidentiality for all clients.

CASE STUDY

A new state law was enacted, and the state board began writing rules and regulations for a public hearing. This state law defined massage. Chair massage was not specifically mentioned in the law or the regulations, and some therapists assumed that licensure was not required if they performed only chair massage. The state board heard about this interpretation and decided to revise the regulations to include language regarding chair massage to clarify that therapists who performed only chair massage were also affected by the law.

It is important not to interpret laws, rules, and regulations on your own. When in doubt, ask your governing body.

ENFORCEMENT AND CONSEQUENCES

Laws specify who oversees enforcement and the consequences of violations. When a criminal act is committed, for example, law enforcement agencies are directly involved with arresting suspects and pressing charges. A trial and possible sentence may follow. If a regulatory law is violated, the state board accepts a complaint, holds a hearing, and makes its determination. If a therapist is found at fault, the law or the rules and regulations provide the board with enforcement guidelines. For example, if a therapist performs a technique not within his or her defined scope of practice according to state law, a client could file a complaint with the state board. Following the rules and regulations, the board would then determine what action to take against the therapist. Actions could include a letter of reprimand, or suspension or revocation of a therapist's license to practice.

CIVIL LAW

Civil law is another type of law governing people's behavior. In a lawsuit, one party feels that he or she has been harmed in some way by another party. There may not have been a clear violation of a law or regulation, but the person could still be harmed. Rules and laws address as many issues as possible, but there can be gaps that allow for civil actions to take place. Unethical behavior may be involved. In civil law, one party (called the plaintiff) files suit against another party (called the defendant), seeking damages or restitution. For example, a client may feel a therapist has injured him or her in some way during a therapy session, causing pain and suffering. If the client feels the therapist caused this injury, the client may seek financial damages from the thera-

pist. In civil cases law enforcement agencies and the state board may not be involved. Instead, both parties are represented by lawyers. The case may end with an out-of-court settlement, or the parties may go to court to settle their differences. If so, a judge or jury weighs the arguments of both sides and reaches a decision about whether the defendant did in fact cause an injury and the amount of damages to award the plaintiff.

In reality, anyone can file a lawsuit against anyone else at almost any time. Being sued does not mean you are guilty of anything, nor does a lawsuit automatically lead to any penalty. The legal system is set up to protect the innocent as well as to provide compensation for injured parties. **If you practice massage therapy as you have been trained and within your scope of practice, you should not be afraid of lawsuits.**

Key Points

- Rules and regulations define areas of the law.
- Rules and regulations clarify the practical specifics of laws.
- Rules and regulations provide guidelines for both therapists and the public.

SPECIFIC LEGAL ISSUES

SCOPE OF PRACTICE

The scope of practice for a massage therapist can be defined by a state law, professional association, or local ordinances. The scope states what a therapist can or cannot do while practicing as a massage therapist, technician, or bodyworker. These parameters help therapists understand what the public expects from massage therapy and, more importantly, states the boundaries for therapists. For example, a state law may include in the scope of practice that a therapist can use certain mechanical devices.

Scope of practice can vary somewhat between a state's law and a professional association's statement of scope. Although they may be very similar in many ways, therapists must be aware of any differences and must practice under the definition enforced by state law. It is important therefore to read and understand your state's scope of practice regulations.

MALPRACTICE INSURANCE

Malpractice insurance is a type of insurance for professionals that pays the damages a professional

may face if sued by a client. Medical malpractice lawsuits are often in the news, and most medical professionals purchase malpractice insurance. Medical malpractice premiums are generally expensive because lawsuits are common and juries often award large sums for damages. In massage therapy, few lawsuits are filed against therapists are low, and malpractice insurance premiums. Malpractice insurance can be purchased through professional associations or a private insurance broker. One should do some research to choose the best and most appropriate policy. Several insurance companies offer policies specifically for massage therapists and bodyworkers. Some states now require massage therapists to purchase malpractice insurance.

CONTRACTS

Massage therapists enter into contracts with employers, employees, clients, landlords, insurance companies, and other businesses, depending on the type of practice. For example, therapists working in a spa may have a contract with the spa that spells out the expectations for both parties. In many situations only a verbal agreement takes place between the two parties.

A contract is a legal document, and as a general rule it is good to seek legal advice before signing any contract. Both parties should agree on all terms of a contract. If someone pushes you to sign a contract, such as an employment contract if you are hired by a facility, do not be intimidated to sign without reading the document. Thoroughly read the entire contract and have someone else help you determine if the contract is fair before signing. If needed, changes can be made to help both parties come to an agreement.

SPECIFIC ELEMENTS WITHIN LAWS

State laws may include a great variety of specific legal issues. When you are preparing to become licensed or to practice in an area, obtain copies of laws, rules, regulations, and ordinances pertaining to your practice. Many therapists are surprised to discover how many details are contained within these documents. A state law may address client confidentiality, for example, or issues such as employer liability and responsibilities. Do HIPAA (**Health Insurance Portability and Accountability Act**) regulations referring to client records apply in the state? Could certain antidiscrimination regulations affect a massage practice? If you have any questions concerning any part of a law or ordinance, contact the governing body and don't be afraid to ask questions. Understanding the expectations before beginning practice is much better than having to make changes

later when a problem arises because you did not know about a specific regulation or ordinance.

Laws and regulations do not apply only to those who run their own business. Even if you practice within someone else's business, the state laws and local ordinances still apply. For example, if you work in the office of a chiropractor, you are not exempt from laws and ordinances within your area. Being informed and educated about the law is all part of being a professional.

THE IMPORTANCE OF BEING IN THE KNOW

When you decided to begin a career as a bodyworker, you took on the responsibility of learning how to practice appropriately. This involves not only being well trained in massage techniques but also knowing the expectations of governing bodies. "I didn't know" is not a legal defense—and is not an excuse that any professional should ever use. Both the general public and those who enforce the law expect you to know the laws that apply to your practice.

Before you begin your practice, it is crucial for you to learn about any laws, rules, regulations, and ordinances that may pertain to your practice. You may need to check at the national, state, and local levels. If your state requires that you take the National Certification Examination, for example,

EXERCISE 4-2

1. Obtain a copy of your state's law regulating massage therapy. If your state does not currently have a law, research whether legislation is currently in process. Using the Internet, look for the Web site of your state government. Most state sites allow a search using key words for proposed and passed legislation. Obtain a copy of any legislation or laws that will apply to you and your massage therapy practice. Note: If you do not have access to a computer, you can also call the secretary of state's office, which should be able to guide you to the appropriate department or documentation.
2. Go to city hall in the city where you think you may establish a practice. State that you will soon be graduating from massage therapy school and want information about local ordinances that apply to practice. Obtain copies of any local ordinances or regulations along with a business application.
3. Show and tell. Tell classmates what you have learned about your state's and community's requirements.

and a local ordinance states that you must have 750 hours of training in order to practice, you cannot practice until you meet both of these criteria. Most massage programs teach their students at least the state-level requirements. It may be up to you, however, to learn what is expected at the local level. Take the time to get all the specifics—it's better to be safe than sorry. There have been cases of therapists who set up a practice only to find out they did not meet the requirements in their local community.

Therapists should also stay networked within the massage community to stay current in the law. Laws, rules, and regulations change sometimes, and such changes can affect how you practice or your whole career. For example, if your state increases the number of continuing education hours required for license renewal, you would need to make plans to meet this requirement.

CASE STUDY

A therapist who had been in practice at a hospital for a number of years decided to venture out on her own. She found a great office location in a community where no other therapists were practicing and rented the space. She had to put down a sizable deposit as this was a very good neighborhood and available spaces were hard to find. She bought furniture and hired a receptionist and had 5,000 brochures printed along with cards, gift certificates, and stationery with her new address. She put an ad in the paper for her grand opening, which cost her more than \$1,000. She was excited about her new place of business and her grand opening.

Then she got a call from City Hall asking when she was going to apply for her business license. The city clerk had seen her ad and knew she had not processed an application. She immediately went to City Hall, thinking she would probably have to pay \$100 and fill out some paperwork (Fig. 4-1). When she arrived, she found that the city required a building and fire inspection, which would take about 2 weeks to complete. Her grand opening was already set for the following week. The city clerk tried to help her meet her deadline, but the fire inspector found a couple of code violations and the building inspector also found some problems. The landlord was willing to make the fire inspector's changes, but the building inspector was asking for more changes than the landlord felt he could afford from the rental income generated by her space. The former tenant had run a one-person private office and did not meet with the public. Her public business would require the landlord to add two extra parking spaces and handicapped access into the office. In the

end, the therapist had to forfeit a great deal of money, because her lease stated that the landlord did not have to make improvements and that deposits would be forfeited if she left before the lease expired.

This mistake was a hard lesson for this therapist to learn, but is a valuable one for all therapists to hear. If the therapist had first checked with city hall and had the inspections before putting a deposit on the office space and spending money on printing and advertising, she could have saved a great deal of time and money.

It is the responsibility of all massage therapists to become educated in legal matters and understand what laws, rules, regulations, and ordinances apply to them (Fig. 4-2). **It is also important to not interpret any laws, rules, and regulations on your own.** When in doubt, ask the people in charge. Talk to your state board or your city government. Students sometimes feel frustrated in having to deal with officials, but this is part of the educational process and there is much to be said for knowing just what you have to do. The Internet is often a valuable resource for getting information and applications when needed. In addition, check with your school and other therapists in your community to see what they have done, but be careful when acting on personal information because not



FIGURE 4-1 ■ A new therapist should research local ordinances that apply to her business.



FIGURE 4-2 ■ It is the responsibility of all therapists to know what laws, rules, regulations, and ordinances apply to their practice.

everyone follows all the appropriate guidelines. When in doubt, ask. If you are the first therapist in your community, don't be surprised if your city officials are unsure about appropriate guidelines for massage therapists. In this case, you may need to meet with the officials to help create guidelines for your community. Find ordinances and regulations from other communities to help the process along. Be patient, and remember the person you are talking to may become a client or someone who tells other people about your new practice.

Key Points

- Know your state and local regulations and laws.
- Not knowing is not an excuse.
- Research and ask questions.

SUMMARY

Knowing the legal requirements for practicing as a massage therapist or bodyworker makes it much easier to attain that goal. State laws and local ordinances will likely affect your practice, and it is your responsibility to know what these are.

Laws, rules, regulations, and ordinances may seem overwhelming at first, but realize that they are there for your protection as well as the public's protection. During your career as a therapist, at times a law or a rule will provide safety and helpful guidelines for dealing with a difficult situation or client. Laws and rules help to define many areas, but a therapist must also take the responsibility to act ethically when the rules leave room for interpretation. In some cases old rules or ordinances on the books may seem irrelevant, archaic, or old-fashioned. Be proactive and help educate those who can help update these rules. Being aware, setting your boundaries, and knowing the importance of acting ethically will be a tremendous boost for you as a therapist and for your clients as well as the general public who may become clients in the future.

ADDITIONAL ACTIVITIES

After you and your classmates have a sense of what laws and rules apply to a massage therapy practice in your area, have a class discussion to answer these questions:

1. What areas of the law or rules protect clients?
2. What areas of the law protect therapists?
3. Do any areas of law restrict the practice of massage or cause hardship for therapists?
4. Do any areas of law need more definition?
5. How many of the therapists you and your classmates interviewed were well educated about laws and regulations?
6. How would you go about changing a law or rule that needs revision?

WRITING YOUR OWN CODE OF ETHICS

14

CHAPTER PREVIEW

- Understanding ethical issues by researching the ethical codes of other professions
- Gaining ownership of ethical behavior by writing your own code
- Need for thorough knowledge to achieve success in a profession

All individuals have their own personal code of behavior that they generally follow. Personal codes are generally unwritten and usually not communicated in full to others except when special needs arise. A code of ethics, in contrast, is a written document that a group, business, association, or individual presents to others, stating beliefs about appropriate and inappropriate behavior. Many massage and bodywork therapists belong to a group or association that has a code of ethics. When you join, you agree to follow that code. Some codes are written in general terms, while others may list very specific behaviors. In addition to these professional codes, all therapists should have their own personal code in order to feel personally safe and take ownership of what they do.

BUILDING ON EXISTING CODES

After reading previous chapters in this book, you should recognize the importance of having and following a code of ethics. Because published codes of ethics may seem too abstract or general, or may not feel personalized for your own beliefs and situation, it is a good idea to write your own code of ethics. Doing so gives you ownership of your code and your behavior in following it.

But it is not necessary to develop an ethical code entirely on your own—this would be a difficult and unnecessary endeavor. Many other massage therapists and other health care professionals have worked countless hours to develop the codes that exist today. Instead, building on those codes, you can develop a personal code of ethics that you can

call your own. The exercise in this chapter will help you clarify your beliefs, standards, and goals for your massage therapy practice. When you have completed your code, you can display it in your practice setting and include key parts in your marketing and advertising materials. Your code will help potential clients better understand your intentions as a therapist.

A personal code of ethics is a living document that you may change in the future as you see fit. Certain areas may be too rigid or confining, and others may need more definition or refinement. Every few years you should look closely at your code and decide if any changes are needed.

DEVELOPING YOUR OWN CODE

Writing your own code gives you, as a new therapist, a beginning foundation for your practice. It is challenging to begin a new career, but your code provides standards to which you can refer when needed. For example, if a client asks about another client, you can refer to a confidentiality standard that you have written. Exercise 14-1 requests that you include at least ten items in your code. This is a good number to start with, but feel free to expand your code to as many items as you feel are needed.

RESEARCHING PRACTICE ISSUES

Before you begin your practice, in addition to having a code of ethics, you should do some research to ensure that you have all the information you need affecting all areas of practice. This is true even

EXERCISE 14-1

Following the steps below, write your own code of ethics.

1. Read again the codes of ethics included earlier in this book and highlight or otherwise note statements in them that you like, feel comfortable with, and believe strongly in.
2. Look up other codes of ethics used by health care providers (psychologists, nurses, chiropractors, etc.) and highlight any parts that you feel are important. These ethical codes are commonly available on the Web sites of professional associations.
3. Write down any areas that are not included in these codes that you feel are important.
4. Go back through the items you have highlighted and write your own version of what you believe in. Carefully use your own words.
5. Write at least 10 individual items for your code.
6. Under each item in your code, write down two standards of practice for how you are going to achieve this item, in other words, an action step. For example:
Code: Always protect the confidentiality of every client.
Standards:
 - a. Always keep client files in a secure, locked file.
 - b. Never release a client's file without the client's signed permission.
7. Exchange your first draft of your code and standards with another student, and ask for suggestions for any changes in wording, punctuation, formatting, and so on.
8. Prepare a final document that you are comfortable sharing in your workplace. Your personal code of ethics can be displayed with other important documents in your practice and included in your brochure or advertising pieces.

if you are going to work for someone else in an established business. Unfortunately, some therapists have started practice and, only later on after having problems, learned about legal or ethical issues affecting them. Sandra's case is just one example of something that can happen to a new therapist starting practice without having thoroughly researched all practice and business issues.

CASE STUDY

Sandra was thrilled to find a location where she could begin to practice right after graduation from massage school. An established salon just a few miles from her house was looking for a massage therapist to work as an independent contractor in the salon. The salon needed someone right away because its former therapist had moved away and the salon had many requests for massages. Sandra had taken her national test and applied for her license as the state required. She felt ready to begin her practice.

Sandra was busy right away but soon felt uneasy about requests from some new clients. Several clients asked not to be draped. Because the previous therapist had not followed the state guidelines for draping, these clients felt Sandra should do the same thing. She spoke with the salon owner to see if this had previously had been an issue. He told her not to worry because no one would be checking. This did not make Sandra feel very comfortable because violating the draping guidelines could put her license in jeopardy and she did not feel it was ethical to do what the clients were asking. Sandra explained to her clients that she must follow the state guidelines.

A few weeks into her practice, the state inspector made a visit to the salon. He asked to see Sandra's license, which was in order, and also asked the salon owner to see his massage business license. The owner told the inspector that the massage therapist was practicing under his cosmetology license. The inspector informed them that this was not allowed and that he would have to apply for a massage therapy establishment license. The owner was not happy to learn about this regulation and decided he would not pay the \$200 for the license. If Sandra wanted to continue to work there, she would have to pay this additional amount herself. Sandra then had to apply for and pay for the massage business license in order to continue to work at the salon. Sandra wished she had checked a little closer to make sure that all rules and regulations were being followed before she had started her practice.

Researching requirements for massage therapy practice is the responsibility of every therapist. It is not safe to rely on the word of a potential employer, who may not understand what is needed for a safe, ethical, and legal practice. In some cases a therapist may even have to educate a potential employer about meeting requirements to ensure that everyone avoids legal trouble. The research questionnaire included in Box 14-1 can help guide your research

BOX 14-1 *Research Questionnaire***LAWS AND ORDINANCES**

1. What are the requirements in your state to practice as a massage therapist?

2. Do you need to take a test before applying for a state license?

3. What is the normal time period for testing and licensure? For example, the National Certification Exam application process usually takes about 4 weeks. You cannot apply until you have graduated and have the correct documents (transcript, diploma). Once you have been approved, you can set your test date within a 3-month period. You need to research the time needed to get the necessary documents from your school.

4. Is there a provision in your state law that allows you to practice while waiting to take the national test?

5. If the national test is required, once you pass the test, how long does it take to get the state license?

6. What local ordinances apply to a massage therapy practice? Check into ordinances such as home businesses, zoning, occupational licenses, and advertising.

7. Do you need to apply for a city or county business license?

PRACTICE ISSUES

Will you be working as an employee or independent contractor? (This is a very important issue when it comes to taxes and other issues affected by the delineation between a contractor and an employee. For more information, go to the IRS Web site and look under independent contractors.)

Independent Contractor

1. Will you be paying rent or working on a commission?

2. How often will you settle your accounts or be paid for your work?

3. Will you handle your own money or will someone else in the facility take care of it?

4. What expenses will you be responsible for (laundry, advertising, supplies, etc.)?

5. If discounts or specials are offered, who absorbs the cost?

6. Who books appointments? If it is someone else, who trains that person in the types of work offered, schedules, etc.?

7. What types of massage will be offered?

8. Who sets the schedule for therapists and session length?

9. In a business with multiple therapists, how are appointments handled? (For example, is there a rotating system if a client does not request a specific therapist?)

10. What company policies will apply to you?

Employee

1. Is the pay rate hourly or by session? Will you be paid during the times you are not performing massage?

2. How often will you be paid?

3. If discounts or specials are offered, who absorbs the costs?

4. Are there responsibilities other than massage? (For example, cleaning, laundry, receptionist, etc.)

5. Are you expected to assist in marketing, such as giving chair massages?

6. Who will be booking your appointments? If it is another person, who is responsible for training that person in what types of massage you offer and scheduling?

7. Working apparel: Are you required to wear a uniform and, if so, who pays for the clothing?

8. What types of massage or other treatments are you expected to do? If additional training is required, how is that done?

9. How long do the sessions last, and how much time is allowed between sessions?

10. What is the chain of command in the business? (For example, to whom should you go if a problem arises?)

11. If there are multiple therapists, how are the appointments handled if a client does not request a specific therapist? Is there a rotation system that makes it fair for all the therapists?

12. Do you have a copy of company policies?

13. Who pays for licensing or additional training?

before you invest time or money in a situation where problems could arise. For example, if a local ordinance states that a massage therapy business cannot be located in a certain area, you either have to look elsewhere for a location or work to have the ordinance changed.

Research your state and local laws and ordinances. Don't be afraid to go directly to sources such as state agencies or boards or local government offices; call these offices and ask for the information that you need. Obtain a copy of any ordinances

and laws that will apply to you. It is important that you obtain the information you base your practice on directly from the agencies or governments you will be dealing with. Obtaining information from other therapists or individuals can be dangerous because their information may be wrong or outdated.

RESOURCES

Without planning ahead, a new massage therapist could easily feel overwhelmed by the amount of paperwork and information needed to begin a practice. Yet it is not ethical to start a practice without the proper licensing and permits (Fig. 14-1). Many resources are available for therapists opening a business or working for someone else. One can easily be confused about what it means to practice as an independent contractor, for example. Researching IRS requirements will help you know the expectations for a therapist and business owner.

The Internet is a valuable resource, but don't be afraid also to go to your city hall or county office to ask for copies of ordinances or laws that apply to your massage therapy practice. In some states, a therapist is required to pass a test, apply for a state license as a massage therapist, apply for a state massage business license, and apply for a local city business license. It is important to know the requirements and plan for the



FIGURE 14-1 ■ Plan ahead to open your practice with all licensing in place and local conditions met.

time and expenses involved. Knowing the needed steps also helps you plan when and where to begin practice as a massage therapist.

S U M M A R Y

One step at a time, educate yourself on the requirements for practice in your area. Talking with a mentor or instructor who can help guide you will make these

tasks easier. When all the proper documentation is in place and you understand what is required of you, you can begin your rewarding career as a massage therapist. Knowing that you did things the right way will give you confidence to begin your practice with a strong foundation and the information you need to be successful. Be proud of your accomplishments and always stand on your ethical foundation. It will serve you well. Congratulations on your new career!