

# MISSISSIPPI STATE BOARD OF MASSAGE THERAPY

## FY 2020 – 2024

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### **Comprehensive Mission Statement**

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

- to preserve and protect individual life and health through the profession and practice of massage therapy;
- to assure public safety and to promote the public interest and welfare by providing for the licensure of massage therapists; and
- to 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.

### **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; 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

### **Statewide Goal 2**

To 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. To review applicant files for all requirements of licensure, and to issue licenses to massage therapists to practice in Mississippi.
2. To renew massage therapist licenses in Mississippi; ensuring that all massage therapists have completed continuing education credits required by law, including 3 hours of Mississippi law and 3 hours of ethics, and to have current CPR and First Aid training at the time of renewal.
3. To license schools, instructors and programs who provide massage therapy education to students and therapists according to law.
4. To 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.

To date the Mississippi State Board of Massage Therapy is 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.

### **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”.

Outcome: The number of applicants for initial and renewal licensure

Outcome: The number of applicants denied initial and renewal

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

Output: The number of tests administered to applicants

Output: The 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: The number of applicants with positive AFIS responses

Output: The 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 good moral character and competency

Output: The number of applicants whose application responses indicate a potential lack of good moral character and competency

Output: The number of applicants denied initial or renewal licensure based on application responses indicating a lack of good moral character and competency

Efficiency: Percentage of applicants that are denied initial or renewal licensure based on application responses indicating a lack of good moral character and 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 inspections performed at massage establishments

Strategy A.2.1: Perform inspections at massage establishments

Output: The number of massage establishment inspections performed

Output:	The amount of fines levied based on inspections
Efficiency:	Average fine per massage establishment inspected
Strategy A.2.2:	Investigate and resolve complaints
Output:	The number of complaints received against licensees
Output:	The number of complaints received against unlicensed persons
Output:	The number of licensing hearings resulting from complaints
Output:	The number of licensing hearings whose outcome included a license action (i.e., suspension, revocation, or denial)
Output:	The amount of fines levied based on licensing hearing
Efficiency:	Percentage of hearings resulting in licensing actions
Efficiency:	Average fine per licensing hearing
Strategy A.2.3:	Perform inspections at massage establishments
Output:	The number of massage establishment inspections performed
Output:	The amount of fines levied based on inspections
Efficiency:	Percentage

**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:	The number of massage program/school licenses
Outcome:	The number of massage program/school instructor licenses
Outcome:	The number of 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:	The number of licensed massage programs/schools
Output:	The number of applicants taking a licensure examination
Efficiency:	Percentage of 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:	The number of licensed massage instructors
Efficiency:	Percentage of instructor licenses renewed
Strategy B.1.3:	Approve continuing education programs for massage therapists

Output:	The number of approved massage continuing education programs
Efficiency:	Percentage of continuing education programs renewed
Efficiency:	Number of continuing education programs with scheduled delivery dates displayed on the Board's website
Objective B.2:	Ensure that massage education providers conduct themselves in an ethical, professional, and lawful manner.
Outcome:	Number of complaints received
Outcome:	Number of inspections performed at massage programs/schools
Strategy B.2.1:	Perform inspections at massage programs/schools
Output:	The number of massage program/school inspections performed
Output:	The amount of fines levied based on inspections
Efficiency:	Average fine per massage program/school inspected
Strategy B.2.2:	Investigate and resolve complaints
Output:	The number of complaints received against licensed programs/schools, instructors, and continuing education providers
Output:	The amount of fines levied based on complaints
Efficiency:	Average fine per complaint

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

In FY 2020, the Board will continue to work toward a paperless office to the extent practical.

#### **Objective with Outcome Measure**

- The Board will continue to work with ITS and Mississippi Interactive to continue on-line projects for FY2020. Priorities include: Implement an on-line process for initial licensing of massage therapists, instructors at massage schools, and continuing education providers and programs to reduce the number of paper applications handled; and
- Improve reporting requirements to provide more accountability of on-line process through ITS.

#### **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.

- The Board 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.
- The Board 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.
- The Board 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.
- The Board complies with the Mandatory Risk Assessment recommendations as required of all Mississippi State agencies.
- The Board 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.
- The Board complies with the Affordable Care Act reporting requirements regarding agency participation in the DFA central process.

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 three existing contracts with experienced inspectors geographically spread across the state, one of whom also serves as an investigator, on an as scheduled basis.

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

Respectfully submitted,

*s/ Yvonne Laird*

Yvonne Laird  
Executive Director  
MSBMT

PROGRAM OUTPUTS	PROGRAM EFFICIENCIES	PROGRAM OUTCOMES	PROGRAM PERFORMANCE INDICATORS AND MEASURES				
				FY 2018 ESTIMATED July 1, 2017 to June 30, 2018	FY 2018 ACTUALS July 1, 2017 to June 30, 2018	FY 2019 ESTIMATED July 1, 2018 to June 30, 2019	FY 2020 ESTIMATED July 1, 2019 to June 30, 2020
			<b>Agency Program Goal –A:</b> 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				
		1	OUTCOME: The number of applicants for initial licensure	100	108	100	100
		2	OUTCOME: The number of applicants for renewal licensure	275	304	275	275
		3	OUTCOME: The number of applicants denied initial and renewal	0	0	0	0
			STRATEGY A.1.1: Maintain and administer to all applicants the Mississippi State Law Examination (MSLE)				
1			OUTPUT: The number of tests administered to applicants	150	143	150	150
2			OUTPUT: The number of applicants scoring ≥ 70% on test	135	126	135	135
	1		EFFICIENCY: Percentage of applicants passing exam	90%	88%	90%	90%
			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				
3			OUTPUT: The number of applicants with positive AFIS responses	25	26	25	25
4			OUTPUT: The number of applicants denied initial licensure based on AFIS information	2	0	2	2
	2		EFFICIENCY: Percentage of applicants with AFIS responses that are denied initial licensure	8%	0%	8%	8%
			STRATEGY A.1.3: Evaluate application responses for evidence of good moral				
5			OUTPUT: The number of applicants whose application responses indicate a potential lack of good moral character and competency	25	24	25	25
6			OUTPUT: The number of applicants denied initial or renewal licensure based on application responses indicating a lack of good moral character and competency	2	0	2	2
	3		EFFICIENCY: Percentage of applicants that are denied initial or renewal licensure based on application responses indicating a lack of good moral character and	8%	0%	8%	8%
			OBJECTIVE A.2: Ensure that massage therapists conduct their practice in an ethical, professional and lawful manner				
		4	OUTCOME: Number of complaints / non-compliant actions received	100	53	60	60
		5	OUTCOME: Number of inspections performed at massage establishments	125	90	75	75
			STRATEGY A.2.1: Perform inspections at massage establishments				
7			OUTPUT: The number of massage establishment inspections performed	125	90	75	75
8			OUTPUT: The amount of fines levied against massage establishments based on inspections	\$5,000	\$2,800	\$3,000	\$3,000
	4		EFFICIENCY: Average fine per massage establishment inspected	\$40	\$31	\$40	\$40
			STRATEGY A.2.2: Investigate and resolve complaints				
9			OUTPUT: The number of complaints / non-compliant actions received against licensees	50	34	40	40
10			OUTPUT: The number of complaints received against unlicensed persons and/or	25	9	10	10
11			OUTPUT: The number of licensing hearings resulting from complaints	5	2	5	5
12			OUTPUT: The number of licensing hearings whose outcome included a license action (i.e.) suspension, revocation or denial	3	1	2	2
13			OUTPUT: The amount of fines levied based on licensing hearing	\$250	\$200	\$200	\$200
	5		EFFICIENCY: Percentage of hearings resulting in licensing actions	25%	50%	25%	25%
	6		EFFICIENCY: Average fine per licensing hearing	\$83	\$100	\$100	\$100
			STRATEGY A.2.3: Perform inspections at massage establishments				
14			OUTPUT: The number of licensees inspected at massage establishment	300	345	300	300
15			OUTPUT: The amount of fines levied against licensees based on inspections	\$5,000	\$30,100	\$5,000	\$5,000
	7		EFFICIENCY: Average fine per establishment inspection	\$16.67	\$87.25	\$16.67	\$16.67
			<b>Agency Program Goal B:</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				
		6	OUTCOME: The number of massage program/school licenses	8	7	8	8
		7	OUTCOME: The number of massage program/school instructor licenses (CURRENT)	50	28	30	30
		8	OUTCOME: The number of approved massage continuing education programs (CURRENT)	300	88	100	100
			STRATEGY B.1.1: License massage schools and programs to provide the statutorily-required initial training for massage therapists				
16			OUTPUT: The number of students taking the MBLEx licensure examination	125	136	125	125
17			OUTPUT: The number of applicants passing the MBLEx licensure examination	100	105	100	100
	8		EFFICIENCY: Percentage of students passing the MBLEx licensure examination	80%	77%	80%	80%
			STRATEGY B.1.2: License instructors for massage schools and programs with competency in subject matter to teach adult learners				
18			OUTPUT: Total number of licensed massage instructors	300	318	300	300
	9		EFFICIENCY: Percentage of instructor licenses renewed	16.67%	8.80%	16.67%	16.67%
			STRATEGY B.1.3: Approve continuing education providers / programs for massage therapists				
19			OUTPUT: Total number of approved massage continuing education programs	700	834	850	850



	10		EFFICIENCY: Percentage of continuing education programs renewed	30%	14%	20%	20%
	11		EFFICIENCY: Number of continuing education programs with scheduled delivery dates displayed on the Board's website	300	462	400	400
20			OUTPUT: Total number of approved massage continuing education providers	150	148	155	155
	12		EFFICIENCY: Percentage of continuing education providers renewed	33%	32%	33%	33%
			OBJECTIVE B.2: Ensure that massage education providers conduct themselves in an ethical, professional, and lawful manner				
	9		OUTCOME: Number of complaints received	0	0	0	0
	10		OUTCOME: Number of inspections performed at massage programs / schools	8	2	8	8
			STRATEGY B.2.1: Perform inspections at massage programs/schools.				
21			OUTPUT: The number of massage program/school inspections performed	8	2	8	8
22			OUTPUT: The amount of fines levied based on inspections	\$0	\$0	\$0	\$0
	13		EFFICIENCY: Average fine per massage program/school inspected	0%	0%	0%	0%
			STRATEGY B.2.2: Investigate and resolve complaints				
23			OUTPUT: The number of complaints received against licensed programs / schools, instructors, and continuing education providers	0	0	0	0
24			OUTPUT: The amount of fines levied based on complaints	\$0	\$0	\$0	\$0
	14		EFFICIENCY: Average fine per complaint	\$0	\$0	\$0	\$0