

# Ethics, Business and Working with Professionals Online Course

## 4 CE Hours

Text, Preview Exam, and Course Guide

Presented by the:

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## **Instructions for the Ethics, Business and Working with Professionals course**

Thank you for investing in the Ethics, Business and Working with Professionals online course, a 4 CE hour course designed to further your knowledge in the principles and practice of business and working with other health care professionals in massage therapy. This guide will contain all of the instructions you will need to complete this course. This is a 4 CE hour course, so that means it should take you approximately 4 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 8-11, 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](mailto: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, Business and Working with Professionals 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, Business and Working with Professionals Exam

### Chapter 8

1. What is disclosure?
  - a. Giving information about a client to an outside person
  - b. Revealing information to another person about oneself or another person
  - c. A situation that occurs when two roles or relationships overlap or interact
  - d. Beliefs about what is right and wrong or good and bad
  
2. Why might a client not disclose certain information to the therapist?
  - a. The client does not feel comfortable sharing the information
  - b. The client does not think certain information is relevant
  - c. The client forgets to disclose something specific
  - d. All of the above
  
3. Which of the following is true about third-party disclosure?
  - a. The client must give written permission for you to share the information about the client
  - b. The client does not need to give written permission for you to share the information about the client
  - c. Spoken permission is acceptable and can be used as permission for you to share the information about the client
  - d. If seeking assistance from a teacher/mentor about a client situation, it is ok to use the client's real name without consent
  
4. Clients have the right to therapist disclosure of all of the following EXCEPT:
  - a. Disclosure of modalities and treatments
  - b. Disclosure of credentials
  - c. Disclosure of marital status
  - d. Disclosure of health status
  
5. Any information a client discloses to a therapist may be considered \_\_\_\_\_.
  - a. Personal information
  - b. Public information
  - c. Legal information
  - d. Consensual information

### Chapter 9

6. What is professional courtesy?
  - a. The process of obtaining advice from another professional in the same or related field
  - b. A professional doing a favor for another professional
  - c. Working under the direction of another professional
  - d. The process of sending a client to another professional for care

7. All of the following are examples of ways to build professional relationships EXCEPT:
  - a. Talk to health care providers you see and express interest in building a professional relationship
  - b. Write a letter to a family member's health care provider letting them know you are open to referrals and referring clients to them
  - c. Refrain from talking to mentors and health care providers about the services you offer
  - d. Talk to other businesses about having flyers printed and let them know the services you offer
  
8. It is important that both parties in a referral:
  - a. Agree on the goals for the client and understand that any changes in the goals or treatment of the client must be discussed with the other party
  - b. Understand that, in a referral situation, written consent is not required by the client to discuss the client's goals or treatment
  - c. Agree that reimbursement for referrals is legal in all states and the proper referral fee will be paid to the referring party
  - d. Understand that neither party is allowed to discuss the progress of the client with each other even when a consent form is signed by the client
  
9. A \_\_\_\_\_ is a means of obtaining information from another professional about a particular subject or client.
  - a. Referral
  - b. Consultation
  - c. Supervision
  - d. Professional courtesy
  
10. All of the following are true about supervision EXCEPT:
  - a. Supervision is working under the guidance of another professional
  - b. Working in a supervised environment can be helpful to a new therapist
  - c. Having the same ethical policies will help the two parties work more cohesively
  - d. The ethics of other professionals you work with will not affect the public perception of your ethics

## Chapter 10

11. What are policies?
  - a. A client's right to all pertinent information about a treatment and the granting of permission for a treatment based on that knowledge
  - b. Rules and guidelines established for a particular group or population, such as a business
  - c. Processes by which policies and guidelines are carried out
  - d. A document stating an individual's or group's beliefs, standards, and ethics expectations

12. What is the value of policies and procedures for clients?
- There is no value of policies and procedures for clients
  - They help employees more easily transition into the business
  - They state guidelines for clients and help them know what to expect
  - They help clients feel unsafe in the massage environment
13. Which of the following are two questions to consider when developing policies and procedures?
- “How will this policy or procedure help my clients?” and “Will this policy or procedure affect my income potential?”
  - “How does this policy or procedure harm my clients?” and “How does this policy or procedure harm me?”
  - “How will this policy or procedure differentiate clients?” and “How does this policy or procedure help me?”
  - “How does this policy or procedure help my clients?” and “How does this policy or procedure help me?”
14. All of the following may be included in a policy and procedure manual EXCEPT:
- Employee policies and procedures such as hiring, dress code, and scheduling
  - Tax documents such as 1099’s of prior employees and form 1040
  - Client policies such as customer service and scheduling
  - Facility procedures such as opening and closing procedures
15. What does an informed consent form state?
- That the client has been told about the treatment and they consent to it
  - That the therapist has the right to share the client’s information with their healthcare provider
  - The client’s beliefs, standards, and expectations for the treatment
  - The therapist’s beliefs, standards, and expectations for the treatment

## Chapter 11

16. What is an independent contractor?
- A non-employee who provides services within a business
  - A person who owns and operates his or her own business and often works alone
  - An employee who provides services within a business
  - A partnership in which two people own and operate a business equally
17. All of the following are steps therapists can take to prevent problems and protect themselves when working for or with other professionals EXCEPT:
- Before taking a job, check the business’s policy manual and look for stated repercussions for not following policies
  - Talk with a mentor
  - Discuss with other therapists the importance of policies and the public’s perception of the business’s ethics
  - Never report therapists who do not follow policies

18. Which of the following is a therapist who owns and operates his or her own business?
- a. Employee
  - b. Independent contractor
  - c. Sole proprietor
  - d. Supervisor
19. Which of the following is an advantage for the therapist of being an independent contractor?
- a. Higher overhead and no hourly wages
  - b. Taxes and workers' compensation withheld from wages
  - c. Being in control of your own finances
  - d. Being an employee
20. Which of the following is considered taxable income?
- a. Cash received for services
  - b. Tips
  - c. Bartered services
  - d. All of the above

This completes the Ethics, Business and Working with Professionals exam.

# ETHICS FOR MASSAGE THERAPISTS

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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

**W**hen 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

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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.

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### 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?

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### ◀ 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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To my family and friends—thank you for being patient and understanding all the times I needed to be at my computer. Jenni, Chris, and Drea—I hope you are proud of what is written here. To my Mom: when I sat and watched you read my first chapter, you warmed my heart. To my Dad: I know you are watching over me from above. You instilled in me much of what is in this book.

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.

# DISCLOSURE

## CHAPTER PREVIEW

- Disclosure is 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 is 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

**Disclosure:** revealing information to another person about oneself or another person

**Third-party disclosure:** giving information about a client to an outside person

The word **disclosure** as used in the health care professions refers to sharing information. Clients disclose personal information to massage therapists about their health, therapists disclose information to clients about the treatments and modalities they use, and therapists may also disclose information about a client to a third party such as an insurance company.

Disclosure involves several ethical issues. Using a client's information only in a safe and ethical manner is an important principle bodyworkers should safeguard and maintain. To practice ethically, it is equally essential to give correct information to clients about their treatment and the modalities to be used in a session. This chapter examines these and other issues related to the disclosure of information and problems that may arise.

## CLIENT DISCLOSURE

When potential new clients call to book an appointment for bodywork, they generally do not think about the information they may need to share

before receiving a massage. Clients typically are thinking of the benefits they will receive from the bodywork, such as relaxation or pain relief. But the benefits often depend on the massage therapist having certain kinds of information about the client.

## NEED FOR CLIENT DISCLOSURE

Bodyworkers ask complete strangers to disclose a great deal of personal information about their health history before receiving treatment. Often new clients are somewhat surprised with the amount of information that a therapist asks for before a session begins. Most therapists have new clients fill out an intake form that asks questions about medications, past surgeries, and any medical problems they have or have had in the past. A client who has received massages before may be familiar with the intake form. New clients, however, may feel uneasy disclosing their personal health information to a bodyworker. Therefore, it is important for a therapist to explain to new clients the need for this

information and the safeguards that will be taken with it. A client's health history is used to assess any signs, symptoms, or other information that suggests there may be contraindications for massage or that help reveal what massage techniques may be most effective for the client. For example, with a client taking a pain medication, the therapist should ask if the client took the medication prior to their session. If so, no deep or invasive work should be done because the client cannot give accurate feedback. Explaining this to clients helps them understand that you are looking out for their best interests and that there is a need for this type of information on their health history.

### CASE STUDY

Hector had never received a massage before. He was referred by his doctor for bodywork for the low back pain he had experienced over the last few weeks. He made an appointment with Kimberly and was asked to come a few minutes early to fill out the paperwork. Hector was somewhat surprised to discover that he had to fill out several pages of forms and diagrams before the session could begin.

Kimberly noticed his apprehension and sat down with him while he was filling out the paperwork to help with the questions. She explained that information about his health could help her treat him more effectively and, more importantly, prevent any inadvertent harm during the session. She showed Hector a textbook that listed contraindications for massage and bodywork. She told him she took her job very seriously and that she wanted to treat him knowing as much relevant information as possible. Kim also reassured Hector that his health information would be kept confidential and shared with other health care professionals only if he gave her permission to do so. She explained that if he wanted the treatments and progress shared with his referring doctor, she would first ask for his written permission.

Educating clients is an integral part of being a bodyworker. Therapists should not assume that clients will instantly trust us and understand our expectations for them. It is often necessary to carefully explain to clients that in your training you learned that massage could sometimes be dangerous to a client's health or condition. For example, if a client tells you that he or she has been experiencing shooting pains down the leg since a fall, that client should see a medical doctor to be evaluated. Doing bodywork in such a case could make the client's condition worse.

It is important to differentiate between a client's medical history and signs and symptoms stated by a client. The medical history can include a diagnosis that was made by another health care provider. For example, a client may write on the health history section of the form that he or she has high blood pressure and colitis. These conditions most likely were diagnosed by a medical doctor. The same client's signs and symptoms may include achy joints, back pain, fever, and numbness. It is the responsibility of the therapist to ask questions about these symptoms to assess whether massage may be contraindicated. For example, if a client at present has a fever, a massage should not be performed. If a client has back pain, the therapist should seek further information by asking questions: Has any medical condition been diagnosed affecting the back? When did the pain start? Where precisely is the pain? What is the pain level? One client with back pain may say that she saw a doctor and was told it was arthritis, and that her pain level was pretty low except when she did heavy work. Another client with back pain may say he fell yesterday and feels a sharp pain shooting down his legs. You can see the big difference a few questions can make when assessing a client's condition. The client with an arthritic condition could have some work done, whereas the client with a more acute condition after the fall should be referred to a medical doctor for further evaluation.

If a therapist discovers signs, symptoms, or conditions that contraindicate massage, the client should be informed that medical evaluation may be needed. Clients often ask a therapist to diagnose what is wrong with them. Diagnosing is beyond the scope of practice for bodyworkers and massage therapists. It is easier to explain to clients with a diagnosed medical condition why they cannot receive bodywork. It is more challenging to discuss this with clients experiencing signs and symptoms but who do not have a medical diagnosis, because these clients typically want to know what you think the problem may be. Tell the client that there are certain signs and symptoms that may indicate conditions that a massage therapist should not work on. If the client asks what condition you think is present, it is best to say that as a massage therapist you cannot try to diagnose medical conditions and the client should seek medical advice.

The therapeutic relationship must be handled with care, compassion, and professionalism. Talking with clients about the importance of this information may ease their concerns about supplying some information. Every therapist should have at least one reference book in the office to check possible contraindications when needed and to educate clients



when questions arise. Show your clients this reference material pertaining to their diagnosed condition if needed to demonstrate that you are concerned with their well-being. Ruth Werner's *A Massage Therapist's Guide to Pathology*, 3rd ed; Lippincott Williams and Wilkins; Baltimore, MD; 2005 for example, is a good reference for therapists to look up conditions with which they may be unfamiliar. It can also help clients understand why their condition is of concern to a massage therapist. Clients who understand how possible harm could result from a massage or certain modalities will appreciate your concern as a professional and trust that their best interests are truly important to you.

How much information clients are asked to provide about their health varies from nothing at all to a multiple-page intensive health history. Some salons and spas use the same intake form for clients receiving haircuts, manicures, facials, and massage. Some of these forms ask no questions about the client's health history. In some practice settings, various other forms can be used, including pain questionnaires, injury reports, and updates of information. As a bodyworker, you need to decide what information is important for you to have in order to treat a client effectively and safely. Questions about medications used, surgeries, and diagnosed conditions should always be asked before any bodywork is done. Additional information regarding symptoms such as level, location, frequency, and duration of pain, numbness, weakness, fever, and areas of redness will help a therapist assess whether clients may have underlying conditions that could result in harm with therapy.

Health history forms are available from many different resources. Fig. 8-1 includes a sample form that can be used in practice. Other sample forms can be found in massage and medical textbooks. Many therapists like to customize their own forms that organize information in a format they find convenient. Others design their own forms to ensure they have all the information they may need in reference to all rules, regulations, and laws affecting their practice.

When designing your own intake form, consider what information you need to treat your clients safely and effectively. High blood pressure, contagious diseases, and inflammatory disorders are all important conditions therapists must know about before treating a client. Put yourself in your clients' place. Would they feel some of the information you are requesting is too personal? Do you really need to know this information? Why? Anticipate that clients may wonder about these things while they are filling out your forms. Some clients may ask why you need certain information, while others may feel some information is not relevant and simply may not disclose it to you. Communicating with and

educating your clients can help them understand the importance of the information you are seeking and reassure them that you are striving to provide the safest and most effective treatment. You can include a brief explanation on the intake form itself or talk with clients before they fill out the intake form. Some therapists even mention the importance of this information in their brochures. It is important for clients to trust that you are providing quality treatment and that you will safeguard their information in a confidential and ethical manner.

## CLIENT NONDISCLOSURE

Some clients may not disclose certain information for one of the following reasons:

- The client does not feel comfortable sharing the information.
- The client does not think certain information is relevant.
- The client forgets to disclose something specific.

Clients may refuse to disclose something because they feel the information is private. Personal issues may be involved, such as past abuse or disturbing emotional memories associated with a condition. A client may also need time to develop trust in a therapist before disclosing personal information. This information may or may not affect the massage treatment being given. At times this information may not be relevant to the client's physical condition but involves an emotional issue for the client. For example, a client who has been treated for depression may not feel a massage therapist needs to know about that in order to give a massage.

In some situations clients may not list a condition that would put them at risk when receiving bodywork. Massage therapists therefore must learn signs and symptoms that indicate something is wrong. For example, while working on a client's leg, you notice red streaking going up the leg. When you question the client, she tells you her leg has been sore for the last couple of days. The streaking and soreness could be signs of a blood clot or thrombus, which is a serious condition and would contraindicate massage. Explain to the client what you have observed and that she should see a health care professional for a diagnosis and care.

In such cases clients usually ask you what is wrong. Tell the client that you cannot give massage because of the signs and symptoms, although it is beyond your scope of practice to diagnose the condition. If you suspect a client may have a medical condition, you are within your rights to ask the client about his or her health and any diagnosed conditions. Some individuals ignore their symptoms and

**Client Intake Form**

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

Occupation \_\_\_\_\_

Referred By \_\_\_\_\_

Current Health History

Are you currently being treated for any medical conditions? Yes \_\_\_ No \_\_\_  
 If yes, please explain \_\_\_\_\_

Are you currently taking any medication? Yes \_\_\_ No \_\_\_  
 If yes, please list the medications and what they are for. \_\_\_\_\_

Please list any surgeries or injuries and the dates when they occurred \_\_\_\_\_

Have you received massage before? Yes \_\_\_ No \_\_\_  
 Please list any areas of complaint that you would like addressed during your session(s) \_\_\_\_\_

Please circle any of the following conditions that apply to you. These may be conditions that you currently have or have had in the past.

<u>Muscle/Skeleton</u>	<u>Digestion</u>	<u>Other</u>
Headaches	GERD	Hearing Loss
Pain in Your:	Indigestion	Visual Loss
Back	Constipation	Diabetes
Neck	Irritable Bowel	Fibromyalgia
Shoulders	Diarrhea	Cancer
Arms	Crohn's Disease	Eating Disorders
Chest	Colitis	Caffeine Use
Abdomen	Gas/Bloating	Nicotine Use
Glutes		Alcohol Use
Legs	<u>Circulation</u>	
Feet	Stroke	<u>Skin</u>
Arthritis	Blood Clots	Rashes
Bursitis	Varicose Veins	Allergies
Scoliosis	Heart Condition	Acne
Osteoarthritis	High Blood Pressure	Warts
Tendonitis	Low Blood Pressure	Psoriasis
Joint Disease	Swelling	Dry/Oily Skin
Sprains/Strains	Lymphedema	
Fractures		<u>Reproductive</u>
	<u>Respiratory</u>	Pregnancy
<u>Nervous System</u>	Asthma	Current
Numbness/Tingling	Sinus Problems	Past
Radiating Pain	Shortness of Breath	PMS
Paralysis	Hay Fever	PID
Chronic Pain	Fainting	Endometriosis
Herpes/Shingles	Pneumonia	Hysterectomy

Please list any other diagnosis that applies to you that is not listed above.  
 Please indicate if you are still being treated for this condition. \_\_\_\_\_

I have disclosed all known conditions and diagnoses that I am aware of and verify that all the information above is accurate. I understand that a massage therapist will not diagnose any conditions and will keep the above information confidential unless receiving a signed release from me. I will inform the therapist of any changes that may occur in my health history.

Signature \_\_\_\_\_ Date \_\_\_\_\_

FIGURE 8-1 ■ Client intake form.

do not understand the need to see a health care professional. If you see an indication of a serious condition, do not alarm the client but suggest that the client call a health care provider soon. For example, if you see a dark mole on a client's back with irregular edges, tell the client what the mole looks like and say that a medical professional should check the mole and see if it is cause for concern. Helping clients understand the importance of recognizing when their health is at risk is a responsibility of all health care providers. Take care, however, not to scare a client or say what you think may be wrong (diagnosis). Educating clients demonstrates that you keep their best interests in the forefront.

### CASE STUDY

Today Maryann was seeing a new client, Andi, who had found her in the yellow pages. Andi explained that her back had been hurting for the last couple of weeks and that she wanted some work in that area.

When Andi arrived, she was anxious to get on the table. Maryann asked her to fill out the health history form before they started. Andi said she just wanted some work done and said she'd fill it in later. Maryann explained that she needed the information to effectively treat her in the session today. Andi reluctantly filled out the form, but Maryann had the feeling she had skipped over some sections in her health history.

Maryann decided to do an interview before they began. She asked Andi how long she had felt the pain, if she had experienced anything that might have caused her pain, and what her pain level was. Andi said that she had had a very heavy menstrual period that lasted 10 days. She said her pain was pretty intense, especially the last few days. She said that she had not been able to see her doctor and just wanted the pain to go away. Maryann asked if she was running a fever, and Andi said her temperature had been 101 to 102 the last couple of days.

Maryann then knew she could not work on this client. She needed to educate her, instead, about the importance of seeing a health care provider. Maryann told Andi that because of her symptoms, she should not have a massage until she had seen her health care provider. She explained, for example, why massage therapists should not work on clients with a fever.

Andi became very upset and asked Maryann what could be wrong with her. Maryann explained that she could not try to diagnose her condition. The fever and the pain suggested something might be wrong that required medical attention, but she couldn't even speculate about it. She did know, however, that massage could possibly make her worse. Maryann therefore encouraged Andi to call her doctor right away to ask for an appointment.

Andi called Maryann a few days later. She said that her doctor had discovered she had a uterine infection that now was being treated. She thanked Maryann for recognizing that she should have this condition taken care of, and said she would be back to see her when her condition was cleared.

In the case of Andi, the therapist could have ignored her signs and symptoms and performed the massage anyway. Instead, she acted ethically by referring the client to her doctor to ensure that she received appropriate care.

Clients sometimes glance over the health history form and feel some of the information you are asking for is not relevant, and they therefore may not disclose this information. This attitude results when clients do not understand why this information is important. This situation can be prevented by a brief paragraph on the form telling clients why this

### EXERCISE 8-1

With the class divided in three groups, each group discusses one of the examples below. List possible solutions for your example situation. Each group then reports its findings to the class, and everyone discusses any other possible solutions.

*Example 1:* A new client has filled out a health history form listing no major illnesses or surgeries. In the signs/symptoms section, he writes that he is often tired, has abdominal pain, and lately has often felt nauseated. What do you do?

*Example 2:* A client has filled out a health history form, and you see nothing written there that would contraindicate receiving massage. The client's only complaint is upper back and shoulder pain. While giving the massage, you see the client has a large scar on his chest. When you ask the client about the scar, he says that he had open heart surgery 4 years ago. Then he asks why you want to know about his surgery and how it is relevant to a massage for minor pain. What do you do?

*Example 3:* A new client has been referred to you for low back pain caused by a recent fall at work. The client reports that she finds it hard to work because her pain is so severe. The doctor's report states the pain is caused by muscle spasms. During the treatment session, the client reports that she also has had back pain for about 5 years, especially after doing heavy lifting. When you look over the client's intake form, you see that she wrote that her only back pain was recent. When you ask her about this, she says that she forgot about the other times when her back was sore and says she thought the form asked only about her recent pain. What do you do?

information is important or by talking with clients before they fill out the form.

If the client has not completed the form accurately, you may notice subtle clues during the massage that lead you to suspect that the client left out information. For example, many people have experienced some type of whiplash in a car accident. The effects of whiplash can last for many years, and clients may not realize that their neck or shoulder pain may have started with the accident. During the massage they may remember that their pain started not long after the accident. A therapist can then ask questions about medical treatment or any diagnosis made at that time. Therapists need any information that can help treat clients effectively. Knowing about clients' conditions may very well affect the massage techniques used. Help clients understand why this information is important. Clients often comment that they did not think a particular condition was relevant to massage. Explain why the information is important, and update the information on the client's form. Ask clients before every treatment about any changes or updates in their health or conditions.

Finally, some clients may simply forget to disclose information. When one is filling out a form, it is easy to forget an illness or accident, especially something that happened some time ago. Clients may not think to include their broken arm when they were a teenager or their appendix being removed when they were 20. Yet their present signs and symptoms may suggest a condition you need to know about. You are within your rights to question clients further when their signs and symptoms may be relevant to treatment. Educate your clients about the importance of your having this information.

In any case in which a client does not disclose information, massage may involve inherent risks. Clients are usually unaware of the importance of disclosing their health information to a therapist. Box 8-1 lists ways you can help ensure clients disclose important information.

If you make every attempt to obtain all relevant information for the treatment of a client, you have acted in an ethical and professional manner. Clients do have the right not to disclose information, but they should be educated about the risks of receiving bodywork if so.

### Key Points

- Disclosure is an important part of bodywork.
- Decide what information you need to treat clients effectively and safely.
- Communicate with and educate your clients about the importance of disclosure.
- Clients may choose not to disclose information.

### 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.

## THIRD-PARTY DISCLOSURE

**Third-party disclosure** is giving information about clients to another party. Third parties may include medical doctors, osteopaths, chiropractors, insurance companies, physical and occupational therapists, or lawyers. You may also receive information yourself from other parties about your clients. For example, if a chiropractor refers a client to you, you may receive information pertaining to the condition that you are treating.

Medical professionals may refer clients to you and then request information back about the client's progress or current status during treatment. Even when a client is referred to you, you still must have permission from the client to share any information. Other health care providers may also need to know past treatment information about a client, including what modalities were used, assessment information, and outcomes of the treatment.

In all of these cases, **the client must give written permission for you to share the information about the client.** This is most frequently done using a consent form (Fig. 8-2). You have probably signed such a form yourself at a health care provider's office. The information could be for an insurance company or another health care provider. The consent form includes the client's name, with whom the information will be shared, and the client's signature and date. Spoken permission is not acceptable and could be risky for the therapist. A client

**Client Consent Form**

I, \_\_\_\_\_, give my consent for Therapeutic Associates to release my treatment and health information to \_\_\_\_\_.

\_\_\_\_\_

**Client Signature** **Date**

**FIGURE 8-2** ■ A typical consent form.

could later say that you did not have permission to share the information and you would have no proof; it would be your word against the client's.

New patient privacy legislation has taken effect in recent years, and as health care providers, massage therapists need to adhere to the same guidelines all other providers follow. The Health Insurance Portability and Accountability Act (HIPAA), which became effective in 2001, protects consumers' rights to privacy of health and health care information, nondiscrimination in health care coverage, and the rights of consumers regarding shared health information. All health care professionals must follow these regulations. Detailed information about HIPAA regulations is available from the U.S. Department of Health and Human Services, Office for Civil Rights, on the Internet at [www.hhs.gov/ocr/hipaa](http://www.hhs.gov/ocr/hipaa). Clients need to trust you with their health information and to know that it will be shared only with their consent. If you share information without a client's permission, you have crossed an ethical boundary and may be denying the client's legal rights.

In addition to HIPAA, your state's laws, rules, and regulations may dictate what information you must keep about each of your clients and how long records must be kept. Some states require little or no record keeping, while others are very specific about what information is required and the confidentiality of clients and their records. Check your state laws and rules to assure that you are keeping all necessary information about your clients and know how it can be shared with other parties. You can customize your office forms to make this easier.

Insurance companies are third parties that may request information about modalities or treatments used for a client, the length of sessions, and outcomes. It is important to know what specific information the client's insurance company may need in order to pay a claim. If necessary, contact the customer service department or claims adjuster to learn what information you need to send, after the client has given you signed permission to do so.

Lawyers may also seek information about clients, such as when a lawsuit has been filed regarding an injury for which a client is being treated. Lawyers may want detailed information about client assessments, session information, outcomes, and costs. If questions arise, check with the lawyer's office, preferably in writing, asking what specific information is needed. If you know a legal case is involved, make this inquiry early in the client's treatment to prevent having to write notes from memory later on. Dates of treatment, specific client complaints, and outcomes are particularly important when litigation is involved. Obtain written permission from the client to share this information. In some cases such information may be subpoenaed.

Insurance companies and other health care providers usually do not request detailed narratives of your sessions with a client. Some want a beginning assessment, a statement of modalities used, and the client's outcome or progress. Some may want only an overview of what happened with the client. If you are unsure about the exact information to provide, ask the third party what specific information is needed. Insurance companies will return or deny a claim if information is missing.

Although third-party disclosure of information seems pretty straightforward and easy to understand, ethical situations or questions can arise in some areas, such as in the scenarios in Exercise 8-2. In such cases it is important for therapists to know their boundaries and the importance of maintaining ethical standards.

Some clients will test the therapeutic relationship from time to time. Clients may ask you not to report something to another health care provider or an insurance company. Other health care providers may ask you to provide treatment but bill under a different procedure code to ensure payment. Situations like these can be perplexing to a new therapist. It is intimidating to have to tell a doctor that you cannot falsify the nature of a client's injury or treatment for billing purposes. When faced with an ethical dilemma, check what rules, regulations, and laws affect you. Consult an attorney, if needed, if

## EXERCISE 8-2

With the class divided in three groups, each group discusses one of the examples below. List possible solutions for your example situation. Each group then reports its findings to the class, and everyone discusses other possible solutions.

*Example 1:* A chiropractor refers a client to you after a car accident. The client is receiving treatments from both of you each week, paid for by his insurance company. Then the client complains of additional pain in an area that had not previously been affected and wants work in that area too. What do you do?

*Example 2:* A client has been receiving treatment for the last 6 weeks for pain and lack of movement in her right arm. Her insurance company approved a series of eight treatments. At the end of the eight sessions, you feel you have done as much as you can, even though she still has some pain. The client asks you to report to the insurance company that her pain level is still fairly high and she needs six more treatments. What do you do?

*Example 3:* You have a new client who wants to be treated for a car accident injury. She reports that she is suing the other driver for her injuries and asks you to keep good notes for her attorney. After each session, she wants to read your notes. After the third session, she does not like the wording of some of your notes and asks you to change what you wrote to make her pain sound more extreme. She feels this will help her case. What do you do?

you have a question about insurance fraud or falsification of client records, which are both punishable by law.

The notes that therapists and other health care providers keep about clients have involved some controversy. Some feel that this information belongs to the providers, while others feel clients or patients have the right to all notes about them. What a health care provider writes can be read by others, however, including the patient or client, insurance companies, other health care providers, and attorneys if litigation is involved. Therefore, all information must be true and accurately reported. Even casually written notes can become legal documents, and you should write all client notes keeping that in mind. If you choose to talk to another party about a client situation, such as when seeking assistance from a mentor, be sure not to use the client's real name unless you have written permission to do so; just call the client Jane or John Doe.

### Key Points

- Consent is required to release client information.
- Check what information the third party needs.
- Know your legal responsibilities.

## THERAPIST DISCLOSURE

As a therapist, you provide clients with information about the modalities and treatments you perform, your credentials, and your own health. Educating your clients about the modalities and expected outcomes helps them be part of the process of reaching their goals. Clients also need to trust your credentials and training and to know that they are not at risk for health problems by interacting with you.

### DISCLOSURE OF MODALITIES AND TREATMENTS

Clients who are being treated for a condition or injury frequently ask about certain modalities and what they can do for them. Many also ask how long treatment will last and how quickly they will get better. In most cases, unless a client specifically asks for a certain type of work, the therapist determines what type of bodywork best suits the client's needs. One client may benefit most from deep work such as myofascial release, while another may gain more from craniosacral therapy. Therapists should discuss with the client the work to be performed along with expected outcomes.

Most bodyworkers have learned a variety of massage styles to serve their clients' needs. Schools of massage offer a large and diverse assortment of massage styles. Many students begin with Swedish massage or Shiatsu as a foundation for their education. The time spent learning a specific technique can vary from 2 or 3 hours to hundreds of hours. Because of such variations, students often wonder at what point they can say they are proficient with a particular technique. Is it after a few hours or a few days of instruction, or should it take several months before advertising a specialty technique? This question has long been debated among even the most seasoned massage practitioners. Instructors who are qualified to teach a technique (having received the appropriate education) can usually tell you how many hours of instruction you need before you are proficient enough to advertise performing a specialty technique. Students can also research other sources of training information, such as any pertinent

state laws or regulations, and ask other practicing therapists what qualifications or training is needed to perform specialty techniques. You may also need to check any state laws, rules, and regulations about what qualifications may be needed to advertise a technique or modality.

Once you are satisfied that you have reached the appropriate level of education and skill in a technique, have practiced many hours, and feel confident that you understand the technique and know the results, you can tell clients that you are trained in that specialty. Clients may still ask how many hours of training you have or how long you have been using a particular technique, and your answer should be honest.

Massage therapists should continue to attend education seminars, read books, and research specialties. New information is constantly available about the effects of different modalities. Some modalities with different names are very similar treatments but involve slightly different approaches. Research these modalities, and ask other therapists if they have attended courses. Your clients may even tell you about other techniques they have received and the results of those sessions.

When you treat clients with specific techniques, you have the responsibility to tell them what they should expect from the treatment. If the type of work may leave a client sore for a day or two, it is your obligation to inform the client about that before you perform the technique. Clients should always have the choice about what they receive. For example, clients who are told that a certain type of massage may leave them sore for a few days may choose not to have that work done now because the timing is bad for other activities in their life. Before the session begins, explain the modality, what the client should expect during the treatment session, and the expected outcome. Clients have the right to refuse treatment if they feel this type of therapy is not for them. You may offer the client other options, such as other types of massage, or a referral to another therapist who does another type of work.

With all modalities, clients should be taught about appropriate uses for the technique and expected outcomes. If a client asks a question regarding a modality or treatment and you are unsure of the answer, do not be afraid to say that you do not know, but then take the time to research the answer and get back to the client as soon as possible. The client will appreciate your concern. It would be unethical to make up an answer just to give the impression of being knowledgeable or to justify a treatment. Ethical treatment of clients includes providing correct information.

## DISCLOSURE OF CREDENTIALS

Clients often ask where you went to massage school, how long you attended classes, and how many hours of education you have. Questions like these are usually fairly easy to answer, since most students' initial education is usually clear-cut. But describing how you have continued your education in new and different modalities can be much more complex.

Bodyworkers attend seminars and conferences to learn new approaches and styles of massage that interest them or that clients have requested. Continuing education courses are offered on single weekends, over several weekends, or over many days depending on the class. Some educational sessions involve a small amount of information or a simple technique. Others contain a great deal of information and complex techniques. At what point can you ethically say that you perform this new technique? In the massage community there is something called the "weekend warrior" syndrome. A therapist may attend a weekend seminar in a specialty technique and on Monday start telling clients that he or she is trained in the new technique. Weekend workshops frequently involve a great deal of information and offer some time for hands-on techniques, but they seldom give enough practice time for one to become proficient in a new technique. Many such courses also do not test the proficiency of participants to ensure they can perform the techniques in a safe and proper way for clients.

Ethically speaking, therapists who attend weekend workshops should take the time to practice their new techniques and research more fully the information presented in the seminar. Would you want a surgeon practicing on you on Monday after just learning a technique in a weekend seminar? Only when you feel confident that you fully understand a technique, are skilled in performing it, know its effects, and can truly educate your clients about what to expect, should you advertise the new technique. Ideally, instructors of these workshops and classes should test their participants before allowing them to advertise the new specialty. Many educators are moving in this direction and have developed courses with different levels of proficiency for students.

You may have seen bodyworkers advertise that they perform as many as 10 different types of massage or bodywork. One may wonder how proficient a therapist may be at so many different types of work. Specialties like craniosacral therapy take a great deal of education, time, and practice to become proficient. A weekend workshop just introduces a small part of what is needed to perform

this type of work. Yet some therapists feel justified in advertising each and every workshop they have attended. The ethical issue here is that a client could potentially be misinformed about a therapy or, even worse, hurt by a therapist who is not trained sufficiently. Many people do not know to ask therapists how much training they have before receiving the work. Therapists should become proficient in any technique before advertising or working on clients with the new technique. Work with the instructor or other therapists to improve your skills before working with clients.

Some facilities advertise having many different types of massage available. This is common in spas or salons. Their menus may include deep tissue, sports, aromatherapy, Ayurvedic, reflexology, and hot stone massage. Ethical businesses hire therapists who are trained in these techniques and book clients requesting a specific technique only with an appropriately trained therapist. Unfortunately, some businesses claim that all of their therapists are trained in all techniques and give therapists only a crash course in a technique. Educating business owners is also an important aspect of being an ethical practitioner.

New massage school graduates are sometimes hired into unethical practices such as these, and you should be aware this can happen. The spa business is growing very fast and is highly competitive. Therapists should not perform techniques in which they are not trained; if a client asks you for such a technique, talk with your employer. Before accepting a position, ask your potential employer what techniques you are expected to perform. Many spas will provide in-service training in some of the specialty techniques. Client safety is always essential, and all businesses and therapists must be qualified and trained in the techniques they practice.

## DISCLOSURE OF HEALTH STATUS

Therapists expect clients to inform them about their health and any conditions they have, to help determine if massage is safe to perform. Clients should also expect their therapist to disclose any information that could affect them adversely. For example, if a therapist has a viral infection such as a cold or the flu, clients should be informed. Most facilities have or should have policies regarding employees who have contagious conditions, typically stating that appointments are to be rescheduled until the condition has passed. The decision whether to continue practicing generally depends on the level of risk to the client. If a therapist has an infected sore on the arm, for example, it could present a risk during bodywork. Yet the same sore on the leg, covered by a bandage and clothing, may present minimal risk.

Our world is affected by a number of serious long-term communicable diseases. Herpes, Hepatitis B, and HIV are examples of serious contagious viruses. The Centers for Disease Control and Prevention (CDC) has tracked the number of health care workers affected by diseases such as HIV/AIDS since the 1990s. For example, in 2001, 5.1% of the more than 450,000 reported cases of AIDS occurred in individuals employed in health care. Each disease spreads in specific ways, and any therapist who is affected should be educated about the possible risks to others and how to prevent disease transmission.

The ethical dilemma here is whether all information about therapists' conditions and diseases should be disclosed to all clients. Therapists have the right to refuse to treat clients whose conditions present a risk to the therapist. Should clients have the same right—but only if they actually are at risk? Unfortunately, many of these serious diseases have a great stigma attached to them, and the public is scared of what they do not know or understand. For example, HIV is not transmitted by physical contact with the hands, yet some clients may still be fearful of an HIV-positive therapist. Therapists with such a disease may be justifiably afraid of losing clients if they disclose their own health information. Therapists also have a right to privacy.

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## 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.
-



Realistically, at times you may have a cold or the flu and will need to call your clients to reschedule their appointments. Clients will generally understand that you are not feeling well and will appreciate your not sharing your illness with them. Chronic contagious conditions, however, need to be addressed in a different way. Understanding the risk to your clients is the first step in acting ethically. Check with your health care provider for the most current information to help you make an informed decision about the risk. Will there be a risk to your clients if you follow all precautions? Do any state laws or rules address this issue? (Local ordinances in some areas require therapists to be tested for sexually transmitted diseases.) If there is a potential risk that the disease could spread to clients, how should you inform them of this risk?

These are very difficult questions for a therapist who becomes ill. There are no simple solutions or answers, no one or two rules that apply in all situations, and the ethics of such a situation are not clear-cut. Acting ethically involves research, education, and assistance from other supportive professionals to make an informed choice to ensure the safety of clients. Currently, no laws require health care workers to disclose their personal health history to patients or clients they are treating. Still, a therapist who has a contagious disease should examine all risks for clients. For example, what should a therapist do if diagnosed with hepatitis B? Research shows that hepatitis B is generally spread through body fluids. If this therapist has a cut on the arm, he or she must take all precautions to avoid exposing clients to this area. Talking with one's health care provider also helps one make an informed choice about possible risks to others.

Consider that if you were being treated by a health care professional who had a contagious condition, you would expect that professional to have carefully researched how to protect you from harm. As HIV became widespread, questions of ethical behavior have been carefully studied. Health care providers also have a right to privacy about their health. Overall, again, there are simply no definitive rules regarding disclosing such information to clients. Most professional groups and associations ask health care providers with contagious conditions to become educated about their condition and take precautions to ensure clients are not at risk. In fact, some health care providers have changed to other careers when they felt that their condition did put their clients at risk. In areas where sexually transmitted disease tests are required for licensure, a therapist may be denied a license to practice if found positive.

### Key Points

- Therapists should truthfully disclose their credentials and training in techniques.
- Therapists should provide clients with realistic expected outcomes of their treatment.
- Clients expect a therapist to disclose any infectious conditions that could affect them.

## DISCLOSING PERSONAL INFORMATION

In addition to health information and information about training and techniques, therapists or clients may intentionally or inadvertently disclose personal information. Several questions may be involved:

1. What information should be considered personal?
2. Who determines if the information is personal?
3. Why is the personal information being disclosed?
4. What responsibilities does the listening party have?
5. When one receives personal information, what should be done with it?

## DISCLOSURE BY CLIENT

Any information a client discloses to a therapist may be considered personal information. This includes but is not limited to the information on the health history form and information the client tells the therapist. When the information is relevant to the treatment of the client, this can be considered assessment information. Strictly personal information, in contrast, is not relevant to the treatment that a client is receiving. For example, information about what a client and her friends did last weekend or how a client is treated by a spouse is personal information.

During massage a client and therapist are alone for a period of time. Initially, some clients may talk or disclose information out of nervousness, but as the therapeutic relationship begins to develop, clients often disclose information because they feel comfortable with the therapist and may seek advice. An earlier chapter described how transference can occur when clients look to the therapist as an important person in their lives. If a therapist reminds a client of a parent figure, for example, the client may look to the therapist for acceptance

or advice and may disclose personal information. Many clients also consider their therapist an “expert” in health matters and may disclose information as a part of seeking the therapist’s health advice. For example, a client asks for no deep abdominal work because she is having a female reproductive problem. During the session, she talks more about her problem, looking to the therapist for advice about natural remedies for her condition. It is natural to want to help a client and offer advice. A therapist could have had a similar condition or know someone with the same condition. But the therapist needs to maintain professional boundaries and understand that giving advice outside the massage scope of practice is not ethical. Referring the client to another professional is the ethical way to handle this situation. Therapists should help clients understand their scope of practice and knowledge base.

Clients’ lives sometimes involve emotional stresses that contribute to physical stress and strain. Massage therapists know that emotions can affect the human body physically. Stress caused by emotional issues and situations can cause a great deal of tension in the body and other physical problems. Many clients seek massage to help relieve them of this tension. But where do we draw the line between what we treat and what we do not treat? Working out tension in muscles is within our scope of practice, but advising clients about dealing with the causes of their stress could easily lead to stepping outside our scope of practice. For example, a client reports that her neck and shoulder pain results from work stresses caused by a boss who treats her unfairly. She wants to talk about her work situation. Working on her tense areas is within the scope of practice of massage therapy, while talking with the client about how to manage her boss is not. Clients can easily take as advice even casual comments from a therapist, but this is beyond the scope of practice for massage therapy.

Bodyworkers have a natural inclination to want to help clients feel better. This attitude may lead to a willingness to listen to clients’ problems and other personal information during a session. Clients do want an outlet for their tension. But when is the line crossed? Is just listening to a client going too far and changing the focus of the session? Or is it problematic only when we begin to give advice or offer suggestions? Should bodyworkers discourage clients from even talking about themselves? In their book *The Psychology of the Body*, Elliott Greene and Barbara Goodrich-Dunn explain, “massage may indeed evoke, as a bodily experience that stimulates interaction between the body and mind, elements of the psychological life of the

client. However, these elements are the by-products of the massage, rather than the central purpose or focus. Once these by-products become the central purpose or focus of the massage therapist, it is likely that the line has been crossed, and the massage therapist is acting in a psychotherapeutic capacity.”

Some bodyworkers feel inclined to give personal advice to their clients, and this is clearly beyond their scope of practice. As massage professionals we need to understand why and how the body reacts physically and emotionally, and know how to assist clients back into a proper therapeutic relationship.

### CASE STUDY

Addison received a massage every 6 weeks at her local spa. She felt very comfortable with her therapist. On her way to her appointment this week, she was thinking about the areas that needed attention. Her lower back had been aching over the last couple of weeks. Her therapist, Ron, always asked what areas she wanted to have worked on, and she decided she wanted extra attention given to her lower back today. As Ron was working on her back, she asked him why her back hurt so much. He asked her a few questions about her lifestyle and posture and what had changed in her life in recent weeks. Addison began to tell Ron about her added responsibilities at work and how she disliked that her boss had asked her to do additional work. She began to talk about her boss and asked Ron’s advice about what to do at work. Ron realized that even talking about this made Addison’s back tighten even more. Ron explained that he could not give advice about what to do at work but continued to work on the physical aspects of her back pain. Ron stayed within his scope of practice while gently guiding the client back to the physical issue of her back.

It is not unusual, when you have had a client for months or years, that you will learn some personal information about them. For example, a weekly client who is getting married soon is stressed out by all the things that she needs to do and talks to her massage therapist about it. Clients frequently give simple information about what is causing their tension. Casual conversation with clients is not unusual. But when conversation starts happening during a session, focus on the treatment is easily lost and clients may not receive what they came for. You can help control a client’s talking by keeping conversation light and brief, not asking questions, and bringing the client back to the area you are working on by encouraging breathing and relaxation.

If a client is deeply upset by a situation, a referral to another health care professional such as a psychologist may be appropriate.

## DISCLOSURE BY THERAPIST

On the other end of the spectrum are therapists who disclose their own personal problems and information to clients. It is not uncommon to hear clients say their therapist spent the entire hour talking about their lives, relationships, pets, children, etc. Sometimes therapists try to engage the client in conversation by asking about their personal lives. Imagine what a client must feel like when they were only looking forward to an hour of peace but instead have to listen to the therapist talking the entire time? No only would this be frustrating and the client's needs not be met, but it would be unlikely that the client would return for another appointment.

Therapists sometimes act this way in an attempt to fulfill their own personal needs. Something may be lacking in the therapist's life, and the therapist loses sight of the therapeutic relationship. An important ethical boundary involves maintaining a professional and therapeutic relationship that serves the client's needs. A therapist's disclosure of personal information does not serve the needs of the client. A massage therapist who feels the need to disclose personal information while treating clients should seek the assistance of other professionals as to why this is happening.

In some cases a therapist may feel it is showing empathy to the client to disclose personal information that shows the therapist has had an experience similar to the client's. For example, a therapist might say, "I know how you must feel about all that stress caused by your job. When I was in school I worked nights at this busy restaurant and was stressed all the time. . . ." Yet telling the client about this job stress will not help meet the therapeutic goal of relieving physical stresses—if anything, the shift in focus away from the session will reduce the effects of the massage. Therapists can demonstrate empathy for a client's situation or pain without needing to demonstrate it with personal information. Professional boundaries should still be maintained.

Some clients may ask you personal questions. This may simply be the nervous reaction of a client who does not yet feel comfortable with receiving a massage in silence. Friends and family especially will often want to talk during massage. The client may also feel a need to know more about you. New therapists can become really frustrated with such personal questions. You are nervous about performing the massage, and it takes a great deal of concentration to make sure you are doing everything right. If a client

### BOX 8-2 *Best-Kept Secrets*

Any time someone is on your table or seeking advice about massage, the therapeutic relationship is in place. The person on the table is your client and you are the therapist. The client deserves to receive a massage with no interruptions. Your client deserves the best that you can give.

Each time I put my hand on the doorknob to enter the therapy room, I stop and take a moment to say to myself, "This person will receive the best massage I have ever given. The person deserves a full hour of my attention and focus on his or her well-being."

is asking you questions on top of this, the flow of the session is usually disrupted. Many massage instructors teach students ways to bring the client back to the focus of the session. Once a conversation gets started in a session, however, it can be hard to stop the conversation so that the client is still and enjoys the work that you are doing. You may easily lose your focus and not pay attention to the work that needs to be done.

Boundary issues can arise once a client knows personal information about you. Instead of the therapeutic relationship involving the therapist's focus on the client's well-being, the situation can evolve to the point where the client becomes concerned more about what is happening in the therapist's personal life.

### Key Points

- Information disclosed by a client should be used to help assess conditions and plan the treatment.
- A client's personal information should not become part of a session or the therapeutic relationship.
- A therapist's personal information should never be part of a session or the therapeutic relationship.

## EXERCISE 8-3

1. Write down the names of five people to whom you have given massages in the past month. Beside each name, list what you talked about other than the client's pain level, comfort level, and sense of being warm or cold.
2. Write down five things you can do to bring a talkative client back to the awareness of the session.

## SUMMARY

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With all types of disclosure by a client or therapist, there may be times when ethical boundaries are tested. Clients may intentionally or inadvertently raise such issues. Understanding what is ethically right or wrong in the disclosure of information will

help you address such situations quickly and without hesitation. Knowing you are doing what is best for your client is a good feeling, leads to clear-cut boundaries, and promotes a good reputation for a successful massage career. Clients will know by your actions that you have a strong foundation in the ethics of disclosure.

# ETHICS OF WORKING WITH OTHER PROFESSIONALS

# 9

## CHAPTER PREVIEW

- Awareness of your public image
- Building professional alliances and relationships
- Working ethically with other professionals
- Referrals to and from other health care providers
- Use of consultations
- Team practice issues
- Working in a supervised environment
- Professional courtesy between professionals

## KEY TERMS

**Consultation:** the process of obtaining advice from another professional in the same or related field

**Professional courtesy:** a professional doing a favor for another professional

**Referral:** the process of sending a client to another professional for care

**Supervision:** working under the direction of another professional

Throughout your career as a bodyworker, you will work with a variety of professionals, both in and outside your profession. It is important to understand the complexities of these relationships and how working with other professionals affects your own success. Massage therapy sometimes seems an isolated profession because you are usually working one-on-one with clients. Other professionals, however, can assist you in your growth and success as a practitioner. This chapter will help you understand how to connect with other professionals and how to use these relationships ethically and to your advantage.

## BECOMING A PROFESSIONAL

Being a massage therapist involves ethical responsibility. Doctors, nurses, and many other professionals are known by their profession. When they leave work for

the day, they do not suddenly stop being a doctor or nurse. Their professional title stays with them 24 hours a day. For example, if you see your health care practitioner at the mall, you most likely first think about him or her as a nurse or doctor, and the fact that he or she is an individual with a life outside the profession is only a secondary thought. This attitude is common about many professions and involves many responsibilities. Your clients and the general public will begin to see you as a massage therapist, even away from work, and your behavior will be scrutinized by others. For example, if you treat a sales clerk in a rude way while shopping and if this person knows you are a massage therapist, he or she may begin to think negatively about massage therapists in general. Lawyers suffer from the image in some people's minds that lawyers are greedy people who are always trying to sue others or make

a lot of money. In reality, of course, there are many very good lawyers, who have to suffer from the jokes and stigma of what some people think about lawyers as a whole. Massage therapists have long fought against being associated with the sex trade, but some people still make this association. The example above of a massage therapist treating a sales clerk rudely may seem a rare case, but in fact this can be quite true in small or close-knit communities.

Most owners of businesses that involve customer service will say that they live and breathe their profession. They spend a great deal of time marketing their services and have learned that even one bad situation can hurt business significantly. There is an old saying that people tell only 1 or 2 people about something they like but tell 10 about things they are unhappy about. This can be true of any service profession.

Professionals need to ensure their public behavior is fair and equitable, compassionate, and not sexual or suggestive. Treating all people professionally helps everyone see that you run your business in an appropriate and ethical manner. Avoiding all suggestive or sexual behavior similarly helps others understand that this is not what massage and bodywork are about.

People in all professions and businesses are generally expected to be courteous not only to the public but to other professionals as well. It goes without saying that you should always be courteous to those with whom you are doing business, as well as others in your profession. For example, if other bodyworkers work in your area, you should not try to increase your own business by badmouthing another therapist; the same can always be turned back against you. Someday you may find yourself working side by side with that therapist at a charity event or community function. You may also need to refer clients to another therapist, and having the respect of your peers can work to your advantage.

### CASE STUDY

Irene and her friends were having a night out on the town to celebrate her birthday. They tried several locations and stopped at a dance club because things were hopping. Irene had just turned 21, and friends were buying her drinks. After several drinks, her friends got her on the dance floor where they all had a good time, dancing and laughing.

Sitting in the crowd were two couples; one husband and wife were Irene's clients at the spa. Larry and Cindy had been Irene's clients for the last 6 months. They saw Irene on the dance floor and watched the girls having fun, including a little suggestive dancing. The couple they were with asked who they were watching, and Larry and Cindy told them that Irene was their

massage therapist. The wife of the other couple said she would never allow her husband to get a massage from someone like that, especially given the way she was dancing. Cindy had never felt jealous or threatened before, but it gave her reason to think about Irene's behavior. She began wondering if her husband now would think of Irene differently while receiving a massage.

Cindy decided to talk to Irene at her next appointment. She told Irene what her friend had said while they were at the club and that it made her worry a little about what her husband might think. Irene was surprised that someone had taken note of her behavior and assured Cindy that she would work in the most professional manner with her husband. Irene had not realized before how her public behavior could affect her professional image.

Once you begin to understand that certain behaviors can be misinterpreted by the general public, you can think more clearly about what you are doing while in public view. Massage and bodywork usually have a very positive image for the public, because the profession helps people in pain and assists in relaxation. But people's opinions can easily change if they see behavior that they do not consider professional. Awareness that your behavior is part of who you are, as is your profession, will help you act in appropriate ways when dealing with others. This does not mean that you constantly have to be on guard or not be yourself; just be aware of the impression you may be making on others.

### Key Points

- Take on a professional attitude as you enter the profession.
- Know that the public will be watching you all the time.
- Respect yourself, others, and your profession.

### EXERCISE 9-1

Write down examples of five places where you may be seen by the general public, including your clients. For each, list something you might be doing in that place that could give a potentially wrong or hurtful impression to others, which then might affect your career.

Then list ways that you could avoid these types of problems.

## PROFESSIONAL RELATIONSHIPS

From the time you first enrolled as a student, you have already been building a network of alliances with other professionals. Whether you decide to work on your own or become an employee in a setting such as a spa, it is important to realize that you will continue to be developing relationships with other professionals.

Your instructors and other students are probably the first people in your growing professional network. Students often seek information from instructors and other students about techniques, skills, and building a business. Because students often have varied backgrounds, it is very possible that people you now know may have been involved with or owned a successful business and can potentially provide you with helpful information to build your own practice. Your instructors and school administrators are also a great source of information to help you become successful. Even while the student–teacher relationship still exists, you should act professionally with your instructors and others in your school. These individuals may soon be making recommendations for you to potential employers and clients. Always acting professionally and taking your education seriously helps you begin to act as a professional bodyworker. For example, if a student is frequently late to class, the instructor may believe that student will also be late for clients. On the other hand, instructors are likely to view a student who is always on time for class and is prepared for assignments as someone who will be successful as a massage therapy professional.

Even while still in school, you are also beginning to develop a network of individuals outside of school who can help you achieve success in the future. Students often report that they have told their friends, family, doctors, local business people, and others about going to school to learn massage. These people may later help you find a location to practice or an employer to work for. Students often report to instructors, for example, that their doctor or chiropractor is interested in learning more about their career and mentioned the possibility of coming to work in their office. Many health care providers also refer their patients for massage, and the professional relationships you begin to develop, even while in school, can lead to business later on. It is good to have other eyes and ears looking out for you and opportunities that may exist.

Professional relationships should always be handled with the utmost of care. As you see in the case of Rachel, you can never know when an opportunity is waiting for you. Developing professional relationships

### CASE STUDY

Rachel had become interested in learning more about trigger point therapy. One of her acquaintances, Carole, was also a massage therapist. A day after Rachel had received her monthly massage, Carole told her that she was working for an anesthesiologist in a pain center at the local hospital. Rachel asked what type of work she did, and Carole explained that she did a lot of trigger point work and had trained in myofascial work. Rachel asked if she could observe this type of work before taking classes in this technique. Carole got permission, and the doctor with whom she worked showed Rachel the kind of work they were doing, including their treatment protocols, and explained a great deal about this work. Rachel was thrilled to have spent some time with the doctor and Carole. She wrote letters of thanks to both and then signed up to attend some classes in the techniques they had used.

About a year later, Rachel learned that she would have to close her office because the building was about to undergo redevelopment. She told Carole about it after her monthly session, and 2 days later she received a call from the doctor she had visited at the pain center. The doctor told Rachel she had heard she was closing her practice and referred her to another doctor who was the head of a different pain center. Rachel contacted this other doctor, who, unbeknownst to her, knew about her from the first doctor. The first doctor had been impressed with her when she visited her facility to learn more, and had already given a very strong recommendation to the other doctor. Rachel received a job offer and was thrilled to go to work in one of the most prestigious pain centers in her area.

with anyone you meet can help you in ways that you are yet to realize. Think of each person that you meet as a potential client or a potential connection to a great job opportunity.

You can also deliberately begin to develop professional relationships (Fig. 9-1). For example, if you like the chiropractic office where you have been a patient and would like to build your practice there, you can purposefully begin to develop a professional relationship with the doctor and staff. Such relationships may also involve other health care professionals that you or even your family members have seen. It pays to listen to family members' conversations about their health care providers. Don't be afraid to ask your family and friends who they see and think would be good connections for you to make. You can write a letter



**FIGURE 9-1** ■ Developing professional relationships can help massage therapists build their business through referrals, consultations, and additional resources.

of introduction to another professional mentioning the connection you have in the opening to the letter, and this may help you get your foot in the door to begin to develop a professional relationship. For example, you may start a letter saying, “My mother has been your patient for a long time and speaks highly of your treatment and care of patients.” The letter may then explain how your treatment philosophy is similar and how you would like to refer your clients to this professional, receive referrals, and possibly consider the person your mentor.

You can also build professional relationships with other people in the business community. When you realize that you need to have some flyers printed to promote your business, for example, you will seek out businesses in your area that provide such services. Talking with other professionals like these not only gives you information about services you may need but also is an opportunity to promote yourself to people who may be looking for your services. For example, while talking with your local newspaper representative about prices for advertising, you may learn that she has been looking for a therapist to work on her lower back. Openness to all opportunities that present themselves is an important key to being successful. Even when you

have a good business plan, be prepared and flexible to accommodate opportunities that may occur at any time.

Networking with other professionals can involve some ethical concerns. Most important, be sure to network only with other business people or professionals who have a good reputation and ethical standing in the community. If you associate with someone who has been the subject of an investigation or who is a subject of gossip in your community, this could cause problems. For example, if you have lunch frequently with the owner of a business that was mentioned in a newspaper article about an insurance fraud investigation, the public might associate you with unethical behavior. If such a person wants to come to you as a client, you have a professional decision to make. Often you can treat clients who do not share your ethical make-up, and in such cases you must maintain a professional demeanor and not become involved in a client’s problems. If other clients notice that you are treating that client and raise a question, you can again remain professional and tell them that you do not get involved in people’s personal issues when you provide services to clients.

#### CASE STUDY

At a local auto shop Jonathan was waiting to have his tires rotated when the man next to him started a conversation. Jonathan learned that he owned a large florist shop in town. The man talked about how busy they were with Mother’s Day coming up soon and mentioned he would like to show his staff how much he appreciated them with a meaningful gift. Jonathan told him that he had done chair massage for several businesses in town and that the employees really seemed to like it. The florist said that he had seen a magazine article recently about this and that he would check with his staff to see what they thought. He called Jonathan 2 days later and booked him for 2 days to work on his staff during the Mother’s Day weekend.

Professional relationships will be a part of your business regardless of the setting you work in. The relationships you build with your clients help set the stage for future relationships you will develop. If your clients see that you handle yourself professionally with them, they will trust you to act in the same appropriate manner with others they refer to you. Because everyone you work on has professional relationships with many others, referrals can involve a vast number of people. Look to every client and everyone you have contact with as having the potential to help you become successful.



**Key Points**

- Start networking now.
- Every person you meet can be a potential client or a potential source of information.
- Treat others the way you would like to be treated.

**ETHICAL BEHAVIOR BETWEEN PROFESSIONALS**

Once you realize the potential for developing a professional relationship with everyone you meet, you begin to see the importance of ethical behavior in everything you do. Just as you may make a good impression, the potential is also there to make a bad impression. For example, if you talk about other professionals in a negative manner while you are treating a client, the client is not receiving the best treatment because you are giving a personal opinion. Both clients and potential clients look to you as a health care provider and a bodyworker, someone who nurtures and has compassion. It can be challenging to stay objectively focused in all sessions on the treatment you are providing the client. Clients will ask your opinion about a great variety of subjects beyond the realm of bodywork, including nutrition, fitness, psychological issues, medications, and other health care treatments. Ethically, how should you answer a client without sharing a personal opinion? For example, what should you say if a client asks you about a medical doctor in your area whose treatment you were not pleased with or about whom a client told you about a bad experience? Would you tell the client about your experience or another client's experience? You should think through all the implications before answering such questions. Exercise 9-2 lists questions to explore.

It would be naïve to say that all professionals always act professionally. Many front page stories in recent years have involved ethical issues, and the public is familiar with corporate CEOs and others who have harmed people by behaving unethically. Unfortunately, little is written in most codes of ethics about the ethical behavior that should exist between professionals.

A difficult situation may occur when a client tells you about a type of therapy he or she has received, such as physical therapy, that did not work, or says that the physical therapist was not helpful. It would be dangerous to assume on the basis of this report that all physical therapy or therapists are bad or even that the specific therapist was incompetent. What this simply may mean is that physical therapy was not the best type of work for that client. Treatment is

**EXERCISE 9-2**

Explore the sample client questions listed below and write out a response to each:

1. What relationship do you currently have with the other professional?
2. Is it within your scope of practice to advise the client about the subject?
3. Could your client be harmed if you did not tell him or her about the subject?
4. What harm could come to you if you give advice?
5. Is your information completely subjective? Should you share that with the client?

similar to medications: some work better for some clients, while others need a different medication. In many cases clients have to try different types of therapy to find the right one for their condition. Massage therapists should think of this as a pathway to their door. If another therapy did not work, the client will seek out alternative therapies, which may include the type of work that you do.

Although clients may want to discuss the failure of other therapies they have tried, it is best not to dwell on such issues when talking with them. You can simply tell the client you are sorry the other therapy did not work but that you will try your best to help them with a different therapy. This approach helps clients consider your therapy more positively rather than focusing on negative or past experiences. Your own comments about the failure of other therapies or therapists would not be helpful to the client and are not appropriate ethically.

It can be difficult at times to avoid sharing your personal opinions. Clients will often ask your opinion about other doctors, therapies, and even other businesses in your community. The ethical approach is to stay neutral. For example, if you received treatment from a chiropractor that you did not particularly like, it may be only your personal opinion that the chiropractor or that particular type of treatment was not what you needed. Yet the treatment that you received may be just the right therapy for your client. If you gave a doctor a massage and the doctor

**BOX 9-1 Best-Kept Secrets**

In cases when another therapy has not worked for a client, do not dwell on this negative reality. Every time another therapy does not work, the client is more likely to find the pathway to your door.

did not like your particular type of work, you would not want the doctor to tell everyone you are not a good therapist. The different types of therapies are options for the public to choose among, and from an ethical standpoint it is best to tell your clients neutrally about the available options and let them choose.

Several guidelines can help you avoid ethical dilemmas and behave ethically as the public has come to expect:

- **Stay within your scope of practice.** Know where your boundaries are as a bodyworker. Staying within your scope of practice prevents giving opinions in areas in which you are not trained. For example, if a client asks you what herbal supplements may help achy muscles, you should refer the person to someone who is trained in nutritional supplements.
- **Stay neutral.** From the client's perspective, your personal opinion will seem a professional opinion. A client who asks you about a type of treatment may give more weight to your opinion than that of someone else who may actually be more knowledgeable.
- **Be sure of your facts.** Giving clients partial information can be dangerous. For example, if you tell clients about nutritional resources, you should also tell them to do more research themselves because you are not an expert in this area.
- **Refer clients to other resources.** Refer your clients to other information sources such as the Internet or library to research a subject.
- **Put yourself in the other person's place.** Think about how you would feel if another professional talked about you in the same way.

### Key Points

- Realize the importance of ethical behavior in everything you do.
- Clients generally consider your opinion as a professional opinion.
- Know the boundaries of your scope of practice.

## REFERRALS

**Referrals** can be an important aspect of your business, not only for the number of clients that you may receive, but also in terms of how you take care of clients in an ethical way. Clients want to believe that you have their best interest in mind when you are working with them. If they know that you would refer them to a different therapist for another type of



**FIGURE 9-2** ■ Referring a client to another health care provider shows your focus on the client's well-being.

therapy that would work better for them, they will look at you as a professional (Fig. 9-2). A professional always keeps the client's best interests in the forefront. Unfortunately, a client or patient is sometimes advised to try a type of therapy that may not be best for that client's needs. For example, if a patient is referred for 8 weeks of physical therapy and shows no improvement, it might not be ethical for the doctor to simply continue the physical therapy without considering whether some other therapy might be more effective. Physical therapy produces successful outcomes in most cases, but in some a different type of therapy could have more benefit for the client. Health care professionals should help clients seek out all possible solutions to their problems.

## RECEIVING REFERRALS FROM OTHER HEALTH CARE PROVIDERS

Doctors, psychologists, and other health care providers often refer clients for massage when they think it will be beneficial for the client's health and well-being. Developing relationships with health care providers who may refer clients to you may take some effort but can be beneficial for both you and clients. First, referrals are a good source for new clients. Second, when the referring health care provider believes that the client will benefit from

**BOX 9-2** *Guidelines for Referral Relationships*

- Always acknowledge the referring party.
- Know the expectations of the referring party.
- If the referred client asks for a change in treatment, check in with the referring party.
- Know the referral may be temporary. Be prepared to return the client when the therapy is done.
- Keep in contact with the referring party when requested.

the therapy you provide, this is a win/win situation for everyone. Referring health care providers show these clients that they are interested in their well-being, the client benefits from the therapy you provide, and you have a new client. In such cases it is important to maintain good relationships with both the client and the referring health care provider (Box 9-2).

When you receive a referral from another professional, always acknowledge the referral. Referrals may come from other health care providers, and it is important to check in with them about the client. They may have referred the client for specific reasons, and you should know their expectations before you begin treatments. Before any information can be exchanged between two parties about a patient or client, the client must sign a consent form that allows the information to be shared (see Chapter 10). The referring party may want the client to have a certain number of sessions or treatments during a specific period of time. This information helps you formulate an appropriate treatment plan for the client. When the time limit or number of sessions is completed, you refer the client back to the original party who may assess how the client is doing.

If a client asks for a treatment that is different from the treatment specified in the referral, always check with the referring party. It is unethical to give a referred client a type of therapy different from what was originally intended. If you believe that a different approach may be helpful to a client, talk with the referring party about a possible change in treatments to avoid any confusion.

**CASE STUDY**

Dr. Casey decided that his patient Josh would heal faster from his lower back injury with myofascial release therapy. He referred Josh to Ann, a massage therapist who had treated several of his patients with much success. Ann called his office and faxed a consent form by which Josh gave the doctor permission to tell her about his case. They discussed the need for myofascial release and the areas the doctor thought needed to be covered.

After working on the Josh for several weeks, Ann realized that some other areas too needed attention, but the doctor had not mentioned these in the initial referral. Ann therefore called the doctor and discussed a change in plans before proceeding with Josh's treatment. The doctor appreciated Ann's call and gave his permission for the additional areas. Ann explained the change to Josh, who appreciated the fact that both health care providers were working together to make his condition better.

After the number of sessions had ended, Ann referred Josh back to the doctor and sent a report detailing the work and treatment outcomes.

It is important that both parties in a referral agree on the goals for the client and understand that any changes in the goals or treatment of the client must be discussed with the other party. In some cases a health care professional may refer a client for massage but not specify a particular modality that should be used. Other health care professionals may be very specific. For example, a doctor may refer a client for neuromuscular therapy for 6 weeks to increase the client's range of motion in the neck. If you do not understand what type of work the referring party wants or the outcomes being sought, check in with the referring party to clarify the treatment. If you believe that other types of therapies would benefit the client, it is important to discuss this with the referring party before talking with the client. There may be times when other health care professionals do not know about massage modalities or the benefits they can have for a client. It is important to stay within the guidelines that are given in the referral. It would be unethical to do any type of treatment that was not covered in the referral.

After receiving a referral, it is always good to follow up with the other professional with a thank you note or letter letting the other party know you appreciate the referral. For example, if a chiropractor refers a number of clients to you, it would be good to acknowledge each referral with a thank you note and then possibly a small gift during the holiday season.

**FEES FOR REFERRALS**

Reimbursements from one professional to another for a referral have long been an issue for health care professionals. Many professionals say this is just a part of doing business, while others feel that fees for referrals are unethical, are actually "kickbacks,"

and should not be legal. In some states, it is not legal to receive financial gain for referring a client to another health care facility. For example, in some states it is illegal for a doctor to refer patients to a physical therapy facility that he or she owns. In such a case the doctor would make money from both the original visit and the referred physical therapy. Most professional associations do not have clear-cut guidelines about referral fees. It is often up to individuals or businesses to determine what they feel is appropriate and are comfortable with.

Many professionals feel that it is difficult to remain objective when referral fees are given. For example, if you know two dermatologists who treat skin conditions and one offers you a small fee for client referrals, would you be more likely to send your clients to that one? If your clients knew you were receiving a referral fee, would they feel offended or wonder if that is why you referred them? Every individual and business must consider these questions and formulate appropriate policies. Look at both sides of the referral issue when making this decision. Some professionals use referrals to increase their business, and the referral fee is considered a way of saying thank you for the business. For example, a chiropractor may send a restaurant gift certificate to other professionals who refer new patients to them. It is unlikely that other professionals would send new patients to a doctor they considered incompetent just to receive such a gift. The person making the referral is acting ethically in sending a new patient to a doctor who is competent in the appropriate treatment. The referring person simply receives a small token for doing what he or she would have done anyway. On the other hand, if a person sends clients to another health care provider, regardless of whether they need the services, and receives a fee for doing so, many would argue that the referral fee in such cases is unethical.

Referrals between practitioners and health care providers can be a very rewarding experience for clients who receive care from both. Referrals must not, however, involve any conflict of interest. The patient's or client's quality of care should always be foremost. If a therapist is motivated at all by any reason other than the client's well-being when making a referral, the situation should be closely examined. For example, could a sudden unexpected increase in your expenses affect your decision to refer a client to a professional who pays a referral fee? Clients and other professionals would see referrals made for financial or any other reason besides their well-being as improper behavior. One should be careful to avoid even the appearance of impropriety.

Check your state's laws, rules, and regulations, as well as the guidelines of professional associations you belong to, for their policies or information about referral fees. If there are no guidelines, laws, rules, or regulations that apply to you, it is important for you to decide how you will handle this issue. Set your own policy regarding referral fees and be consistent in your business.

## REFERRING CLIENTS TO OTHER HEALTH CARE PROVIDERS

It would be wonderful if bodyworkers could provide all the health care services clients need. Obviously, however, some clients will have conditions you are not familiar with or need medical attention or other therapies that you do not perform. Clients may also be seeking a type of massage therapy that you are not trained in. In all such cases, it is appropriate and ethical for you to refer clients to other health care professionals who can provide the appropriate services. It can be difficult to accept that you may lose the clients, especially when you are a new therapist who is still seeking clients. But it is important to consider what is best for the client.

New clients sometimes assume that you know how to treat all muscular conditions and look to you for all services. A client may want a sports massage, for example, but if you are not trained in this technique, you should refer the client to another therapist who does sports massage. Tell the client what types of work you do perform, and explain what outcomes can be expected from that work. If the client chooses your type of therapy and accepts the likely outcome, the client has made an informed choice. But if the client is specifically seeking a type of therapy that you do not perform, or you know a different therapy would be more beneficial, it is best to refer the client to another appropriate professional.

At other times, too, a referral may be appropriate. If a client is very emotional during a session, such as frequently crying, it may be appropriate for you to offer the name of a counselor or psychologist to help the client deal with emotional issues. It is natural for you to want to help the client yourself at an emotional time, but bodyworkers need to remember their boundaries and scope of practice—and that it is not ethical, as tempting as it may be when wanting to help a client, to cross the line into a psychologist's scope of practice. It is appropriate to be supportive of your client through an emotional time, such as explaining that this type of response can be a normal reaction to bodywork. Bodywork can bring buried emotional issues to the surface.

If these issues are troublesome for a client, however, a referral would be in order. Clients will appreciate your concern when you refer them to someone who can help them deal with problematic or painful emotional responses.

## PROFESSIONAL ALLIANCES AND ETHICAL BEHAVIOR

It is helpful to begin immediately to develop alliances with other health care providers with whom you can network, refer, and consult in your career. Begin by looking to people you already know, such as your doctor or physical therapist, to whom you can refer clients as appropriate. Research local professionals to whom you can refer clients. Bodyworkers should maintain a resource file with the following:

- Medical doctors
- Specialties such as orthopedic pain centers
- Psychologists or counselors
- Physical or occupational therapists
- Chiropractors
- Other massage therapists that practice other types of modalities
- Crisis centers or support groups
- Clergy

If you do not know anyone in a field, contact professionals practicing in that field and ask them about their services, letting them know you are looking for someone to refer your clients to when appropriate. In turn, they too may be looking for additional resources for their referrals.

If you refer a client to another massage therapist because you cannot provide the appropriate treatment, the client is likely to stay with that therapist. If you refer a client to another health care provider for a specific treatment, however, you can expect to have that client return to you afterwards. For example, if you refer a massage client to a chiropractor for a back injury, when the client is feeling better, the chiropractor should suggest that the client return to you for continued treatment. Unfortunately, not all professionals act ethically to send the client back to the original party. It is also possible that clients may like the person to whom you referred them and may decide to remain with that person for continued treatment. It is important to recognize that clients have the right to choose their treatment.

Working with other providers requires a respect for others and the treatments they provide. Communicating with other health care providers to understand their expectations helps prevent many uncomfortable or unethical situations. For example, if you refer a client to another massage therapist, it

is good to communicate to the other that you are referring the client for a specific number of treatments and then you would like to evaluate how your client is doing at the end of those sessions. If you see that the client is progressing and additional treatments would be helpful, you again should communicate with the other provider. It would be unethical for the other massage therapist to suggest the client have a different treatment protocol without talking with you first.

Always remember that your referred client should not be caught in the middle between providers. For example, if a chiropractor has referred a client to you for neuromuscular therapy for a shoulder injury and you feel that another type of therapy would be more beneficial for the client, you should talk to the referring doctor before discussing it with the client. Telling the client that you would like to switch treatments before talking with the referring person is not ethical. Communicating with the referring professional helps ensure the client's care remains the top priority and helps to build professional alliances. Keeping alliances strong with other health care providers depends on both parties acting ethically with all clients.

### Key Points

- Refer your clients when other treatments would be beneficial for them.
- Research resources for referrals for your clients.
- Clients should trust that you have their best interest in mind.

## CONSULTATIONS

At times you will need the advice of other professionals to help you with your clients or business. A **consultation** is a means of obtaining information from another professional about a particular subject or client. Usually you consult with those you consider experts in the area in which you are seeking advice. Consulting with others can help you be more successful with your clients and business. For example, if you are wondering how the public in your area is responding to another health care provider's marketing mailer, you could consult with that person to decide if a similar mailing might work for you.

During the consultation process, you receive advice from others. Advice from others regarding your business, techniques, treatments, or conditions can help you expand your capabilities when treating your clients. For example, if a client tells



**FIGURE 9-3** ■ Consulting with other health care professionals gives you more information to work with.

you about a medical condition he or she has that you are not familiar with, you may consult with a doctor to help you decide whether to treat this client or not. Consultations help to expand your knowledge, which in turn helps your clients (Fig. 9-3). Consulting with professionals you trust can also give you more confidence in your treatment plans.

### ETHICAL USE OF CONSULTATIONS

Consulting with others provides you with additional information about a subject, such as a certain condition or type of treatment you are considering using. Other professionals may simply give you advice about how they would treat a client or what they know about a certain condition. There are no guarantees that what they say is correct or the right way to treat your client. Consulting others simply gives you more information to consider. If another professional gives you advice you think is not right or appropriate for your client, you are not obligated to take that advice. In any case, respect the other person for taking the time to give you input on the subject. It is never wise, therefore, to think or speak badly about another person who has given you advice. It is important to maintain a working relationship with others you use as consultants.

### Key Points

- Consultations offer more information for a therapist to use.
- Respect the time and effort of the consulting party.
- Seek consultations when you are unclear or unsure about a treatment or condition.

## TEAM PRACTICES

Many bodyworkers work in settings where other therapists also practice massage. Several massage therapists may work together as independent contractors in the same office or as employees at a spa (Fig. 9-4). Although the dynamics vary from setting to setting, certain issues are common in these settings.

### INDEPENDENT CONTRACTORS

In a setting where everyone works as an independent contractor, each therapist essentially owns his or her own business. It may be as simple as several therapists sharing space in an office or as complex as



**FIGURE 9-4** ■ A massage therapy practice may include a number of therapists working together as a team.

a full facility where one party oversees the general part of the business while everyone still works on their own. In settings where all therapists are their own boss, it can sometimes be challenging for all to agree on issues such as scheduling appointments, hours, advertising, and ethics. The very reason many therapists have their own business is that they like doing things their own way. It is unlikely that everyone will think exactly alike on all issues; often therapists have a wide diversity of opinions about how the business should be run. For example, one therapist may think that a client who does not show up for an appointment should be charged the full amount for the session, while another therapist may not feel it is appropriate to charge the client this way. Chapter 10 discusses how therapists in group practices can work together to establish mutually agreeable policies for an office.

## ETHICAL ISSUES IN TEAM PRACTICES

Ethical issues, more than business issues, often seem a stumbling block for therapists in settings where several therapists practice. Therapists often have a wide array of opinions, for example, about socializing with clients. Some therapists have fairly weak boundary lines with their clients, while others maintain a very rigid line. Therapists who have weak boundaries can easily face ethical dilemmas. A client may take advantage of a therapist who lacks a firm foundation, especially when it comes to ethical issues. Other issues too may arise. For example, if one therapist in a practice has a policy that she will never see clients socially and another therapist in the practice does not feel the same, a client who invites everyone in the office to a party may be confused by the different responses from the therapists. It can be almost impossible for a group of independent contractors to agree on all issues they may face. Many successful group practices therefore include only therapists who have similar feelings about issues, or try to reach general agreement regarding ethical issues. At times in a group practice you may have to go about your business and be concerned only with your own practice. Unfortunately, the public views a group practice as one business rather than separate businesses of individuals operating on their own. If a situation occurs that makes you feel uneasy about the ethics of other therapists in a group practice, you may need to find a location better suited to your ethical makeup.

In a practice where one person oversees the business, guidelines are usually set by that person for everyone who practices in that facility. When considering joining a group practice, it is important

that you carefully review the members' expectations and consider whether you can follow their policies and guidelines. The practice owner or person who oversees the business wants the public to know what the beliefs and values of the practice are and will ask all therapists to follow and respect the guidelines. Discussing issues with this person will help to prevent complications and resolve any questions you may have.

### Key Points

- Ethical issues versus business issues can be a stumbling block for group practices.
- A strong foundation can prevent ethical issues from arising.
- Policies and guidelines can help avoid conflicts.

## SUPERVISION

**Supervision** means that you are working or practicing under the watch of another person or professional. Many therapists work under professionals such as doctors or physical therapists. Supervision is particularly useful when another party such as an insurance company decides that a professional such as a doctor needs to guide the appropriate treatment. Physical therapy assistants, for example, in most cases work under the supervision of a physical therapist. Supervised work does not imply that a therapist is not competent but occurs when another party needs assurance from an experienced or more highly trained professional. Many bodyworkers work under supervision, such as a therapist who works under supervision in a chiropractor's office that bills the client's insurance company.

Working in a supervised environment can be helpful for new therapists. The guidance of another professional can help a therapist formulate treatment plans, help consult about a condition a client may have, and be a source of referrals for a therapist.

In some situations ethical issues may arise in supervised work. For example, a supervisor might ask a therapist to treat a client for 15 minutes but bill the insurance company for 30 minutes. Or a doctor might ask a therapist to bill using a procedure code for a type of work the therapist is not trained in, if the doctor knows the insurance company always pays using that code. Therapists working under the supervision of another professional have been asked to do things that are illegal or unethical. It is very difficult, in such a situation, to question the integrity of an action your supervisor

asks you to take. The bottom line, however, is that if you take part in something that you know is illegal or unethical, you are just as guilty as the supervising party. If you participate in a situation that leads to insurance fraud, for example, the authorities will not excuse you because you were working under supervision. You should always understand what is accepted and appropriate in the work you are performing. Don't be afraid to ask questions and seek out answers. In the worst case that may mean that you have to find another person to work under, but even if so, in the long run, you will find it the right thing to do.

### Key Points

- Supervision is working under the guidance of another professional.
- Working in a supervised environment can be helpful to a new therapist.
- Having the same ethical policies will help the two parties work more cohesively.
- The ethics of other professionals you work with can affect the public perception of your ethics.

## PROFESSIONAL COURTESY

**Professional courtesy** refers to a professional doing a favor for other professionals. For example, a massage therapist may offer a professional discount to other therapists such as \$15 off a session. This is called a professional courtesy because the discount is not offered to the general public. Other types of professional courtesies include making appointments outside normal business hours or offering services that are not generally available to the public, such as payment plans.

Professional courtesies are generally seen as part of doing business and are extended because of advantages for both professionals. Ethical issues seldom occur, although one party may take advantage of another. For example, if a doctor sees another professional during off hours, it would not be ethical for the other professional to expect the doctor to also see their friends and family members during off hours. Taking advantage of another professional can cause bad feelings and result in professional courtesies no longer being extended.

Another type of professional courtesy is one professional offering information that another professional may gain from. For example, if the first professional has heard a complaint from a client about the second

professional and knows the client is threatening some type of action, the first professional may pass on information to allow the second to try to intervene and resolve the potential problem. Talking about a client, however, may raise ethical issues of confidentiality.

Professional courtesies often involve decisions for both parties. All services are seldom equal in value. For example, if a massage therapist and psychologist decide to exchange services, the value may not be the same. The massage therapist may normally charge \$60 an hour, while the psychologist's fees are \$120 an hour. The parties may agree, therefore, to base their exchange of services on the amount of time involved rather than monetary value.

Both parties should be comfortable offering or accepting the professional courtesies. A clear understanding will help prevent conflicts from happening. If either party feels taken advantage of, however, it is important to discuss the issues before the situation gets out of hand. If an ethical issue arises, such as if you feel another is asking you to do something "under the table," a professional courtesy becomes a burden and should be stopped. Professional courtesy in most cases is a good way of doing business and involves effective networking with other professionals.

Courtesy is also good marketing for your practice. Other business owners and professionals appreciate being treated with respect and will in turn be a source of clients or a source for business advice that assists you in your practice. You never know when you may need a favor from someone. Taking advantage of professional courtesies offered to you can be very helpful. For example, if a therapist needs to see a doctor, it is helpful to know a doctor who will make an after-hours appointment on short notice to prevent missing client sessions.

It is appropriate, of course, to reciprocate courtesies that are offered to you. For example, if the doctor who treated you after hours later has a hurt back and needs your services, it is a professional courtesy to fit this person in your schedule as soon as possible.

### Key Points

- Professional courtesy is providing favors for other professionals.
- Professional courtesies are services not provided to the general public.
- Professional courtesies should always be reciprocated.



## RESOLVING CONFLICTS

Conflicts can happen when you are dealing with other professionals and business owners. You may not agree with the way another professional treats your client, for example, or you may have a personal disagreement with someone.

### CASE STUDY

Lindsey had been working in the Sunny Day salon for a year but found the atmosphere was not exactly what she wanted for her practice. Other therapists gossiped about clients and made comments that she frequently thought were not ethical. She decided to move her practice to an office a few blocks away and gave notice to the owner of the spa. The owner was not thrilled because Lindsey had brought many new clients into the spa.

After Lindsey moved, the spa owner, who was also a nail technician, started telling her clients that Lindsey was not a good therapist and making other inappropriate comments. Lindsey heard about this from her clients and decided to speak with the spa owner. The owner denied saying anything, but Lindsey knew better. For Lindsey, this confirmed her move had been the right thing to do. Lindsey in turn decided that she would not speak about the owner or the spa in a negative way. She did not want that type of negative atmosphere in her new place. She spoke again with the spa owner, saying that she would still like to refer clients for the spa's services but that she would have a hard time doing so if negative things were still being said about her. Lindsey told the owner that she would like to part on good terms and even offered to help the owner find someone to take her place at the spa. The owner was surprised and decided to take Lindsey up on her offer and was more careful in what she said to her clients.

Conflicts can involve business matters, such as a problem with your landlord or other tenants in your building or a disagreement with another business in your community. Conflicts can also happen between therapists in the same office. For example, therapists are often upset when one of their clients makes an appointment with another therapist. Although therapists do not “own” their clients, some therapists feel they have a right to clients they have already treated. Another common problem between therapists involves the use of equipment

or times scheduled in shared rooms. Quickly resolving such conflicts is important so that clients do not feel the tension when they enter the office.

Conflicts should *never* be resolved through clients. Your clientele should not even know that you are having a conflict with someone else. Clients come to your facility to be treated for their conditions, and involving a client in a conflict is not ethical. Clients often complain that they had to listen to the therapist's issues or complaints during their session. If a client has to listen to you talking about a conflict during a session, the focus on the client's needs has been lost.

Resolving conflicts helps you to stay focused on your work and your clients. There may be times, however, when no matter what you do, a conflict cannot be resolved. In such a case it is still important that your clients are not aware that the conflict even exists. You cannot always change what others say or do, but clients will respect that you have chosen not to involve them in your personal issues. Focus on your client and the session at hand. Deal with any conflicts on your time and in your space.

### EXERCISE 9-3

With the class divided in three groups, each group representing a shared business in which therapists practice together and taking one of the examples below, discuss and present to the rest of the class how your group would try to resolve the conflict.

1. The landlord does not want your facility to stay open so late. He has to pay extra for the parking lot lights and security because your office is open later than other businesses in the building. You have 15 regular clients who come during the hours in question.
2. There is a disagreement in your office among several therapists about the days and times that rooms can be used. One of the therapists has been booking clients into another person's time, forcing the other therapist to make clients wait up to 30 minutes. The first therapist refuses to change her appointments because her schedule is full.
3. A therapist in another business located several blocks from your office has been telling people in the community that your business is on the “shady side.” A number of your clients have reported this to your office. How can you resolve the conflict with the other business and with the clients who reported this issue to you?

**Key Points**

- Conflicts can occur within a practice or with other businesses or people.
- Client sessions should focus on bodywork and not involve any conflicts.
- Resolve conflicts as quickly as possible to help keep the focus on your clients.

**SUMMARY**

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Working with other professionals is an important component of a massage therapy practice. Obtaining information, referring clients, and working with other therapists require that you treat others professionally and ethically at all times. Your clients will see that you have their best interests and well-being as the focus of your practice. Treating your clients and others with respect and ethical practices will serve your clients, your community, and your profession.

# POLICIES AND PROCEDURES

# 10

## CHAPTER PREVIEW

- Policies and procedures providing the structure and foundation for a therapist's practice
- Values and beliefs helping formulate policy and procedure
- Policies and procedures providing safety for both clients and the therapist

## KEY TERMS

**Informed consent:** a client's right to all pertinent information about a treatment and the granting of permission for a treatment based on that knowledge

**Policies:** rules and guidelines established for a particular group or population, such as a business

**Procedures:** processes by which policies and guidelines are carried out

Companies, business owners, and individuals in private practice establish policies and procedures to help their businesses run smoothly, effectively, and ethically. To avoid confusion and inconsistencies, policies and procedures are usually written and collected in a manual. Policies and procedures manuals are living documents that are flexible and can be changed as the business or its needs change. Rules and guidelines help both the business and its clients or customers understand the expectations for the services offered, costs, hours of business, and ethical behavior. The policy manual can be the foundation for a business owner, new employees, and partners to follow. In contrast, businesses without written policies and procedures are often disorganized and experience problems with their clients. Ethical issues can arise. This chapter discusses the importance of policy and procedures for bodyworkers and offers ways to help establish your own guidelines.

## WHY POLICIES AND PROCEDURES ARE NEEDED

**Policies** and **procedures** can form the foundation for your practice and business. Whether you are opening your own business or joining an established

business, it is important to formulate or adopt needed policies and procedures. For example, if you go to work for a spa, you need to follow the policies and procedures established by its owners or managers. These managers set up the policies and procedures to help the business run efficiently and to help clients and employees understand the business and know what is appropriate or not.

At some time you probably have done business with a company or retail store that seemed to lack clear policies or procedures regarding customer relations, such as how to return a purchased item. As a customer you probably felt like its employees did not know what they were doing. Clear policies and procedures, on the other hand, are guidelines that help clients or customers know that the business is concerned with the service it provides and with making its customers as comfortable and as happy as possible.

## BUSINESS POLICIES AND PROCEDURES

The guidelines that you set for your business inform your clients and customers of your expectations and what rules they need to follow. For example, you may have a policy that states that all clients have to pay for services immediately following their sessions.

This may seem obvious at first—until you encounter a client who asks to pay after a series of five sessions. Telling this client that your business policy is that all services must be paid immediately after a session and that the business does not maintain accounts-due accounts makes the expectations clear. Without such a policy, for example, the client might not return after a couple of sessions and then you would not be paid for sessions you had already given.

Policies are also needed to prevent situations that you are not comfortable with. If clients see that you have no policy on a specific issue, they may be tempted to try to convince you to do something you are not comfortable doing. For example, a client may pressure you with social invitations if you do not have a policy against not socializing with clients outside the office. Clients and customers expect companies or businesses to have policies and procedures and usually accept them when they are clearly stated or written. Similarly, written policies can help prevent ethical issues from arising with clients. For example, many facilities have a policy that a therapist can refuse service to a client. Quoting the policy is useful if a client makes an inappropriate sexual remark to a therapist. It is not against the law for clients to make sexual remarks, but it is unethical.

It is helpful to have written procedures also for even simple things such as opening and closing the facility. These are particularly helpful for new employees who may need help remembering all the things that should be done at the end of the day (Box 10-1).

Even simple procedures can easily be forgotten, and a checklist in the procedure manual will assist employees who may not normally perform the task. Clear-cut guidelines help prevent problems such as tasks not being completed and having to remind employees what to do.

Once developed, a business's policies should be maintained as consistently as possible for both clients and employees. For example, if a company changes

its policy and suddenly no longer accepts checks from clients, customers might become upset. It is important always to inform clients and employees of any changes, therefore avoiding any surprises.

Business policies may include the hours a business keeps, the types of services offered, payment requirements and schedules for clients and therapists, and vacations for employees. Generally two sets of policies are written: one for clients or customers, and a separate policy manual for employees or other individuals working in the office. Policies help support procedures, and vice versa. For example, a group practice may have a policy that payment is required at the end of a session, and the procedure is that the receptionist asks what type of payment the client wishes to make and then writes a receipt for the office records and the client.

## PERSONAL POLICIES

Personal policies are guidelines developed by a particular individual in the practice for his or her use. Within a practice of several therapists, different therapists may have different individual policies. For example, one therapist may never work on Sundays, while another keeps this option open. Personal policies too can be written if needed for clear communication to others, or they may simply be orally communicated when needed. Some therapists feel the need to have a written document to confirm their policies when questioned by a client or co-worker or to serve as a reminder. For example, a therapist in a group practice may have a policy that other therapists who use her equipment must sanitize the equipment after each use.

### Key Points

- Policies set guidelines for clients and employees to follow.
- Procedures are processes by which policies are followed.
- Policies and procedures should be the foundation of a business.

### BOX 10-1 *Sample Facility Closing Procedures*

1. Turn off all equipment in the laundry area (hot packs, oil warmers, and facility stereo).
2. Check each massage room for any additional laundry and place in laundry room.
3. Empty trash in all massage rooms.
4. Pick up magazines and empty trash in reception area.
5. Lock the back door and deadbolt from inside.
6. Turn off all lights except the front hall light.
7. Put up the closed sign.
8. Lock and double-check the lock on your way out.

## VALUE OF POLICIES AND PROCEDURES

Policies and procedures help define a business's structure and how it operates. Most people have worked for a company with a policy or procedure manual. When questions arose, answers could usually be found in the manual. For example, if an employee needed to know when the company closed for holidays, the policy manual would answer

that question. Employee policy manuals also can contain information about hiring requirements, expected behaviors and the consequences for inappropriate behavior, management structure, and training agendas. The value of a policy and procedure manual comes in the use of and follow-through with the information the manual contains.

## VALUE FOR THERAPISTS

Policies and procedures provide a structure for therapists to use and also help portray a professional image to the public. It can be overwhelming for a person who provides bodywork sessions to also tend to the day-to-day operations of owning or being a part of a business. Structuring daily operations in procedures can help prevent having to make constant decisions about the business and operations.

A business without a clear structure is often in a constant state of chaos and change. For example, if a massage office had no policy about its hours of operation, it would be hard for therapists to set up consistent hours for their schedule and their clients. Successful businesses understand the importance of structure for both staff and customers.

Structure and policy can also help therapists set up their schedules and goals. For example, a therapist who wants to attend 20 hours of continuing education every year needs to begin to schedule time away from the business long before the appointment book becomes full and cancellations would be required. Clients who book on a regular basis can be rebooked ahead of schedule to prevent any problems. If a therapist has a set schedule, it is much easier to make plans and be organized with tasks that need to be completed. For example, a therapist who begins sessions at 9:00 A.M. every day of the week except Wednesday will find it easy to use that time to go to the bank, pick up supplies, and run errands needed for the business. Without a set schedule, fitting in all the detail work becomes challenging.

Policies and procedures can also help a business or individual present a positive, professional image to the public. When providing services to the public, a business is under the constant scrutiny of its customers, particularly its new and potential customers. A potential customer who stops by a massage office to make an appointment and finds inconsistent hours may look elsewhere for services. The public expects and relies on service businesses to have consistency, which results in part from policies and procedures.

A therapist's policies should also help clients understand what services the business provides (Fig. 10-1). For example, a therapist's brochure may



**FIGURE 10-1** ■ The policies of a massage therapy practice should be communicated to clients.

state that practice offers sports massage, reflexology, and deep tissue massages. If a client asks for a type of therapy that is not offered, the therapist should have a policy for making a referral for other types of therapy.

Policies also prevent therapists from being put in awkward situations in which they would have to decide on a case-by-case basis what action to take. Not being prepared with an existing policy makes a therapist vulnerable, and a client may try to take advantage of the situation. For example, if a client is 30 minutes late for an appointment and there is no stated policy referring to this situation, the client may still expect to receive a full hour massage, even though that would cause delays for all following clients. But if the therapist has a clearly stated policy that sessions are booked for the designated time only, clients who are late will know that their session length will be affected. This is a good example of a needed policy for practices that need to run on time.

Procedures similarly help provide structure needed in businesses. Procedures for banking, purchasing supplies, and other daily functions help therapists be more organized and plan for the future growth of the business. For example, if you always plan to purchase supplies at the end of the month, you can budget for those supplies during the preceding weeks.

New therapists who think about their policies and procedures being a foundation for their practice have made a good start for handling the often

complex issues faced by both owners of businesses and employees working for someone else.

## VALUE FOR EMPLOYEES

Policies and procedures help employees in much the same way as business owners. Many new therapists are understandably nervous when they begin a new job. Remembering what to do during the session, interviewing the client, and being able to answer clients' questions can be intimidating for someone new in the business. Having to make decisions also about issues such as what to do with a client who is unhappy with service or has payment issues only adds to that nervousness. Established policies and procedures for employees mean that many decisions such as these have already been made and the employee can more easily transition into the business.

An important educational aspect of being an employee involves learning an employer's policies and procedures. Often policies are set by business owners or managers who are not bodyworkers, and sometimes it is difficult to put these policies into play. For example, many spas schedule appointments only 15 minutes apart. Depending on the spa's physical setup and the availability of help from other employees, this policy may not be practical. If the therapist also has to check the client out, take payment, book the next appointment, and prepare the room for the next appointment, as well as possibly needing a quick moment alone to refresh, 15 minutes may not be enough time. Seeing what works or does not work also helps new therapists understand what they may want to do if they set up their own business. Therapists who choose to stay within the spa can help the managers and staff understand the needs of massage therapists in order to better serve clients. Before making or suggesting changes in policies and procedures, however, it is important to understand the employer's original reasons for setting policies and procedures affecting bodyworkers and their clients (Fig. 10-2).

## VALUE FOR CLIENTS

Policies and procedures state guidelines for clients and help them know what to expect from a bodywork practice. Many therapists put their office policies in writing, and many require clients to sign a statement that they have read those policies. For example, many massage practices have a policy that states they have the right to refuse service to clients. Such a policy is usually designed to avoid clients who have made inappropriate comments or



**FIGURE 10-2** ■ When you interview with a prospective employer, be sure to learn the employer's policies and procedures.

gestures toward a therapist in the past. Another policy may be that only 1-hour sessions are scheduled. Clients frequently ask for longer sessions, but this policy would let clients know this service is not offered.

Many other policies are designed to help a client feel safe in the massage environment. Policies concerning draping and attending to the client's comfort levels based on the client's feedback are designed to help clients feel more comfortable. The safety and comfort for all parties should also be foremost in the policies of any business.

### Key Points

- Policies are the structure and foundation for practice.
- Procedures define how policies are carried out.
- Policies and procedures help protect the safety and well-being of both clients and therapists.

## FOUNDATION FOR AN ETHICAL PRACTICE

Beginning with your first day as a massage student, you have been building the foundation for your massage practice. When students first enroll in their massage program, most are not thinking about the many dynamics that will be involved in

massage practice, such as emotional issues and responses to bodywork or the marketing of a massage practice. Determining the image to project to the public and the type of work to perform are among the many variables that can set a practice up for success or failure. Many of the other issues discussed in previous chapters can help you understand the importance of the foundation you are building for practice. Therapists who do not believe a foundation is needed and who do not plan for their career, on the other hand, can end up in uncomfortable ethical situations.

Therapists first beginning practice often experience common fears and nervousness. Some clients may sense that nervousness and try to take advantage of a new therapist. For example, if a client tells a new therapist that he or she has never been draped for massages in the past, the therapist may feel obligated to do the same. If a therapist is caught off guard by such a request and does not have a stated policy about draping, it may be hard to tell the client that this is not acceptable. But if the therapist has a policy that states that all clients will be fully draped except for the area being worked on, this makes it easy to tell clients that this is required. The client then clearly knows the expectations for the session.

Just as some clients may “test” a new therapist, in other situations a client may make a request that the therapist simply has not yet thought about. For example, a 13-year-old may request a massage. Most facilities require that a parent sign consent or be present during the session with someone this age. Initially a facility may not have a policy regarding minors, but after experiencing the situation it then sees the need for such a policy. Such problems can be avoided by taking the time, before beginning practice, to consider anything that could happen between a client and therapist and to design policies to prevent or handle such situations. Policies and procedures must be flexible to change when needed, however.

### THERAPISTS' INDIVIDUAL BELIEFS AND VALUES

Working in a business with other therapists frequently leads to differences of opinion regarding the ethics of bodywork. One's values and beliefs originate in personal back-ground and upbringing, so it is only normal that therapists will encounter others who have a completely different outlook on some ethical principles involved in bodywork.

### CASE STUDY

Lindsey was excited to be hired by a nearby resort spa. During her initial training at the spa, she learned that 15 other massage therapists also worked at the spa, which had developed a considerable business. About half of these therapists worked part time, the others full time. Lindsey was a bit disappointed that she received only a half day of training before beginning to perform massages the next day. The manager talked about routine matters such as laundry, supplies, appointment times, and uniforms. When Lindsey asked about what to do if a client had a problem, the manager was vague and did not answer her questions.

Later, Lindsey talked with two other therapists in the break room and said she was a bit nervous about interacting with clients. She asked them if they had ever had problems with clients who asked them to do something inappropriate. Both of the therapists said it had happened to them, but their responses were very different. One said that she let clients have what they wanted, in this case, to receive a massage without draping. The other therapist told the client that it was her policy that all clients will be draped. A client had tried to talk her out of it, but she told him that if he did not accept this policy, the session would end. Lindsey asked if the spa had policies that addressed these concerns. The other therapists told Lindsey they were not aware of any particular policies and they just handled problems on their own.

### CONFLICTS IN BELIEFS AND VALUES

Working for another party rather than for oneself can involve a number of ethical issues. The business may have policies that address issues a new therapist may not have thought about, but also disagreements may arise about policies. Situations may occur in which one's personal beliefs and values are tested. For the sake of a job, should therapists put their own personal beliefs and values aside? This problem is not unique to the bodywork profession but occurs also in many other professions. For example, a business may have a policy about not giving customers certain information before they purchase a product; in this case employees would need to decide whether they want to work for that company if they believe that customers should have all information upfront.

Employees often do not agree with every policy of a business. Employees may disagree with policies involving vacation days, sick days, scheduling, and pay periods when they are required to follow those policies. Policies concerning more subjective

issues are more likely to result in a wide variety of opinions among therapists. For example, a business may have a policy that a client will be red-flagged for asking for something sexual yet will book the client again with another therapist. Some therapists would disagree with this policy, believing that this client should not receive services again from the business. Yet another therapist may not have the same problem with the client. Bodyworkers have a great variety of opinions about situations like these. It is important to come to an agreement, in all group practices, about what will be done when a therapist does not feel comfortable working with a client. Being supportive of others and their opinions is an important part of having a successful business.

It is difficult to know in advance, however, all situations therapists may encounter in a business. Therefore, it is difficult to create policies in advance that will cover every possible situation. It is helpful to talk with a mentor or others who have bodywork businesses to learn what policies to consider and even how to make decisions about them.

It is also important to ensure your policies are consistent with state laws, rules, and regulations. For example, if a state rule requires certain parts of the body to be draped during a massage, your policy should be at least as stringent, although it can be stricter if you prefer. If a client questions your policy, you can say that it is both your policy and a state rule that draping must cover certain areas of the body.

Policies can also help you preserve boundaries that will sometimes be needed with clients. A client who does not agree with one of your policies such as draping may choose to go elsewhere. An important question to consider, in such cases, is whether you would feel uncomfortable forgoing the policy. What if that policy is intended for the safety of the client and the therapist?

Ideally, all massage practices should have clear, written policies and procedures, including both independent and group practices and all other businesses. The foundation provided by policies helps everyone know the expectations of the practice. The safety of the client and the therapist should always be foremost when policies and procedures are developed.

### Key Points

- Clients will test policies and procedures.
- Diversity in values and beliefs leads to differences in policies and procedures.
- Group practices require compromise and consensus.

## WRITING YOUR OWN POLICIES AND PROCEDURES

The process of developing policies and procedures begins with making an initial plan for the business. Initially it is difficult to cover all the areas that need to be addressed. Policy and procedures documents are living documents, meaning they are flexible and should be changed if new issues arise or a policy is not working well.

### DECIDING WHAT IS IMPORTANT

Consider two questions when developing policies and procedures:

- “How does this policy or procedure help my clients?”
- “How does this policy or procedure help me?”

Policies and procedures ideally should be helpful to all parties, although some policies or procedures refer to only the therapist or client. For example, a business procedure for making a bank deposit every night involves only the therapist. A policy that requires all clients to have an interview with the therapist before receiving a bodywork session benefits the client by focusing on the health and goals of the client, but it also benefits the therapist by helping give direction to the massage session.

Policies and procedures should also be practical and convenient for the parties affected. For example, if a business makes a policy to accept only cash, this could cause a hardship for clients who rarely carry cash and who show up for an appointment without enough money to pay for the session. Would you send a client to an ATM to get more cash, reschedule the client's appointment, or accept the client's check for that session? All policies and procedures are developed to help a business run smoothly and to provide clients with a quality service. If a policy or procedure gets in the way of that service, it should be revised. Policies and procedures should also be flexible enough that they can be adjusted if they are causing a hardship for one of the parties involved.

Exercise 10-1 helps you identify areas to address when writing your own policies and procedures. As Exercise 10-1 shows, policies and procedures are needed in many areas for a massage business or therapists working as employees. A therapist's own policies may help that therapist have a more successful practice than others in the area. Policies and procedures help motivate the discipline that is sometimes needed to stay focused on the business side of massage.

The MassageWorks sample policies shown in Box 10-3 are just a beginning of a full set of policies



**EXERCISE 10-1**

For each of the practice issues below, write one or two sentences that state a policy for a massage therapy practice. Try to keep your statements general enough to apply in all or most circumstances.

*Example:* MassageWorks (business name) will accept clients from advertising, word of mouth, and referral. MassageWorks reserves the right to refuse service to clients who behave inappropriately.

1. Client interview: \_\_\_\_\_  
\_\_\_\_\_
2. Modalities practiced: \_\_\_\_\_  
\_\_\_\_\_
3. Draping: \_\_\_\_\_  
\_\_\_\_\_
4. Acceptable types of payment: \_\_\_\_\_  
\_\_\_\_\_
5. Referrals: \_\_\_\_\_  
\_\_\_\_\_
6. Hours of operation: \_\_\_\_\_  
\_\_\_\_\_
7. Therapists' qualifications: \_\_\_\_\_  
\_\_\_\_\_
8. Advertising: \_\_\_\_\_  
\_\_\_\_\_
9. Rotations: \_\_\_\_\_  
\_\_\_\_\_
10. Seniority: \_\_\_\_\_  
\_\_\_\_\_

**BOX 10-2 Best-Kept Secrets**

Many successful therapists make it a personal policy to come to work always when scheduled, even if they have no appointments. They can use this time to make reminder calls and follow-up calls, develop marketing plans, and handle phone calls and potential walk-ins. It would be easy just to take the time off when one has no appointments, but having a good work ethic helps a therapist become successful.

**BOX 10-3 MassageWorks Policies (Sample)**

**Hours of Operation:** MassageWorks is open Monday through Friday from 10:00 A.M. to 7:00 P.M. Appointments are suggested but not required. The last appointment for massage services will be at 6:30 P.M.

**Seniority:** Therapists who have been with the spa the longest have first choice of days and shifts.

**Saturdays:** All therapists are required to work at least one Saturday per month.

**Schedule Changes:** Therapists may not switch shifts with other therapists because many clients make their appointments with a particular therapist. All schedules must be approved by the spa manager.

**Draping:** Draping clients must follow the strict guidelines in state rules and regulations. Clients who request little or no draping will be told the state rules and the spa's policy. Any therapist who does not drape all clients appropriately is subject to suspension or termination.

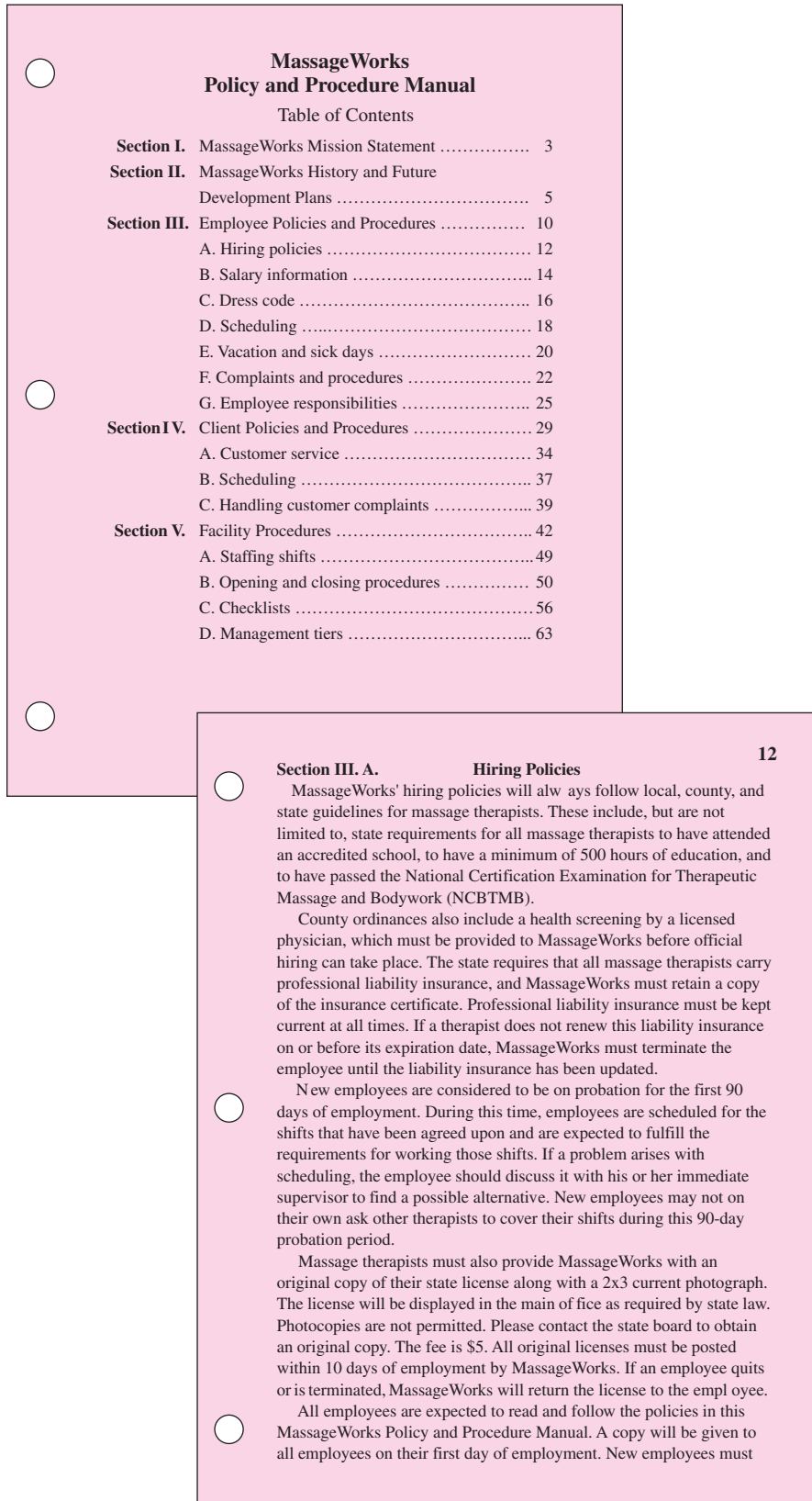
therapists should develop for their practices. As you begin your own practice, you will see a need for additional policies and procedures (Box 10-4). Any time you experience a problematic situation, stop to think about how a policy might have prevented or solved it. Then write a policy to prevent or solve similar problems in the future.

**DEVELOPING A MANUAL**

Exercise 10-2 along with other suggestions made in this chapter can help you formulate the beginning of a policy and procedure manual for a new massage or bodywork business.

As you write your policies and procedures, think about how to best present them with a professional appearance. A few notes handwritten in a notebook are a beginning, but a neatly word-processed or typed format will look more organized and professional when you show it to others who may be considering working with you in a facility (Fig. 10-3). Think about what you yourself would expect to see when applying for a position at a business. A professional appearance says a great deal about those looking for quality employees and independent contractors. Think also about how written policies can be presented professionally to your clients, as discussed in the next section.

In a practice in which several therapists work together as independent contractors, policies and procedures may be developed by the group. In any group decision, compromises on issues are sometimes needed. Very rarely does a group of people



**FIGURE 10-3** ■ Give your policy manual a professional appearance.

**BOX 10-4 Other Topics Included in Policy Manuals**

1. Client privacy and confidentiality
2. City ordinances and state law compliance
3. Health and fire department compliance
4. Informed consent
5. Therapists' or clients' right to refuse services
6. Payment for missed appointments or late arrivals
7. Time of payment
8. Socializing with clients
9. Working with friends and family members
10. Insurance reimbursement
11. Referral sources
12. Note-taking and filing procedures

agree completely on every issue. Group work meetings help set the tone for developing a working manual with everyone involved. If one person does all the writing, in contrast, it may be hard for the others to take ownership and pride in what has been written. But if all parties involved bring their ideas and each has a forum to talk about what he or she feels is needed, this approach encourages communication so that the group develops a plan that everyone can work with. If a consensus cannot be reached on important policies, an objective outside resource such as a mentor or consultant can help the group decide the most acceptable compromise.

**EXERCISE 10-2**

Imagine that you are new owner of a massage therapy practice where four other therapists will work as independent contractors. If possible, look at another company's policies and procedures manual to get a general idea of what areas are covered and the kinds of wording used. Ask your friends, parents, or a mentor if they have a policy manual where they work. Check your own workplace for a manual. All of these can give you good ideas for policies and procedures. Then address these questions:

1. List areas the manual should address.
2. Write a one- or two-sentence policy statement for each area you identify.
3. What procedures should be developed for this new business? Consider what procedures should apply to all the therapists working in this facility.
4. Exchange your policies and procedures list with other students in the class, and give each other feedback.

**Key Points**

- Look at policies and procedures used in other businesses.
- Always ask two questions:
  - How does this serve the client?
  - How does this serve the therapist?
- Consider the well-being and safety of both the client and the therapist.

**COMMUNICATING YOUR POLICIES****INFORMING THE PUBLIC**

Policies can be conveyed to the general public and to clients in a number of ways. Initially, the first contact with a potential client may involve some discussion about the business's policies. For example, if a new client makes an appointment with you for next week, after confirming the date and time, you may tell the client that you have a 24-hour cancellation policy that requests clients to call in to cancel or reschedule at least 24 hours in advance or they will be charged for the session. Clients then know that they need to call ahead if they cannot make their appointment. Many businesses have this policy, and most will waive the policy in some unavoidable events such as a client who is required to stay late at work or has to care for a suddenly ill child.

Brochures and marketing pieces can also convey a business's policies. The operating hours, types of services offered, and types of payment accepted are important information for potential new clients. Obviously, you need not include here your business policies that do not apply to clients. Other policies can be communicated to clients only as needed. For example, if you require a signed consent form before rendering services, you can state this policy on the intake form. Policies should be written in clear and concise language without sounding harsh (Exercise 10-3).

**Informed consent** is also a means of providing information to clients. When clients are going

**EXERCISE 10-3**

Look back over the policies you wrote in Exercises 10-1 and 10-2 and determine if the statements are clear. Ask several other students to look over what you wrote and point out anything that does not seem clear or that seems expressed in negative language.

to receive a massage or therapy, it is advisable to inform them about the type of treatment they are going to receive and the outcome they should expect. Often clients ask questions to help them fully understand the treatment they will have. Most facilities require clients to sign an informed consent form, which states they have been told about the treatment and they consent to it. Generally all health care facilities require that a patient or client sign such a form before any treatments are given.

Informed consent helps both the client and the therapist understand what the session will be about. For example, if a client does not want to agree to a particular aspect of a session, such as energy work, this should be noted and signed by the client and therapist. Ethically, the therapist must be honest about the expected results of a massage treatment; for example, the therapist should not mislead the client to think a pain will be completely gone if the client's condition is such that it may not. Nor should the therapist allow the client to have unrealistic expectations, even if the therapist said nothing to promote those expectations. For example, if a client happens to mention that he or she hopes to never again have a back problem while receiving regular massage, the therapist must correct such unrealistic expectations. Complete honesty is the ethical key to giving information so that the client can give informed consent.

## INFORMING EMPLOYEES

When employers and potential employees talk about employment, policies and procedures are generally a major part of the discussion. Both parties need to feel the policies and procedures are workable. During the interview an applicant should ask questions in order to fully understand the employer's expectations of employees. Often a copy of the business's policy manual is given to an applicant to read before accepting the position. If you are considering a position offered to you and you have not seen the policy manual, ask to read it so that you are sure that you can work within the business's guidelines. Sometimes a new employee is very excited about getting a job and realizes only later that he or she is not comfortable with some of the policies. You can also talk with others who have worked or are not working at this business to learn about the effectiveness of the policies and procedures.

From the employer's point of view, it is also better to ensure that potential employees or independent contractors understand all the expectations from the beginning. Preventing future misunderstandings and problems can save a great deal of time and energy.

For example, if a business requires all therapists to work at least two Saturdays a month and an applicant does not want to work weekends, it is better to know this before the person is hired and both parties later discover that it is not going to work out. The more information that can be presented in the preliminary stages, the lower is the risk for misunderstandings and problems.

Once an applicant has accepted a position, it is important that the new employee is trained in every respect. Simply handing an employee a manual and asking him or her to read the material is not enough. There is too much room for interpretation, and questions often go unanswered. Discussing policies in person will help the new employee more fully understand what all policies mean. After being trained, employees should sign a statement saying they have read the manual and have been trained in all policies. This can be helpful for the employer later on if problems develop because an employee is not following a policy.

## INFORMING OTHER THERAPISTS

As either an employee or an independent practitioner, it is important for you to inform other therapists and professionals about your policies and procedures and to learn about the policies of other professionals with whom you work. For example, if you refer clients to a certain chiropractic specialist, it would be important to know if this chiropractor's patients are required to see his or her massage therapist while receiving chiropractic care. Likewise, it is important to inform other professionals about any policies you may have that affect clients who are referred to you. The information is best provided in writing so that it remains available to the professional and his or her staff. Many therapists who often use a referral network give packets of information to the referring parties. This may contain promotional material, business cards, and referral policies for staff and potential clients. This can also be an additional marketing opportunity.

### Key Points

Policies can be conveyed to others:

- Verbally
- By brochures
- Through signed intake or consent forms

## SUMMARY

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Policies and procedures form the foundation and structure for most businesses. The policies of a massage therapy practice should be based on offering quality services and looking out for the safety and well-being of both the client and the therapist. The success of the business is often determined by how

well policies and procedures are developed and followed. Writing policies should be an ongoing, flexible process. Clearly written policies, when communicated well to clients, help ensure clients that they will be treated fairly and ethically. Similarly, clear communication of a practice's policies to employees and other therapists and professionals also helps prevent problems that might otherwise occur.

# BUSINESS ETHICS

## CHAPTER PREVIEW

- The public perception of ethical business practices as key to success
- Effect of the ethics of others on your reputation
- Effect of your ethics on the business of others
- Ethical responsibilities of owning a business
- Ethical marketing practices that enhance success
- Financial issues that involve ethical responsibilities

## KEY TERMS

**Independent contractor:** a non-employee who provides services within a business

**Sole proprietor:** a person who owns and operates his or her own business and often works alone

**E**thical issues are an important aspect of the business of massage therapy. Business ethics are important both inside and outside the treatment room, and poor ethical practices can easily lead to the downfall of a business. As discussed in previous chapters, when you begin practicing, you become a bodyworker rather than just an individual, and good business ethics is part of that persona. This chapter will help you understand how and why business ethics is an important component of a successful practice.

## IMPORTANCE OF GOOD BUSINESS ETHICS

It has been said the public is always watching. Although you may feel your private time is strictly yours, it is a good to remember that whenever you are out in public, someone else could be judging your behavior. For example, if you make a purchase and the clerk gives you too much change, do you keep the extra money or do you give it back? What will that person think of you when he or she

realizes the mistake and knows you kept the money? If you gave your own client too much change, wouldn't you appreciate a customer returning it to you? When you stand in the shoes of the other party, would you act or react differently?

The public views businesses in many ways, particularly in the bodywork profession. The business has a financial side involving advertising, money issues, and booking appointments. On the other side is the practice of massage and the public's perception of the actual bodywork being performed. Any public skepticism can easily affect either side. For example, potential clients who feel that a business's advertising is suggestive will assume that the whole business is unethical. Or clients who feel that they did not receive the full hour and a half they paid for may believe the whole practice has poor standards.

It is important for a business to be very clear about its services. It is equally important to also know the client's expectations. If clients pay for an hour and a half, will they truly receive 90 minutes of bodywork? Or is the intake time and dressing time included in that time period? Informing clients about the small details can make a very big difference in how they act or react when an issue arises.

A client who knows upfront that an hour session actually means 50 minutes of bodywork will not feel short changed when receiving services.

A business person should always be aware how the business is perceived by clients and the general public. It is a good idea to put yourself in the other person's shoes to see how a policy or procedure would feel if it affected you. Your ethical behavior will affect how people perceive your business. Educating and informing clients can be an important way to prevent problems from occurring and will help clients have a good perception of the services that you provide.

## THE PUBLIC'S PERCEPTIONS

News stories often inform the public of wrongdoing by the managers or owners of large companies. Many end up in court for their offenses. Law enforcement agencies determine when a business has committed illegal acts. Unethical acts, even when not illegal, are just as important. A person who feels unfairly treated may file a lawsuit. Even if no legal action is taken, if people feel they have been treated unfairly in some way by a business, this affects their perception of the business. An individual tells other people, and the word spreads. When the public perceives that a business has treated someone unfairly or has done something inappropriate, the public may no longer seek that business's services. For example, if a client has seen a therapist for a series of sessions but still feels the initial problem has not been addressed, this client may tell others the therapist does not give effective therapy. This is another reason it is so important to know clients' expectations and to stay in constant communication to know what they are feeling and whether you and the client are on the same track. From an ethical standpoint, if a client feels that a therapist said something unprofessional, this too can affect the client's and general public's perception of the business. It is very important to weigh your words and actions when working with clients in the bodywork profession.

Bodyworkers, like any other business people, need to maintain good business ethics. But in addition bodyworkers are also still fighting to correct the past perception of massage as a front for illegal trade. Business ethics in massage, therefore, are doubly important. Fortunately, businesses can change the public's perceptions. Educating the public is part of marketing in every business and is one of the most important components of business for bodyworkers. The wording and graphics used in advertising, for example, can easily lead the public to believe a bodyworker is legitimate. While a business name of

"Scandals Bodywork" would likely make the public wonder about its services, a business name such as Therapeutic Bodywork gives a completely different impression. Changing someone's perception may mean you gain a new client, who also helps spread the word about your business.

You cannot change the perceptions of everyone you come in contact with, however. People always have their own values and beliefs, as discussed in previous chapters. Not everyone can be convinced that bodywork is a viable, positive kind of work. But the media as a whole have helped the public see what massage and bodywork are all about. Positive news stories are aired more frequently about the value of massage and it is becoming increasingly rare to hear about raids on businesses doing something illegal under the name of massage.

As the public better understands the positive side of massage, bodyworkers can spend less time trying to change the public perception of massage, but we still must deal individually with the business ethics of our work. Handling a business and acting ethically toward others is just as important as, and in some cases can be even more important than, the massage work itself. For example, a great massage therapist may talk to a friend about a client's health, which is a breach of a client's confidentiality. If this friend mentions it to others and it eventually gets back to the client, the therapist certainly will have lost a client. In addition, others who hear the story may feel the therapist cannot be trusted to maintain confidentiality and therefore may not recommend this therapist, resulting in potentially several other lost clients. Some states, moreover, have rules about client confidentiality, so the therapist may have acted illegally as well as unethically. In either case, a wrong has been done to a client, and this is not good advertising for the therapist's business. Another example of poor business ethics is a therapist who tells clients about personal problems during a session. Although some clients may appear not to be bothered by this type of conversation, it is a frequent complaint of clients that their therapists spent much of a session talking about themselves. Clients pay for their sessions to have their own needs met. Listening to someone else's problems is not part of their plan. Frequently, this situation leads to a client not returning to the therapist and not recommending the therapist to others. Many therapists hear such complaints from clients about other therapists.

Bad news travels fast, and unfortunately people like to talk about negative things. If a business gives poor service or has poor ethics, it can be an easy target for the public. The daily news generally emphasizes negative events, and unfortunately the

public loves to hear bad news. By paying close attention to public opinions, however, a therapist can build a strong ethical business where clients will feel safe and which they will recommend to others.

### Key Points

- A business that provides service to the public should always be aware of the impression it makes on others.
- Unethical behavior may or may not also be illegal behavior.
- Good business and personal ethics help make clients feel safe.

## PROTECTION OF THE THERAPIST

Unethical business practices are a direct reflection of the owner and employees of a business. If an individual works in a business that is perceived as having done something unethical, that individual too could be perceived as unethical, even if he or she was not a part of the act. This is why it is very important for both the owners of a business and all the therapists who work there to be acutely aware of public perception. If one therapist treats a client unethically, the whole business may gain a poor reputation, and the public may assume that all of the therapists act in the same way. Therapists working in businesses such as a spa where multiple therapists are employed should be very aware of what goes on around them and help educate other therapists about the importance of public perception and reputation. If another therapist sees unethical behavior, the public most likely sees it too.

One of the most common problems faced by owners of massage and bodywork businesses is the risk of poor ethical decisions made by their employees. Policies are needed on issues such as dating clients, draping, and confidentiality, but even written policies are not always followed. The policy manual should also state the conditions of and repercussions for breaking policies. For example, if a business has a policy that therapists cannot date clients, and a therapist does date a client, the repercussions could be suspension or dismissal. Policies should be clearly defined to prevent misinterpretation.

### CASE STUDY

Kyle had been receiving massages at the Serenity Spa for a year and was pleased with the service. He did not really care which therapist he booked with, because so far all of his massages had been good.

This week, he had an appointment with a new therapist named Tammy. He was pleased to see that she was very attractive and about his age. During the session, she talked about herself a little, and they had good conversation. Afterwards, Kyle booked another appointment with her in the next week. Over the next few weeks, their conversations continued, and Kyle wanted to ask Tammy out. The next week, at the end of the session, Kyle asked Tammy if she would have lunch with him the next day. She accepted, and they began to see each other regularly.

A few days later Kyle mentioned to some of his buddies that he was dating his massage therapist. His buddies asked if there were other therapists there who were single and maybe open to dating. He told them the spa employed a number of therapists about their age, and his buddies asked for the telephone number of the spa. A couple of Kyle's friends called the spa and made appointments a few days later. When they booked their appointments, they asked the receptionist if their therapist was young and pretty. The receptionist answered professionally that this type of question was inappropriate. The receptionist flagged the appointments to let the therapists know that they should be cautious with these clients because of their comments. The manager of the spa too became concerned when he heard about this, and then he discovered that these clients had been referred by Kyle. After checking Kyle's records, the manager asked Tammy if she had experienced any problems with Kyle. Tammy admitted she was dating Kyle. The manager reminded Tammy of the spa's no-dating policy and said that she needed to take immediate steps to maintain her job at the spa. Tammy then spoke with Kyle and stopped seeing him in order to keep the job she loved. She had learned a valuable lesson about how her behavior could affect all the other therapists at the spa.

One therapist can affect the ethical environment of all other therapists working in the same location, as we see in the case of the therapist Tammy dating a client. How can therapists protect themselves, therefore, from possible misperceptions and inappropriate actions of others? Below are some steps therapists can take to prevent problems and protect themselves.

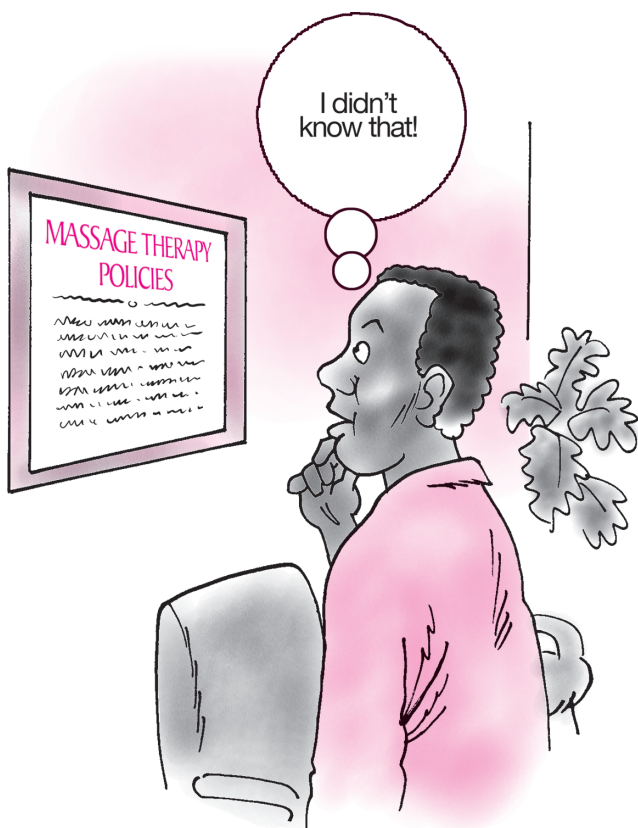
1. Before taking the job, check the business's policy manual and look for stated repercussions for not following policies.
2. If there is no policy manual, request that one be written.
3. Talk with a mentor.
4. Discuss with the other therapists the importance of policies and the public's perception of the business's ethics.



5. Decide how most appropriately to report therapists who do not follow policies.
6. Ask managers to enforce existing policies.

Policies work only when a business's owners and managers enforce them. All too often a company has rules but does not enforce them or uses them in an unfair way. Consistency in applying policies and procedures is crucial to the success of a business. Often people hear there are policies but know that nobody ever does anything when one is broken. Enforcing policies on a hit-or-miss basis is just as dangerous because some therapists and clients will constantly test the waters. Consistency in enforcing policies shows employees and therapists how important the policies are and what will happen if they are not followed. The same consistency in policies and enforcement also shows the public that the business cares about its policies and will enforce them. Both clients and therapists will feel safer in this environment than in one without consistency or rules. Policies that address client issues also reassure the public that the business has their well-being in mind (Fig. 11-1).

Therapists also want to know that they are being protected by the management. If a bodyworker works in a facility that does not enforce its policies, problems can occur for everyone who works there.



**FIGURE 11-1** ■ Relevant policies should be accessible to all clients.

Asking managers to enforce policies may not make one popular, but the result of a lack of enforcement is much worse. All individual therapists should be responsible for both themselves and the environment in which they work. Being proactive about ethical concerns serves not only oneself but also the public because of the public's perception of the business. If you become the owner of a business, your policies and their enforcement should be an important focus.

## REPORTING ETHICAL VIOLATIONS

When a therapist discovers unethical behavior has taken place, it is important to understand your responsibility for reporting the violation. The National Certification Board of Therapeutic Massage and Bodywork (NCBTMB) obliges therapists to report unethical behavior to the board. Other associations may also have similar obligations for their members. All therapists should know the expectations of the professional groups to which they belong and the process to be followed in these situations. Every therapist should also understand what can or will take place when a complaint is made. Read all the literature that you receive from your professional associations and groups so that you fully understand their expectations.

If you are hesitant or doubtful about reporting unethical behavior you observe, talk with a mentor to help you understand what is involved.

## WORKING FOR OTHERS

When a new massage therapist enters practice, it can be scary to encounter many different issues. Many graduating students are at first unsure what type of environment they want to work in, while others have a clear picture of what they want to do. Someone entering the bodywork profession has many choices, such as spas, chiropractors' offices, medical offices including orthopedic offices, pain centers, and physical therapy facilities, resorts, out-call businesses, corporate massage (chair) settings, cruise ships, and private practice. Different facilities offer different benefits, and it is wise before choosing to become educated about the choices in your community and area. Talk with instructors, mentors, and other therapists in practice to learn more about the different expectations in different settings. The researching helps one make an educated decision about where to begin a career. Learning about a facility's policies and procedures also is an important part of the decision-making process. Check out the reputation of any facility

you are interested in. Talk to friends and relatives to see what they may have heard. A Better Business Bureau in the area can tell you if any complaints have been made against a facility. State boards that oversee massage and bodywork too may provide information about specific facilities.

## WORKING AS AN EMPLOYEE

Working as an employee can remove the pressure of having to manage the business side of one's own massage practice, but this does not mean that employees do not have a responsibility to work ethically. Employees are expected to follow policies and procedures developed by the owners or staff and to accept the consequences of breaking those policies and procedures. Sometimes employees feel they can do what they want once a session begins and no one is watching over them. If all employees put themselves in the place of the management, however, and took the time to understand why the rules were made, they would see that policies not only protect the business but also protect clients and the therapists. These guidelines help prevent unethical situations. For example, if a spa has a rule that clients should be draped in a certain way and a client requests no draping, the therapist can tell the client the spa's policy has to be followed. This protects the therapist and prevents cases in which a client might tell the management that a therapist acted inappropriately. With a policy that the business can refuse service to clients who behave inappropriately, if a therapist does not want to give service to a client who has made inappropriate remarks in the past, this rule helps prevent a possibly scary situation with a difficult client. Employees thereby have a sort of umbrella protection from a range of possible situations.

In addition, an employee working for others can also learn much from the experience. Other therapists and business owners who share their experience can help a new student gain tremendous insight to the bodywork business. Many students begin their careers as employees, and they can gain much by observing what works well in the bodywork industry and how different situations can be handled.

If you become an employee and later discover you are uncomfortable with the facility's ethical makeup, the best thing is to move on to a place where you can feel comfortable. The environment reflects on everyone working there, and it can take a great deal of energy to try to explain away the inappropriate actions of others. It may require some effort and research to find a place that provides the positive atmosphere you are seeking, but in turn it will provide you with a good safe place to work.

### Key Points

- The ethical environment is a direct reflection of the owner of a business as well as everyone who works in the facility.
- Policies and procedures can help address ethical situations.
- Therapists should always be aware of the ethics of people who work around them.
- Employees and owners should understand the repercussions of bad ethical decisions.

## HOW THE ETHICS OF OTHERS AFFECT YOU

As mentioned earlier, a bodyworker's reputation can be affected by the actions of others in the facility. For example, a therapist may have the best massage technique in the city, but if this therapist is working in a place with a reputation for providing poor service, it will be difficult for even this therapist to overcome that public perception. Likewise, if a facility has a poor reputation due to past unethical situations, it will affect the reputation of all the therapists who practice there. For example, if the license of a therapist practicing in a facility was suspended for violating state rules, the public may assume that all the therapists there behave similarly. It has happened that a therapist gets into trouble and then the owners of the facility have to spend a great deal of time and money to reestablish the facility's reputation in a community. That is one reason many facilities are very careful about who they hire and why they have so many policies. It is expensive to market a business, and this effort can quickly go to waste if just one therapist makes a mistake.

Sometimes new therapists are surprised by the ethical makeup of a facility. In school you are taught to be careful with what you say and how you act with clients. When you enter the workplace, however, you will likely see some other therapists acting unprofessionally and sometimes even breaking state rules or laws. New therapists typically feel confused about what to do in such situations. If it looks like there truly could be problems, such as a rule or law being broken, talk with a mentor or former instructor. These individuals can give you guidance on what you should do.

Employees can also talk with the owner or manager of the facility about their concerns. The therapist may not be aware of everything involved in the situation, or there may be another point of view to consider. Unfortunately, some businesses continue to do things that are unethical until complaints are filed or the business is caught. Bringing an ethical

issue to the manager's attention may not always lead to a solution.

If an unethical situation continues, a therapist may have to decide whether to continue to work with that business. Talk with other therapists or a mentor to clarify the situation and the alternatives. In some cases therapists leave a business and report the problem to the state board or local authorities. These are serious decisions that should not be made lightly without thought and help from others.

The actions of other therapists or managers can also raise confusing questions about what is right or wrong. Look for help to mentors, other therapists, your state board, and local ordinances as you research the problem. For example, if a therapist in a large spa with a temporary license continues to practice after the license expires, this goes against the law or ordinance. On the other hand, a therapist who keeps poor client records is not breaking the law but has poor business practices. If you discover a situation that is not illegal but you feel is unethical, view this as an opportunity to educate others about ethical practices or make the decision to seek work elsewhere. Decisions like these can take a great deal of time and energy, but it is important to deal with the situation as soon as possible.

### CASE STUDY

Sandra was excited to get her first job at the Tranquility Center in her hometown. The center had been open less than a year, but it was located in one of the best shopping centers in town. Sandra felt she could build a good clientele there. Two other therapists worked in the center, and they would be sharing clients. The center seemed to have a good structure that helped everyone stay busy.

Sandra's first couple of weeks were pretty slow, however, and she was disappointed not to have more clients. One afternoon at the front desk she overheard the receptionist recommending another therapist to several people who called in for appointments. She had been told that appointments were made on a rotating basis unless the client specifically asked for a certain therapist. Later on, she asked another employee about this and learned that the therapist in question gave the receptionist an extra \$5 for each appointment she booked for her. Apparently the manager did not know this was happening.

Sandra decided to talk to the owner about this. Although nothing illegal was occurring, she felt it certainly was unfair. The manager checked on this situation and discovered Sandra's allegations were true. A policy was then made that prevented any favoritism in making appointments. The receptionist learned that it was not ethical to accept special payments to book appointments.

The therapist who formerly had so many appointments became angry and threatened to ruin Sandra's business by telling clients to keep away from her. When this became known, the manager let that therapist go and then worked to restore a good relationship with the other therapists and staff.

### HOW YOUR ETHICS AFFECT OTHERS

In almost all cultures, good ethical behavior is viewed in a positive, rewarding way. If you think about such people as Nelson Mandela and Mother Teresa, you realize how the caring and ethical nature of individuals like this is held in high esteem. The same is true in bodywork. The general public wants to believe that therapists behave ethically in all situations. The public wants to trust that therapists know what is right and what is wrong.

Your ethical behavior as a therapist will help you develop a reputation as someone others look to and respect. The public's respect is important because many clients come from the general public and because they also will tell others about your business.

It is also important that other professionals, including other therapists, know that you act ethically. In this competitive world, if someone says a therapist is acting unethically, this can damage that person's reputation and result in a loss of valuable business. Always think about the consequences of an action before taking it. If that action would be considered risky or unethical by someone, you should think about the possible consequences. When therapists are competing for business within a spa, for example, one might say something detrimental about another to try to get more business. This would not only affect the person talking but also affects all others who are working in the facility.

A therapist with good ethics can also teach others the positive results of acting ethically. For example, in a facility with several therapists, one therapist may be busy while others are not; this may result from not only the massage techniques used but also the ethical way in which that therapist treats clients. Clients notice even the smallest details. For example, if a therapist tells a joke that someone could consider offensive, it would be a poor choice to tell this joke to all clients. A client might be offended and tell others that he or she did not like how the therapist behaved.

Setting a good example is the best way to affect others who work around or with you. Treating clients, therapists, other employees, and the general public ethically helps others see how effective positive, ethical behavior can be.

**Key Points**

- Bad ethical decisions can result in a reputation that can be hard to overcome.
- Always check and follow state laws and rules.
- Setting a good example can help to mentor others in professional behavior.

**POTENTIAL PROBLEMS**

Problems sometimes occur when you work within a business. Once you recognize a problem has occurred, you need to decide whether to do nothing and let things remain the way they are or to take action. Often when a person decides to act to make a change, someone else may view the action as troublemaking or a threat to the status quo. Such decisions can be difficult to make, especially if you are the “new kid on the block.” It is important to weigh a decision such as this and decide if the action will result in a positive change or just upset others. It may be better to seek other alternatives, such as seeking different employment because these decisions can be difficult. A mentor or instructor can help provide insight to such a decision-making process.

The problem that a therapist perceives could in some situations be based on information received from others, or someone else’s opinion, and such information is not automatically true. Check all the facts before taking action. It would be unfortunate to take action on the basis of misinformation.

**CASE STUDY**

Karie had been the lead therapist at a spa for 5 years. She was responsible for training new therapists and mentoring therapists when problems arose. Therapists sometimes felt threatened by other therapists, and Karie had learned that it was always important to sort out information before taking action when a situation was brought to her.

Annie had been at the spa for only a couple of months and was disappointed that she was not very busy. Karie suggested that she provide chair massage to waiting customers and use that time to market her particular massage techniques. Later on, several of Karie’s own regular clients, who had received chair massages from Annie, told Karie that Annie had said that Karie’s stone massages were just a passing fad and that Annie’s own new techniques would be much more relaxing for them. Karie also heard from other therapists that Annie was saying negative things to clients about their specialties.

Karie decided to talk to Annie about her conversations with clients receiving chair massage. Annie said she felt very strongly about her techniques and did not feel other types of massage were as good for clients. Karie explained that it was not ethical to try to get clients in this way. She asked Annie to put herself in the place of the other therapists and think how she would feel if they talked the same way about her techniques. Annie then understood that this was not a professional way to act; she also realized that her business had not increased by talking this way. Annie apologized to the other therapists, and they all worked with her to develop ways to describe everyone’s therapies in a positive way, including hers.

If a problem occurs, never discuss it with anyone other than those involved. For example, if a client tells you that another therapist constantly talks about problems that other clients are having, it is not appropriate to tell this client that the actions violate state law or are improper. If the other therapist works at the same facility, it would be appropriate to talk with that therapist. If the therapist is not open to change or does not take the issue seriously, it may be appropriate then to talk with the facility manager. Continuing with the same example, if the therapist about whom a client complains does not work at the same facility, the seriousness of the infraction should be considered. If the client is very upset, a therapist could give the client information about options. For example, if a client is very upset about another therapist touching him or her inappropriately, the client could be told about how to file a complaint with a state board or local authorities. It is important not to become involved with another person’s complaint, however, especially if you did not witness the problem.

Working with rather than against other therapists in the community is the best and most professional behavior. One should not compete for business at another therapist’s expense. With some 20% of the population receiving massage therapy and bodywork, there are more than enough clients to go around. Set good ethical standards and others will see how effectively they work for you.

**OWNING YOUR OWN BUSINESS**

As discussed in the previous chapter, policies and procedures form a foundation and structure for a business. A business’s policies should be based on how the business wants both the public and

## EXERCISE 11-1

With the class divided into four groups, each group takes one of the situations below. In each discuss how the therapist should handle the situation and what, if any, action needs to be taken. Present your case to the class and discuss other suggestions from the class about other ways to handle the situation.

1. A therapist in the spa where you work continually talks negatively about other therapists who work there. She tells clients untrue things to make sure that the clients will continue to book only with her.
2. Another therapist is located close to your office. She keeps lowering her prices to compete with you. Every week her prices change, and some of your clients have begun to notice the price difference.
3. A new client states that he does not like to be draped because it makes him feel too warm. He makes a big deal about it and does not want to be draped. He tells you that he always convinces the therapist to not drape at all during his massages.
4. The owner of the facility where you work has asked you to perform a type of massage that you have never been trained for. You tell the owner that you lack the appropriate training but she tells you to go ahead and try to do some type of massage because the client will probably not know the difference.

therapists to perceive the business. Business owners who choose to not have clear-cut policies usually end up facing problems that could have been prevented. While policies are important, it is even more important to ensure that the public and clients perceive a business as having good ethical standards.

## WORKING AS A SOLE PROPRIETOR

A **sole proprietor** owns and operates his or her own business. Sole proprietors generally work alone, but may work alongside other employees or independent contractors in the business. For example, three or four therapists may all work in the same office, although each works as the sole proprietor of his or her own business. The public is generally not aware of how the business is set up in an office such as this. But the public does perceive that the therapists are working together as a group. In cases such as this, it is important to know how the others act, especially when behavior involves potentially ethical issues. What one person does can easily be perceived as an action by the whole

group. Most important, any issue that arises can raise ethical questions. As noted previously, individual therapists may have their own policies about draping and dating clients, but what happens if another therapist's policies differ significantly from yours? A consensus policy that all therapists develop together and accept would help prevent possible misconceptions.

Many sole proprietors work alone, either in an office or as an out-call business. Working alone has the advantage of not being affected by the actions and ethics of other therapists. One must still be accountable to clients and any laws, rules, and regulations affecting the business. Being a professional, whether working in a group or alone, always involves being accountable for everything one does.

## WORKING AS AN INDEPENDENT CONTRACTOR

Working as an **independent contractor** means that you are working independently, as your own boss, even though you may be working within a facility or business with other professionals. For example, a spa may have three massage therapists, all independent contractors, instead of three employees. This means the facility or business provides the therapists with services such as a room, supplies, and marketing in exchange for a fee or commission. Many different business structures and arrangements have developed for independent contractors in the bodywork profession. Chiropractors, spas, doctors' offices, physical therapy facilities, hospitals, and massage offices may all prefer to use independent contractors rather than employees (Fig. 11-2). Usually there are advantages for both parties.

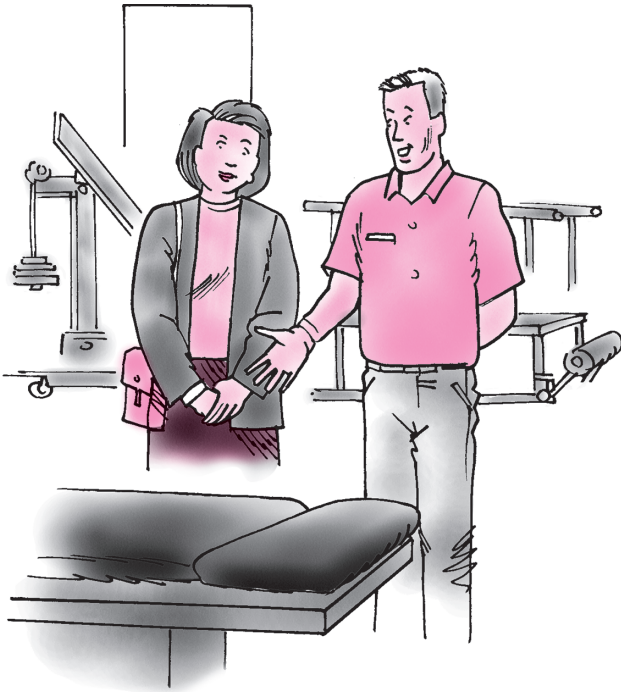
For the facility the advantages can include:

1. Lower overhead and no hourly wages
2. No taxes or workers' compensation to be withheld from wages
3. Collective marketing done as a group, possibly dividing the costs
4. Management spends less time training and overseeing employees

For the therapist the advantages can include:

1. Setting your own schedule (within a general timeframe)
2. Being in control of your own finances
3. Control of marketing (except when participating in group marketing)
4. Being your own boss

Both parties involved in an independent contractor relationship still need to be aware of possible ethical



**FIGURE 11-2** ■ Independent contractors may work in a physical therapy facility or many other health care settings.

issues that can arise. For example, even though a hospital allows an independent contractor to work in the facility, hospital administrators want to be sure the independent contractor will behave ethically. If the therapist were to act unethically, the public might perceive the hospital as being involved in the issue.

Therefore, it is important for both parties in an independent contractor relationship status to be acutely aware of what can happen. For example, a facility may provide a space for a therapist, but not any policies or support. Both parties should be responsible for ensuring that no unethical behavior takes place. For example, when independent contractors are working in a massage office, does this mean the owner is or is not responsible if a client is not treated ethically? In some states, the owner of such a facility has to obtain a license and is also held responsible if a problem arises.

A contract is an important component of any relationship between a business and an independent contractor. A facility in which independent contractors practice may have a standard contract for all therapists in the facility. Facilities or therapists that do not have a written contractual agreement can experience problems over even the simplest of issues. For example, a therapist may be told by an employee of the facility that he or she can book massages on Saturdays but then discover another therapist already using the room that day. If your facility does not use a standard contract,

offer to help it develop one or locate one that is agreeable to both parties. The contract should cover fees, schedule of payments, the facility's and therapists' responsibilities, shared expenses, times, booking appointments, and marketing. The contract need not be a complicated document. It can be as simple as a letter of understanding that both parties sign and date. The contract will help both parties understand issues of concern and how they are to be handled.

Independent contractors are responsible for all aspects of their business, including the environment they are practicing in. For example, if a therapist rents space in an office and later discovers that other individuals in that office are behaving unethically, what responsibilities and choices does this therapist have? Must the therapist leave and find another place to practice, or can the issues be addressed with the other individuals and resolved? Will the public's perception of the unethical business extend also to the therapist? These are all important questions that may arise when working as an independent contractor. Therapists who choose to work with this status should also be aware of the responsibilities that it involves.

Independent contractors sometimes also must face an unclear line between being independent and being an employee. In some cases, a facility does not want the responsibility of having employees yet still wants to set down the rules. The U.S. Internal Revenue Service has defined important differences between independent contractors and employees. If a therapist is working as an independent contractor, the facility cannot require set hours, fees, or uniforms for the therapist. A therapist may voluntarily agree with a facility on such guidelines, but the facility cannot make the rules for the therapist. A new massage therapist who is beginning work as an independent contractor should check IRS publications to ensure that all regulations are covered before starting to practice. Otherwise, problems may occur between the two parties. Information about "Independent Contractor of Employee" can be found in the IRS Publication 1779 "Independent Contractor or Employee" at [www.ustreas.gov/](http://www.ustreas.gov/).

The advantages of being your own boss, setting your own hours, and developing your own marketing strategies are very attractive to many therapists in the bodywork profession. Many therapists make this type of situation work well for them. Before entering into a contract as an independent contractor, however, first research the requirements of your state and other government agencies. Similarly, stay aware of the ethical environment that surrounds your practice.

**Key Points**

- Sole proprietors have the opportunity to set their own standards and policies.
- Independent contractors should be aware of the surroundings they are working in.
- Be aware of rules and regulations that apply to sole proprietors and independent contractors.

**MARKETING**

Marketing one's business also involves public perceptions, which a therapist should keep in mind. The first impression potential clients form of your business may result from their perceptions of your advertising. Advertising includes business cards, newspaper or television ads, and flyers. Carefully consider what you say and what inadvertent impressions may result from any forms of advertising, because once you have used the marketing, it can be difficult to repair a misconception.

**PUBLIC PERCEPTION**

The goal of advertising and marketing is to get the public's attention. Observe what types of ads in a newspaper quickly get your attention, while you hardly notice others. The wording, graphics, and even placement of an ad can affect whether and how the public notices it. For example, the word "free" in an ad generally captures attention. Then the reader explores what the "free" really means in an ad. Does it require a purchase or signing a contract? "Truth in advertising" means that a business must advertise only what it truly is offering. If a business advertises something that is not available, for example, there may be legal implications, but there are certainly ethical issues involved in being truthful with potential clients.

The advertising of bodywork has raised some issues for the public. Massage and bodywork have many benefits that are frequently listed in advertising. Most commonly, advertising describes the relaxation or therapeutic benefits of massage. But some advertising has also made claims about healing properties of massage, perhaps implying that massage can heal certain illnesses. Another false claim or implication is a reduction of body weight or cellulite resulting from massage. Advertising may mislead the public to believe that they can lose weight by receiving massage. Therapists must be careful about not only what they tell clients but also what they say in any type of advertising. Many studies have confirmed the benefits of massage and

its effects on particular conditions. Providing objective information can help the public decide the likely effects of massage for them. If your advertising claims that your massage therapy has a certain effect, you should have some type of documentation to back up your claims.

Another problem is misleading advertising about the therapist's experience or training. Claiming that one is a specialist in a particular therapy carries an ethical responsibility to be proficient in the technique. Therapists have been known to add a "specialty" to their advertising after only a few hours of training. Consider whether you yourself would like to receive a "specialty" treatment from a therapist who attended only an afternoon seminar. With so many techniques and modalities available, it is the ethical responsibility of therapists to know when they are proficient and can truthfully advertise to the public about a new technique.

The language of advertising should also be scrutinized to ensure that it is not suggestive of any type of inappropriate behavior. Adjectives such as "tantalizing" or "sensual" could be misconstrued by the public to mean something other than therapeutic massage. Whenever you write an ad or promotional piece, have other people proofread it and ask them how they perceive it. A good rule is to have three or four people review the advertising to get a good sense of what the public might think.

Graphics in advertising may also evoke a response that may not be appropriate. For example, is it appropriate to show a male therapist smiling while working on a woman's bare back? This could give some people the wrong idea. A neutral facial expression might lead to a completely different perception of the picture.

Ethical advertising leads the public to believe in what a therapist does and helps give a business a good reputation. Close attention to details helps make advertising a positive marketing tool for an ethical practice.

**Key Points**

- Truthful advertising is an ethical responsibility of any therapist.
- Words and graphics should present an ethical picture of a business.

**MONEY ISSUES**

Money issues often lead to legal and ethical dilemmas in all types of businesses. When a person's income or paycheck is involved, there is often a potential for

misunderstanding, miscommunication, or unethical behavior. Whether a person is an employee or employer, good communication and legal documentation can help prevent such problems.

## WORKING AS AN EMPLOYEE

During the interview and hiring process, much information is exchanged between a prospective employee and the hiring manager. It is easy to forget to ask questions, such as how often employees are paid or the commission for each massage. Employers may forget to mention all of the details involved in the terms of employment. In some cases an employee may later be disappointed to learn that the situation is not as good as it first seemed. For example, a spa manager may tell a therapist that the massage fee is split 50/50 with the therapist, and to a potential employee that may sound very good. But what if the manager forgot to mention that a 5% charge is deducted for expenses and overhead? Various small financial issues not detailed in the initial interview can later cause hard feelings or problems.

A therapist who is interviewing for any position should take along a list of questions about the business, hours, pay, training, and other expectations for the facility. Therapists are usually nervous during the interview process and may forget to ask questions, yet it is important to examine the facility to ensure it is the right place for them to work. All too often a new therapist starts work and later discovers problems with the pay, hours, or rules; the therapist may end up quitting and having to start the interview process all over again. Obtaining as much information as possible in the first one or two meetings helps both parties understand whether they agree on the many facets of employment. Because therapists work as both employees and independent contractors, it is important to learn the specific difference between these two types of work and to know what questions to ask.

If a business does not have clear-cut guidelines or policies about payment, commission, and fees, the therapist must clarify these issues. For example, if a business deducts certain fees for services such as laundry, is this a set fee for all therapists or does it vary based on the number of clients a therapist works on within a given pay period? Unclear situations such as this can be prevented by written documentation about all issues that relate to money. It would be unethical for a business to randomly or without notice deduct fees for services.

Ethical issues may also arise from money issues involving clients. For example, facilities have been known to add a 15% gratuity to the client's bill for

services. What happens if a client feels the therapist did not do a good job and the 15% tip is not warranted? This may lead to a discussion with a manager, and a change in policy may be needed in order to keep the client happy. Some may feel that this situation should not have arisen in the first place because it should be the client's choice when and how much to tip.

Other client issues involving money may include how to deal with bad checks or credit cards. If a check is returned, does that mean the client should never receive services again? Or should such situations be handled on a case-by-case basis? A client's money issues should not be made public or available to everyone who works in a facility. For example, a receptionist who knows that a client bounced a check should not tell every hairdresser and nail tech in the spa about it. Only those who are directly involved should know, and they should be very discreet. An exception is a customer who is purposely defrauding businesses.

## EMPLOYING OTHERS

Employing therapists and other support staff carries the responsibility of creating a good working atmosphere for employees and also the responsibility to assure that therapists and clients are treated fairly and ethically. The attitude of the employer sets the tone for all employees to follow.

An employer should begin with a policy and procedure manual for all employees. Policies about the payment of commission, pay periods, and fee structures should clearly outline what employees can expect. If an employee does not understand the policy or needs other arrangements made, the issue should be discussed with a manager or owner. It is unethical to talk to others about any financial disagreements with an owner or manager without first talking with that person. Clients, other therapists, and employees should not hear about these types of issues.

The previous chapter on policies and procedures described policies and procedures as living documents. The employer should write new policies or change existing policies as needed. Policies should not be written to enhance one person's career over another, but there should be flexibility for change when a policy or procedure does not provide for the clients or therapists in an appropriate way. Policies concerning finances are especially important. The policies should specify all information concerning payment amounts and schedules. Once policies and procedures are in place, it is important for owners and managers to enforce the policies fairly with staff. Not following financial policies





**FIGURE 11-3** ■ Financial issues are frequently discussed in staff meetings.

would lead to misunderstandings and hard feelings. Showing favoritism in such policy issues is unethical and can be a major concern for those who feel they are being treated unfairly.

Many facilities have staff meetings to discuss issues, which may include policies and procedures. For example, an office with eight therapists has a meeting every month to ensure good communication and understanding about everything happening in the office. Otherwise, the eight therapists would rarely see each other due to scheduling. Staff meetings should have an open forum for everyone to discuss problems. Financial issues are frequently a topic at staff meetings (Fig. 11-3). Issues such as fee changes, commission changes, and client payments should be discussed, and all staff should be aware of any changes before they are implemented. Communicating in advance with employees about any financial issues helps prevent misperceptions that something unethical is happening.

## FEE SCHEDULES

Setting fees for massage therapy and bodywork can be challenging, particularly for someone just entering the field of massage therapy. A good first step is to research what other therapists and facilities in the area charge for sessions, along with the types of services they offer. It is important to consider a therapist's training and years of experience when evaluating fees. For example, a therapist with 200

to 300 hours training in a specific modality would likely charge more than someone with only some basic training. Check with your massage school instructors, who often know current market prices. When you take continuing education courses, you can also ask the company or course instructor about reasonable fee levels. You also need to understand what your particular area accepts as a reasonable fee. For example, a destination spa may charge \$105 for a Swedish massage, but in a small community \$60 may be a more reasonable fee.

Setting fees for friends and family members can also be challenging. Most therapists want to offer reasonable discounts for this market, but it is important not to cut your fee to a level that you may later regret. For example, when you first begin practice you might offer your family and close friends a 1-hour massage for \$30. Later on, when your practice is busy, you may find that frequent \$30 massages are taking up part of your schedule and displacing clients who pay your normal rate of \$65. It is important to determine reasonable and acceptable fees for friends and family without becoming resentful.

Clients often tell therapists that they do not have the money for regular massage sessions. They may ask for a discount. A potential solution is to set up a sliding scale. A sliding scale determines the fee based on a client's income. For example, a client who makes \$25,000 a year may pay \$40 for a massage, while a client who makes \$40,000 may pay your normal rate of \$60. A sliding scale should be used consistently with all your clients, however. This is a way of providing fair and equitable care for all your clients and potential clients.

## TIPS AND TAXES

All employees and business owners have a personal responsibility to know and understand all tax laws and rules that apply to them. Unfortunately, some individuals do not follow local, state, or federal tax rules. Violations of these laws can cause many problems including penalties and interest payments due as well as potential criminal actions. Too many people think they can avoid paying tax when they accept cash for services. Tips and even bartered services, however, are considered taxable income. The service industry is well known for people accepting cash and not reporting it to the government or paying taxes on this income. Anyone going into a service business should talk with an accountant to learn what rules apply and to set up a financial plan. For example, independent contractors pay their own taxes. An accountant can set up a quarterly payment plan to avoid a big tax bill

at the end of the year. Accountants can also explain the many tax deductions available to those who own their own business.

## GIFT CERTIFICATES

Gift certificates will be an important part of your business as a massage therapist. During several holidays throughout the year, such as Valentine's Day and Mother's Day, therapists can make substantial income by selling gift certificates.

Several things need to be considered when offering gift certificates. First, do any state laws apply to the selling of gift certificates? In some states, it is illegal to put an expiration date on a gift certificate. Laws protect the public from businesses that sell gift certificates but do not honor them. Even if your state does allow an expiration date, how would people feel if they cannot redeem a gift certificate that has expired? A therapist might be tempted to consider this an easy way to earn income because a certain percentage of gift certificates are never redeemed or are redeemed after the expiration date. An ethical way to view the redemption of a gift certificate is money has been received and that a client who receives quality services will tell others about the business. Everyone who receives a gift certificate is a potential new client and may tell others about your business. Some therapists keep track of gift certificate purchases, and when one is not redeemed after a reasonable time, they call the purchaser and offer to provide the services that were purchased. This is an ethical goodwill gesture to clients and potential clients. Many businesses use gift certificates as an effective part of their marketing plan.

Therapists are often asked to donate gift certificates to fundraisers or to new clients to market their business. For example, someone in your community who is known for talking with many people about town is a good candidate to receive a massage gift certificate. After all, such a person is likely to tell everyone how good your massages are. Find two or three of these individuals and your marketing expenses can dramatically drop.

### Key Points

- Good communication and legal documentation can help prevent problems.
- It is important for a prospective employee to ask questions regarding all money issues.
- Expectations should be written in the form of policies and procedures.

## SUMMARY

Business ethics involves both personal ethics and the ethics of others in the workplace. It is important to be aware of the behavior and attitude of others in your workplace, as their behavior reflects on everyone there. Policies can set the tone, but employers should pay close attention to compliance for the safety and well-being of both clients and therapists. If unethical behavior is allowed to happen or is ignored, the business could develop a poor reputation with the public. Good ethical behavior helps to build a business's reputation in a profession where ethics are very important.