



# **Policies and Position Statements**

**Revised 2019**

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## **POLICY 1: ADVERTISING & PROMOTIONS**

According to the Constitution of the Newfoundland and Labrador Massage Therapists' Association (NLMTA) two purposes of the board are:

- To promote the science, art and philosophy of massage therapy.
- To represent its members before professional, governmental and regulatory bodies concerned with massage therapy.

The NLMTA board utilizes diverse media to achieve this goal which may include but are not limited to:

- Public awareness publications (i.e. Fire prevention booklet, Regatta program, RNCA booklet)
- Allied health care publications
- Public transportation (i.e. Metrobus signs)
- Promotional materials available upon request (i.e. pens, sticky notes, calendars...)
- Posting job advertisements
- Updating the NLMTA website and social media
- Listing upcoming Continuing Education Courses being offered

The NLMTA supports and upholds the CMTNL Policy Statement 1 – Advertising.

## **POLICY 2: DEATH OF A NLMTA MEMBER**

The Newfoundland and Labrador Massage Therapists' Association (NLMTA) board will recognize the death of any active or inactive member that they are made aware of. The NLMTA board may or may not inform the membership of the members passing, dependent on the family's wishes.

Guidelines:

- The board will make a reasonable attempt to gather details of family's wishes (i.e. flowers, service, donation) and act accordingly.
- The board may acknowledge an active or inactive member with a sympathy card.
- The board may return prorated fees to an active member's estate – minimum \$100.
- The board may send flowers if accepted by the family within reasonable cost or make a monetary donation in lieu of flowers.
- Any retired member may be acknowledged with a sympathy card, if the board is made aware of the passing.

## **POLICY 3: PRACTICING OUTSIDE OF NL**

When moving to another province, either temporarily or permanently, the RMT should contact the appropriate governing body or association to determine what the requirements are to practice in that province, **most importantly ensuring that the member has appropriate liability insurance according to that province's regulations**

It is the position of the Newfoundland and Labrador Massage Therapists' Association (NLMTA) that it is recommended to keep inactive status for the allotted time (**2 year period**) in Newfoundland and Labrador (NL) if practicing in an unregulated province.

- Exemption: See the College of Massage Therapists of Newfoundland and Labrador's (CMTNL's) Policy 10: CANADIAN ARMED FORCES AND RCMP EXEMPTION

The NLMTA can provide a letter of good standing if requested.

- See NLMTA Policy 7: LETTER OF GOOD STANDING.

The RMT must follow PHIA regulations regarding record retention and safe keeping of files.

- See NLMTA Policy 10: RECORD RETENTION.

### IF PRACTICING IN A REGULATED PROVINCE:

- There are no restrictions on returning to work in NL if the member has been active in a regulated province since leaving NL.
- The step by step process for an RMT to transfer to this province from another regulated province can be found at <http://www.cmtnl.ca/registration/rmts-transferring-from-regulated-provinces/>

### IF PRACTICING IN AN UNREGULATED PROVINCE:

- If returning to NL after a period of less than 2 years, in an unregulated province, the member would be able to register without doing any further education.
- If returning to NL after a period greater than 2 years, in an unregulated province, the member is required to complete either a refresher course or a new diploma.

## **POLICY 4: CHANGING FROM ACTIVE TO INACTIVE STATUS**

The College of Massage Therapists of Newfoundland and Labrador's (CMTNL) renewal date is March 31.

The Newfoundland and Labrador Massage Therapists' Association's (NLMTA) renewal date is September 30.

You **must** be active with both the NLMTA and the CMTNL to practice massage therapy in Newfoundland and Labrador.

Active to inactive → CMTNL/NLMTA will be notified → members name will be changed to inactive on the website → the NLMTA does not issue refunds

- Exemption: If you are inactive for illness or maternity leave you may qualify for pro-rated fees if you complete a health leave form and have it signed by your doctor.

If a member is inactive for 2 or more years, regardless of whether they practice or not somewhere outside of NL, they are required to either complete a refresher course or a new diploma in order to work as an RMT in NL.

See NLMTA Policy 3: Practicing Outside of NL.

## **POLICY 5: ANNUAL GENERAL MEETING**

The Newfoundland and Labrador Massage Therapists' Association (NLMTA) will hold an Annual General Meeting (AGM) each year. This meeting should include:

- Report from the Chair of the Board
- Financial report from the Treasurer
- Reports from NLMTA subcommittees
- Election of Directors to the Board
- Questions from the membership
- Presentation of RMT awards

In addition, the AGM may include special draws and special guest speakers relevant to the practice of Massage Therapy – *for example; the Chair of the College of Massage Therapy of Newfoundland and Labrador may speak on Boundaries in the Workplace.*

The membership is expected to RSVP to the AGM invitation. Invites are sent out with the Renewal Packages around the end of May – early June each year. Attendees will receive one continuing education credit for every two hours of AGM attended.

Additionally reference *The Massage Therapy Act 2005* and *NLMTA By-Laws*.

## **POLICY 6: LEGAL LIMITATIONS**

It is understood that all members should act professionally and follow the College of Massage Therapists of Newfoundland and Labrador's (CMTNL) documents:

- *Code of Ethics* and
- *Standards of Practice*.

These documents may be found at [www.cmtnl.ca](http://www.cmtnl.ca) under the Documents tab or at [www.nlmta.ca](http://www.nlmta.ca) under Resources for Therapists.

The CMTNL will investigate in the event of legal or disciplinary action against a member.

The Newfoundland and Labrador Massage Therapists' Association (NLMTA) is a not-for-profit organization that is not legally or financially responsible for any members' legal costs or loss of wages in the event of a member involved in a legal proceeding. Please note that the NLMTA board does not retain a list of solicitors or advise members of legal avenues.



## **POLICY 7: LETTER OF GOOD STANDING**

The Newfoundland and Labrador Massage Therapists' Association's (NLMTA) definition of *Good Standing* is a member who:

- Is actively practicing in Newfoundland and Labrador,
- Is a member of the NLMTA and the College of Massage Therapists of Newfoundland and Labrador (CMTNL) and therefore holds current liability insurance and
- Is free of any legal recourse or complaints on their file.

The NLMTA will issue a letter of good standing to members who meet all of the above criteria for a fee of \$25.00. The letter of good standing validates the members' standing with the CMTNL and NLMTA up until the day it's issued. The letter includes the date this member joined the NLMTA.

For example - *Jane Smith has been a member in good standing with the NLMTA and the CMTNL since 2001.*

If an inactive member requests a letter of good standing be advised that the letter will state specific active and inactive periods.

For example - *Jane Smith has been a member in good standing with the NLMTA and the CMTNL since 2017 and has been inactive in NL from 2018-2019.*

## **POLICY 8: OUT OF PROVINCE REGISTRANTS**

The Newfoundland and Labrador Massage Therapists' Association (NLMTA) defines *Out of province registrants* as;

- Those students who have completed their Massage Therapy Education in a province other than Newfoundland and Labrador (NL).
- Successful exam candidates who Register in NL but, do not plan to practice Massage Therapy in NL.

The NLMTA board advises that an out of province registrant who wishes to register with the NLMTA and be issued liability insurance in NL will pay a non-refundable fee of \$500.

Should an out of province registrant then wish to return to another province and terminate their liability insurance it is the responsibility of the member to make the proper communication to the insurance company.

If required, See Policy: *Letter of Good Standing*.

## **POLICY 9: MEMBERSHIP FEES**

Early bird fee deadline is August 31.

Deadline for payment of regular membership fees is midnight on September 30.

If fees are not received on time the member:

- Is in violation of the *Massage Therapy Act, 2005*, and no longer has liability insurance. It is illegal to continue practicing massage therapy.
- Member is taken off the website list of active members.
- The College of Massage Therapists of Newfoundland and Labrador (CMTNL) will be notified.
- The member is emailed and/or telephoned to inform them of this action.
- The clinic where the uninsured member is working will be notified.
- Insurance companies may be notified (For example: Great West Life, Blue Cross, Green Shield...)
- Monthly invoices are mailed to the member (including late fees).
- Fees will not be accepted or processed before a completed renewal form is received.

Members must have a current Renewal Certificate from the Newfoundland and Labrador Massage Therapists' Association (NLMTA) *and* the CMTNL posted in a visible location at their place of work.

**Reference:** *MASSAGE THERAPY ACT, 2005 – Registration and License, Section 10*

*(4) A person who is issued a license under this Act shall, within 30 days after being granted a license, become a member of the association.*

*(5) The license of a person who does not comply with subsection (4) shall be considered to be revoked.*

## **POLICY 10: RECORD RETENTION**

Any agreement made between or among Registered Massage Therapists (RMT) or between an RMT and other health care providers/employers, must be in writing. No such agreement can supersede the individual RMT's duty to a client with respect to the keeping of health records as set by the Privacy Health and Information Act (PHIA).

The client records exist as a guide for the therapist as well as their associates or successors. **RMTs when commencing employment or entering into group practice should develop an agreement that explicitly covers procedures for record storage in the event of termination of employment, partnership or other agreement, or closing, relocation or selling of a practice.** This agreement must be in accordance with PHIA.

It is the duty of a health care professional not to abandon a client. It is the position of the Newfoundland and Labrador Massage Therapists' Association that a departing RMT has a responsibility to contact clients and notify them that they are leaving a practice. This may be done in person, by telephone or by a letter within a reasonable time frame. The purpose of this contact is to assist clients with transfer of care to another provider, if necessary, and to advise them of how they can access their health records in the future.

### GUIDELINES

#### **On commencing employment or entering a group practice: Employment Agreement**

When commencing employment or entering into a group practice, the RMT should develop a written agreement that:

- Designates the custodian of client files
- States where records will be securely stored upon termination of the relationship with the Health Care Facility.

Without a written contract between the RMT and the Health Care Facility, there is no clearly defined custodian. Any disputes regarding custodianship will be on a case by case basis as per PHIA.

Where a custodian has been designated, a non-custodian may retain a copy of the client file only if written consent has been given by the client.

## POLICY 10: RECORD RETENTION (Cont.)

### **Closing a practice**

An RMT closing a practice due to retirement or relocation out of the area should:

- Give clients as much notice as possible that the practice is closing
- Assist clients with the transfer of their care to another provider
- Advise clients that the therapist is required to keep their records for 10 years
- Provide the client with custodian contact information so they may access their file at any time during the 10 years
- Store the records in a secure location as per PHIA.

If the custodian has died, their estate may elect to store the records and respond to client requests for information, or may choose to transfer the records to another individual who will act as custodian.

### **Selling the practice**

An RMT selling a practice or shares in a practice should:

- Give clients as much notice as possible that the practice is being sold
- Facilitate the transfer of client files to the new practitioner.

Clients may request a copy of their file if they do not wish to remain with the new practice.

## **POLICY 11: RENEWAL PACKAGES**

Renewal Packages are sent out yearly, three months before Newfoundland and Labrador Massage Therapists' Association fees are due.

Please ensure the Newfoundland and Labrador Massage Therapists' Association (NLMTA) knows if you prefer to receive the Renewal Package via mail or email.

Members who wish to have their Renewal Packages sent via mail OR email should ensure that their contact information is correct.

The Renewal Package may contain:

- Greetings from the President of the NLMTA
- Pertinent Committee reports
- NLMTA branded promotional items
- Important information about the AGM – agenda, date, location
- **An Invoice for Registration fees – serves as receipt of fees paid**
- Registration form

If the NLMTA encounters a Renewal Package that has returned to sender there will be a \$20 fee charged to the member which must be paid before the package is resent.

**All Renewal Fees and Registration Forms must be received by midnight on September 30.**

## Position Statement 1: FEE SCHEDULE RECOMMENDATIONS

The Newfoundland and Labrador Massage Therapists' Association (NLMTA) has adopted this document to assist members in creating an appropriate and fair fee structure that meets nationally-acceptable standards of practice. **The purpose is to assist members in their decisions of services offered and the associated fees.**

Please reference the College of Massage Therapists of Newfoundland and Labrador's (CMTNL) COMMUNICATION/PUBLIC HEALTH STANDARD 2 – Inform the Client of the Fees and Obtain their Agreement to a Fee Schedule. Visit [cmtnl.ca](http://cmtnl.ca) - under the Documents section.

### NATIONAL AVERAGE RATES

The National Average rates range for massage therapy 60-minute treatment is \$71 - \$90 plus taxes. EXAMPLE – For pricing schedules

Treatment minutes	Price charged	Per minute cost
15	\$27	\$1.80
30	\$51	\$1.70
45	\$72	\$1.60
60	\$90	\$1.50
90	\$133	\$1.48
Treatment minutes	Price charged	Per minute cost
15	\$29	\$1.93
30	\$54	\$1.80
45	\$76.50	\$1.70
60	\$100	\$1.66
90	\$144	\$1.60

### **FEES FOR ADDITIONAL SERVICES**

There are services that are commonly provided outside of an appointment and the NLMTA recommends charging the equivalent of the therapists' hourly rates plus cost of needed supplies. The following is a list of some common services related to or required by clients:

- Preparing a Report (progress or medical legal reports)
- Completion of Forms (for Insurers or Employers)
- Verbal Consultation
- Review of Records (copying, transfer or for court testimony)
- Review and Court Preparation Time or Expert Testimony
- Photocopying of Records
- Transfer of Records (by mail or courier)



## **Position Statement 2: Practicing Prior to Registration**

Under the *Massage Therapy Act, 2005*, only members of the College of Massage Therapists' of Newfoundland and Labrador (CMTNL) and the Newfoundland and Labrador Massage Therapists' Association (NLMTA) are permitted to use the title Registered Massage Therapist, Massage Therapist, Certified Massage Therapist, etc.

### **Position**

The public has a right to safety, the right to be informed, the right to choose, the right to be heard, the right to information and the right to redress. Clients receiving services from unregulated individuals may not realize that the services will not be covered by their insurance plan or that the provider has no professional liability insurance.

Unregulated individuals are not required to adhere to the Code of Ethics and Standards of Practice and the College has no jurisdiction over the individual if the client is not satisfied with the conduct or actions of the person and wishes to file a complaint.

### **Guidelines:**

- Massage therapy students or graduates who have not yet taken, or have failed the certification examinations are not yet members of the CMTNL or the NLMTA.
- The CMTNL and the NLMTA believe that it is not in the public's interest for students or unregistered graduates to practice massage therapy before they are registered.
- Employment should only begin after a therapist is successfully registered.
- Registered Massage Therapists cannot supervise the work of an unregulated individual and bill that service as massage therapy and should not allow unregistered students/graduates to work as Registered Massage Therapists in their practice.
- Any complaint received about a massage therapy student or graduate who is, or has been practicing before being registered, will be investigated to determine if the provisions of the *Massage Therapy Act, 2005* have been contravened.
- Any individual who files an application for registration with a complaint on file will be reviewed by the Registrar to determine if the application should be referred to the Registration Committee for a decision to refuse the application.

## **Position Statement 2: Practicing Prior to Registration (Cont.)**

- The Registration Committee will consider the individual's decision to practice massage therapy while unregistered and will determine if they meet the registration requirements that demonstrate that they have the required judgement to practice safely and ethically.
- Any massage therapy student or graduate who is advertised as a Registered Massage Therapist will have their application reviewed by the Registration Committee.