

Why HB 35 should NOT become State law:

Preface: Human Trafficking is an egregious criminal activity and should not be associated with any licensed health profession, nor their regulatory oversight. Criminal activity is best addressed and enforced by state and local agencies set up to with appropriate authority and resources in place to best protect the health and welfare of their citizens.

Prostitution is an illegal and illicit activity outside of the scope of practice of massage and bodywork professions This activity is against their law as per their required code of ethics and standards of practice to maintain their licenses in good standing and with subsequent sanctions authority given to the board by the State Legislature , should practitioners break their law

To associate or attach criminal activity and its enforcement to the massage and bodywork profession , or their board, seems very inappropriate and the question arises – “why is the massage and bodywork board, alone, being selected as the only state board ? Human Trafficking is a much larger issue of concern , crossing into many other areas across the USA- regretfully also in Delaware.

Detail points opposing HB 35

a) Not the appropriate role, or responsibility of the Massage and Bodywork Practice Act to fight against, or attempt to prevent prostitution and human trafficking through any legislation enacted by the State of Delaware. We, as massage and bodywork practitioners support the principle of opposing this activity, but not via the burden of our state board. .

- b) Identifying HB 35 as a "Massage" Establishment Licensing bill moves the public image of Massage and Bodywork Practitioners to be associated once again with illegal, illicit and criminal activity. This was our history and through our licensure many years ago, have been identified as a licensed profession- the unfortunate stigma being lessened . Please do not take us back there again.
- c) HB 35 is not necessary as Adult Entertainment, Nuisance, Prostitution and Human Trafficking laws already exist to cover all aspects of HB 35.
- d) Adult Entertainment Laws already require establishment licenses.
- e) The Health Department has regulatory authority to inspect Adult Entertainment Establishments.
- f) If Sex trade operators do not follow Adult Entertainment laws, why would they follow HB 35 laws?
- g) The financial burden will fall upon regulated Massage and Bodywork Practitioners rather than the targeted operators of criminal sex trade.
- h) No reporting requirement in HB 35 to offer data to support the tracking of any reduction in prostitution and human trafficking.
- i) No current data to validate effectiveness/reduction in prostitution and human trafficking in the other States with similar laws to HB 35. The 43 states belonging to the Federation of State Massage Therapy Boards are on record as taking a neutral position on creating specific laws regarding creating establishment regulations.
- j) The two largest Membership associations (AMTA and ABMP) are on record as opposing any legislation attempting to create responsibility for

our profession to be engaged/attached to the fight against Human Trafficking.

Our plea to you all is to not pass this legislation .