

# AMT Position Statement

## on Regulation of the Massage Therapy Industry

### BACKGROUND

The Health Practitioner Regulation National Law introduced a national regulatory system for registered health practitioners. However, there is currently no uniform, national system in relation to unregistered health practitioners such as massage therapists. The massage therapy industry remains largely self-regulated.

Currently, only three states in Australia confer powers on state health regulatory bodies to impose sanctions on unregistered health practitioners, namely New South Wales, South Australia and Queensland. A Statutory Code of Conduct for Unregistered Healthcare Practitioners came into effect in New South Wales in 2008 and in South Australia in 2013.

The practise of massage therapy in Australia is also partially regulated by market forces. Under the Private Health Insurance Act Rule 10 provisions, Massage Therapists wishing to be private health insurance providers are required to be a member of a professional body with entry-to-practice requirements. Health fund providers must also comply with requirements to hold appropriate insurances and first aid certification, and undertake ongoing professional development.

The Rule 10 provisions also hold massage therapists accountable under association codes of ethics and association complaint mechanisms. These provisions have resulted in some level of protection for members of the public seeking the services of qualified practitioners.

The Australian Health Ministers' Advisory Council (**AHMAC**) undertook national consultation in early 2011 to determine whether unregistered health practitioners should be subject to a single, national statutory Code of Conduct similar to that in effect in NSW and South Australia. AHMAC found that 'a single national Code of Conduct made by regulation, with enforcement powers for breach of the Code is considered likely to deliver the greatest net public benefit to the community'.

In June 2013, the Standing Council on Health agreed in principle to a national Code of Conduct, and to strengthen state and territory complaints mechanisms and statutory powers to assist in the enforcement of the Code.

In March 2014 the AHMAC released a consultation paper seeking public comment in relation to the draft National Code of Conduct and the legislative and administrative changes necessary to enforce it.

### REGULATION OF MASSAGE THERAPISTS

AMT believes that the terms of the proposed National Code of Conduct are too broad to provide adequate protection to members of the public seeking the services of Massage Therapists.

AMT further believes that the current self-regulatory mechanisms in place for massage therapists should be strengthened in the interests of public health and safety by:

- **establishment of a uniform national framework for credentialing massage therapists.**  
The current industry-endorsed AQF National Competency Standards for massage therapy could form the basis of such credentialing.
- **protection of the title Massage Therapist and barriers to entry**, so that the public is protected from rogue, poorly-trained or unqualified practitioners
- **recognition of the AMT Massage Therapy Code of Practice in statute.** The AMT Code of Practice sets out rigorous benchmark professional and ethical standards for the practice of Massage Therapy in Australia. It is available for download here:  
<http://www.amt.org.au/downloads/practice-resources/AMT-code-of-practice-final.pdf>
- **establishment of a register of qualified Massage Therapists under the Australian Health Practitioner Regulation Agency website**, so that there is a one-stop-shop for members of the public wishing to access information about qualified practitioners of massage therapy. Such a register would also enhance transparency and accessibility for members of the public who may be concerned about their healthcare.

