

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 is substantially self-regulated.

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. 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.

Currently, four states in Australia confer powers on health regulatory bodies to impose sanctions on unregistered health practitioners such as massage therapists via the National Code of Conduct: New South Wales, South Australia, Queensland and Victoria. Consultation is under way in the Northern Territory and Western Australia to extend the National Code of Conduct to these jurisdictions.

The practise of massage therapy in Australia is also partially regulated through the Private Health Insurance Act 2007. Under the Act's 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, which has resulted in some level of protection for the public.

REGULATION OF MASSAGE THERAPISTS

AMT believes that the negative licensing model of regulation currently in force in NSW, South Australia, Queensland and Victoria (through the National Code of Conduct) does not 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 or unqualified practitioners.
- **mandatory criminal checking of massage therapists**, which would bring the industry in line with registered health 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.

