

POLICE COMMITTEE MINUTES

April 13, 2000

The Police Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on April 13, 2000 at 9:00 a.m.

COMMITTEE PRESENT

Pat Pomeroy, Chairman
John Giles
Bill Jaffa

COMMITTEE ABSENT

None

STAFF PRESENT

Mike Hutchinson
Don Ayers
Linda Crocker
G. T. Fowler
Pat Granillo
Barbara Jones
Ron Poulin
Jan Strauss
Others

OTHERS PRESENT

Betty Beard
Barrett Marson
Others

1. Discuss and consider possible revisions to the massage therapist and the massage establishment regulations.

Chairman Pomeroy welcomed the members of the audience to the meeting and said that following the receipt of input at the February 15, 2000 Police Committee public hearing, staff has developed recommendations for the Committee to consider prior to forwarding their recommendations to the Council for their review and action.

Tax & Licensing Administrator Don Ayers provided the Committee with a brief overview of the City's Massage Ordinance and stated that as a result of the input received at the public hearing from over 40 massage therapists, massage therapist trainees and owners/operators of massage training schools, staff has developed recommendations for consideration by the Committee.

Mr. Ayers commented that staff is not recommending the establishment of a massage industry Board of Examiners, which was suggested at the public hearing, and added that staff does not support requiring therapists to undergo either written or practical exams prior to licensure. Mr. Ayers added that staff is recommending that the Massage Ordinance be revised to eliminate the licensing of massage therapist trainees effective June 1, 2000, but emphasized that trainees who are already licensed will be granted a six month period of time in which to complete the mandatory 500-hour training program.

Mr. Ayers noted that it is also the recommendation of staff that the City accept national certification sponsored under the auspices of the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) as a basis for licensure. Mr. Ayers remarked that the NCBTMB certification requires a minimum of 500 hours of in-class formal training at an established school of massage and/or bodywork and noted that 21 states currently accept such certification.

Mr. Ayers stated that staff's final recommendation is that the Ordinance be amended to require malpractice and/or professional and general liability insurance coverage for all massage therapists upon renewal of their licenses and for all new massage therapists licensed after June 1, 2000. Mr. Ayers added that the American Massage Therapy Association (AMTA) includes professional liability coverage at no additional charge as a part of that organization's annual membership fee.

In response to a question from Chairman Pomeroy, Assistant to the City Manager Jeff Martin remarked that efforts are being expended by the Statewide Association of Massage Therapists to establish a regulatory board at the State level to monitor members of the industry. Mr. Martin noted that an extensive process will have to be followed prior to the implementation of a State board and expressed the opinion that it will be a minimum of two years before any action is initiated on the State level to govern this industry.

Committeemember Giles commented that he is not in support of creating a massage board for the purpose of administering written tests for City of Mesa licensure, particularly in view of the fact that eventually State legislation will be enacted to govern the licensing of massage therapists on a Statewide basis.

Committeemember Jaffa concurred with the opinions expressed by Committeemember Giles and indicated that although a written exam is an appropriate prerequisite for licensure, the administration of the testing process by a State regulatory board would be more appropriate and effective.

In response to a question from Committeemember Giles, Chairman Pomeroy requested that the members of the Committee cast separate votes on each of the three staff recommendations.

It was moved by Committeemember Giles, seconded by Committeemember Jaffa, to recommend to the Council that staff's recommendation that the Massage Ordinance be revised to eliminate licensing of massage therapy trainees effective June 1, 2000 and to allow the trainees one six-month renewal period in which to complete the 500-hour training program be approved.

Carried unanimously.

It was moved by Committeemember Giles, seconded by Committeemember Jaffa, to recommend to the Council that staff's recommendation that NCBTMB Certification be accepted as an additional basis upon which to qualify for licensure be approved.

Carried unanimously.

It was moved by Committeemember Giles, seconded by Committeemember Jaffa, to recommend to the Council that staff's recommendation that licensed massage therapists be required to obtain malpractice and/or professional and general liability insurance coverage upon renewal of their licenses and that this requirement also apply to all new massage therapists licensed after June 1, 2000 be approved.

Carried unanimously.

Committeemember Jaffa requested that prior to the presentation of the recommendations to the Council for their consideration, Mr. Ayers research requirements that are in place in other municipalities relative to malpractice and/or professional and general liability insurance coverage for massage therapists and provide that information to the Committee.

Chairman Pomeroy also encouraged the members of the audience to voice their opinions regarding this issue via e-mail or correspondence to the other members of the Council prior to their consideration of this matter.

City Manager Mike Hutchinson informed the Committee that introduction of the ordinance will be placed on the agenda of the May 8, 2000 Regular City Council Meeting and added that the public hearing on this matter will be scheduled for the May 22, 2000 Regular Council Meeting.

In response to a request for input from Committeemember Giles, Police Chief Jan Strauss indicated that Police Department staff support the proposed amendments to the ordinance.

Chairman Pomeroy thanked everyone for their input and attendance at the meeting.

2. Adjournment.

Without objection, the meeting of the Police Committee adjourned at 9:25 a.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Police Committee meeting of the City of Mesa, Arizona, held on the 13th day of April, 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2000

BARBARA JONES, CITY CLERK