

# **MISSISSIPPI STATE BOARD OF MASSAGE THERAPY**

## **FY 2023 – 2027**

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### **Comprehensive Mission Statement**

The Mission of the Mississippi State Board of Massage Therapy is:

- preserve and protect individual life and health through the profession and practice of massage therapy;
- assure public safety and to promote the public interest and welfare by providing for the licensure of massage therapists;
- promote massage therapy education through the licensure of schools and instructors and the approval of continuing education providers and programs within the State of Mississippi; and
- limit licensing barriers by implementing the Military Family Freedom Act of 2020 and the Universal Recognition of Occupational Licenses Act of 2021.

### **Statement of Philosophy**

The Mississippi State Board of Massage Therapy provides quality and appropriate regulatory services guided by the principles of:

- efficiency of board management operations;
- engaging massage professionals, massage therapy educators and government bodies to insure understanding of the Act, Rules and Regulations and Standards of Practice; Military Family Freedom Act and the Universal Recognition of Occupational Licensure; and
- inspecting, soliciting public input, and cooperating with law enforcement agencies and other governmental bodies to insure professional and ethical standards of conduct.

### **Statewide Goal 1**

Promote public health and well-being for Mississippians through access to quality massage health care services.

#### **Benchmarks**

- ✓ Inquiries for professional standards requested
- ✓ Availability and accessibility of information from website
- ✓ Number of massage therapy licensure applications processed
- ✓ Number of massage therapy establishments registered

## **Statewide Goal 2**

Provide quality education through school instruction and continuing education provider and programs.

### **Benchmarks**

- ✓ Annual licensure examination pass rates meet minimum requirements of one standard deviation below the mean
- ✓ Number of quality continuing education programs approved that will enhance the knowledge of licensed professionals
- ✓ Percentage of massage programs / schools with non-conditional licenses
- ✓ Number of instructors licensed on the basis of their knowledge and training to serve as educators in an adult education environment

## **Overview of the Board's 5-Year Strategic Plan**

The Mississippi State Board of Massage Therapy has the following four main functions:

1. Review applicant files for all requirements of licensure, and to issue licenses to massage therapists to practice in Mississippi.
2. Renew massage therapist licenses in Mississippi; ensuring that all massage therapists have completed recognized continuing education required by law, including 3 hours of Mississippi law and 3 hours of ethics, 3 hours of a current CPR / First Aid training; and 15 hours enhanced training in massage modalities at the time of renewal.
3. License schools, instructors and programs who provide massage therapy education to students and therapists according to law.
4. Protect the public by investigating complaints against massage therapists, schools, instructors, or programs and working with local law enforcement agencies to eliminate the unlicensed practice of massage therapy.
5. Complete all required component conversions and continued maintenance and operation of the Licensing and Regulatory System (LARS) through the Department of Information and Technology.
6. Establish, implement and maintain registration of massage establishments.

The Mississippi State Board of Massage Therapy continues to successfully performing the above mentioned functions. Board members plan to continue to seek new and improved ways to serve the population of the State of Mississippi in regard to ensuring the safe and ethical practice of massage therapy in Mississippi and the accessibility to licensure without undue restrictions.

## **Significant External Factors Which May Affect Performance**

- ✓ Number of massage therapists renewing licenses;
- ✓ Number of applicants for initial licensure;
- ✓ Number of valid complaints filed and requiring investigation and/or hearings against:

- Licensed Massage Therapists;
  - Schools;
  - Instructors;
  - Continuing Education Providers or Presenters; and
  - Massage Therapy Establishments.
- ✓ Changes in the standards of practice of profession; and
  - ✓ Changes in educational standards.
  - ✓ Changes in state statutes

**Agency Program Goal –A:** Ensure the health and safety of the public who utilize massage therapy services (Miss. Code Ann. § 73-67).

Objective A.1: Ensure that all applicants for initial or renewal licenses meet the standards for licensure set forth in the “Mississippi Professional Massage Therapy Act”; the “Military Family Freedom Act” of 2019, as revised 2020 and “Universal Recognition of Occupational Licensure Act” of 2021.

Outcome: Number of applicants for initial and renewal licensure

Outcome: Number of applicants denied initial and renewal

Strategy A.1.1: Maintain and administer to all applicants the Mississippi State Law Examination (MSLE)

Output: Number of tests administered to applicants

Output: Number of applicants scoring  $\geq 70\%$  on test

Efficiency: Percentage of applicants passing exam

Strategy A.1.2: Obtain results of a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database

Output: Number of applicants with positive AFIS responses

Output: Number of applicants denied initial licensure based on AFIS information

Efficiency: Percentage of applicants with AFIS responses that are denied initial licensure

Strategy A.1.3: Evaluate application responses for evidence of competency

Output: Number of applicants whose application responses indicate a potential lack of competency

Output: Number of applicants denied initial or renewal licensure based on application responses indicating a lack of competency

Efficiency: Percentage of applicants that are denied initial or renewal licensure based on application responses indicating a lack of competency

Objective A.2:	Ensure that massage therapists conduct their practice in an ethical, professional, and lawful manner.
Outcome:	Number of complaints / non-compliant inspections received
Outcome:	Number of hearings conducted due to unethical conduct / practice
Strategy A.2.1:	Perform inspections at massage establishments
Output:	Number of massage establishment inspections performed
Output:	Fines levied based on inspections
Efficiency:	Average per massage establishment inspected
Strategy A.2.2:	Investigate and resolve complaints
Output:	Complaints received against licensees
Output:	Complaints received against unlicensed persons
Output:	Hearings resulting from complaints
Output:	Number of licensing hearings whose outcome included a license action (i.e., suspension, revocation, or denial)
Output:	Fines levied based on licensing hearing
Efficiency:	Percentage of hearings resulting in licensing actions
Efficiency:	Average fine per licensing hearing

**Agency Program Goal B:** Provide for quality massage education (Miss. Code Ann. § 73-67-15 and § 73-67-17).

Objective B.1:	Ensure that all massage therapists have access to initial massage training and continuing education.
Outcome:	Massage program/school licenses
Outcome:	Massage program/school instructor licenses
Outcome:	Approved massage continuing education programs
Strategy B.1.1:	License massage schools and programs to provide the statutorily-required initial training for massage therapists
Output:	Licensed massage programs/schools
Output:	Applicants taking a licensure examination
Efficiency:	Students passing a licensure examination (%)
Strategy B.1.2:	License instructors for massage schools and programs with competency in subject matter to teach adult learners
Output:	Licensed massage instructors
Efficiency:	Instructor licenses renewed (%)
Strategy B.1.3:	Approve continuing education programs for massage therapists
Output:	Approved massage continuing education programs
Efficiency:	Continuing education programs renewed (%)

Objective B.2:	Ensure that massage education providers conduct themselves in an ethical, professional, and lawful manner.
Outcome:	Complaints received
Outcome:	Inspections performed at massage programs/schools
Strategy B.2.1:	Perform inspections at massage programs/schools
Output:	Massage program/school inspections performed
Output:	Fines levied based on inspections
Efficiency:	Fines per massage program/school inspected
Strategy B.2.2:	Investigate and resolve complaints
Output:	Complaints received against licensed programs/schools, instructors, and continuing education providers
Output:	Fines levied based on complaints
Efficiency:	Average fine per complaint

### **Agency Program Goal # 3 – Efficiency of Board Management**

In FY 2023, the Board will continue to work toward a paperless office to the extent practical. The Board will also continue to implement new rules, such as the Fresh Start Act, Military Family Freedom Act, and Universal Recognition of Occupational Licensure provisions set for by the Mississippi Legislature as well as other licensing requirements under the direction of this Board to further advance accessibility to licensure without undue restrictions.

### **Objective with Outcome Measure**

- Continue to work with ITS and Mississippi Interactive to continue on-line projects for FY2023. Priorities include: Implement additional on-line processes;
- improve reporting requirements to provide more accountability of on-line process through ITS;
- streamline management services to provide greater accessibility to applicants; and
- Develop online process for massage establishment registrations

### **Agency's Internal Management System utilized to Evaluate its Performance**

The Mississippi State Board of Massage Therapy was created by the legislature of the State of Mississippi to preserve and protect individual life and health, promote the public interest and welfare by providing for the licensure of massage therapists, schools, instructors and programs and assuring public safety. The Board was authorized to promulgate Rules and Regulations to carry out the provisions of the Mississippi Professional Massage Therapy Act. The Rules and Regulations are reviewed and revised regularly; and

- maintains a set of written policies and protocols to govern the internal actions of the Board. Additionally, the Board implements the following controls: The Board enforces a Conflict of Interest Policy;

- maintains a agency wide minority expenditure rate of 93.20%;
- complies with the requirements of the Occupational Licensing Review Board prior to filing any pending rules with the Mississippi SOS;
- complies with the Administrative Procedures Act as established by the Mississippi Secretary of State, including the SOS requirements under the Administrative Procedures rule of July 1, 2011;
- participates in the MAGIC Implementation Project as required by the Mississippi Management and Reporting System (MMRS) Steering Committee through the Department of Finance and Administration. The Executive Director serves as the Agency Readiness Manager (ARM) of this implementation project;
- complies with the Mandatory Risk Assessment recommendations as required of all Mississippi State agencies;
- complies with the Internal Control Section of the Mississippi Agency Accounting Policy and Procedures Manual and will conduct an annual evaluation of all internal controls including the organization and management, administration of accounting and budgeting, purchasing and contracting, personnel and payroll, revenues and receivables, expenditures, grant administration, and electronic data processing attachments. The findings of the evaluation shall provide reasonable assurance that the assets of the agency have been preserved, the duties have been segregated by function, and the transactions executed are in accordance with the laws of the State of Mississippi. Material weaknesses in any of its functions must be identified and compliance efforts will be implemented;
- complies with the Affordable Care Act reporting requirements regarding agency participation in the DFA central process; and
- complies with the Military Family Freedom Act; the Universal Recognition of Occupational Licenses; and the Fresh Start Act, where applicable.

The Board is required by law to meet four (4) times annually; however currently meets about every six (6) weeks to conduct necessary business. Special care is taken to ensure that the needs of the general public are met and protected and that massage therapists, massage programs/schools and instructors adhere to the regulatory requirements for licensure. Board members work to correct any problems or deficiencies that impair or prohibit performing their duties entrusted to them by the Governor, their peers and the citizens of the State of Mississippi. The Board has all records computerized to reduce search times and to offer easier access to information pertaining to applicants, licenses, and complaints filed with the Board. The Board also has a regularly-updated web-site to provide the public with easy access to copies of the Rules and Regulations, complaint forms, applications for licensure, telephone and postal contact information, approved continuing education providers and programs and a database to search for the legal status of massage therapists and schools.

The Mississippi State Board of Massage Therapy has legal representation from the Attorney General's Office, Leyser Q. Hayes, and a managerial contract with Yvonne Laird, President of J-Bar and Associates, Inc., and an accounting services contract with

Kim Tullos, CPA. The Board has two (2) existing contracts with experienced inspectors geographically spread across the state and one investigator, on an as scheduled basis.

Non-general funds are used for the operation of the Board.

Respectfully submitted,

Scott Parker  
Chairman  
MSBMT

Yvonne Laird  
Executive Director  
MSBMT