

## 1-10-20 Who Decides? Who's Involved? Who's Watching?

Occasionally, some group of experts at the State level put their heads together and get to thinking that something or other really should be decided, improved, regulated or mandated. I hear that the housing code is being revamped, taking into consideration the building code and separating rather than overlapping the roles of building inspector and health agent. That sounds good.

While the modifications or creations of regulations are always well intentioned, it seems that they often give little to no thought as to the who and how will they be implemented. That lack of foresight includes the funding of the labor, administration and other necessary costs. Such an example occurred about twenty-one years ago, just before I began working as a health agent. The State decided that public bathing beaches and public pools should be tested for water quality. Good idea. Who wants to get sick after a fun day at the beach? Who would pay for testing the water, though? No provision for that was made and, so, it fell upon the local health boards to fund this. In Halifax, with one semi-public pool and several areas around the Monponsett Ponds considered as public beaches, it meant adding \$900 per summer season. The semi-public beach associations pay for their own testing, costing them about \$180 per season per beach. The local towns also pay for the health agent to collect the samples, tabulate the results and send the reports to the State.

Multiply the above scenario many times over for other issues and you can picture the plight of the local boards trying to do the right thing but wondering where they will find the time and money for these unfunded mandates.

At other times the State surprises us. Infrequently do they (whoever “they” are) decide to take responsibility for an area for which the local boards have been providing oversight. Such a decision, though, came down the regulatory pike in 2008. The State decided, without notice to local public health, to oversee the practice of massage, with a whopping department of five people for the whole state. Board of Registration of Massage Therapy was begun before they even had regulations to guide them. Most towns interpreted the State’s decision as an order to stay out and they welcomed the rare reduction in workload.

Halifax’s Board of Health decided that the practice of massage needed oversight at the local level and that even if the State is to issue a license, at a much higher annual cost than what had been charged locally, the local board shall continue to issue a permit, for \$15, to practice massage therapy in the Town of Halifax, as it has for many, many years.

I was so proud of our updated regulations for the practice of massage/bodywork, adopted in 2003. I had been continually embarrassed as I handed out the long outdated, preexisting regulations for “massage, vapors and baths”. I was eager to get rid of the peek-a-boo-window required for all the rooms so that inspectors could make sure that there was no hanky panky going on. Who wants to be peeked in on when having an authentic massage?

I was eager to replace “masseuse” with “massage therapist”, for therapy it is. Massage therapy provides more than relaxation, not that relaxation is a minor achievement. With stress being at the tops of the list for heart, blood pressure and immune problems, de-stressing is a major achievement. Massage therapy can also remove painful muscle spasms. It can drain lymphatic fluids during and after chemotherapy. It improves circulation and overall immune function. It is an important adjunct to our health care system.

However, don’t you want to know who and be aware of where?

Don’t you want someone at the local level to have met this person and someone at the local level to be able to respond if there is a problem?

It’s not as though there never is a problem. It seems that a couple times a year we hear the news that a spa was really a “house of ill repute”. That is one problem that local involvement and inspections and permits hope to prevent.

It was so predictable that a loophole had been created. Take out the word “massage” and that business is unregulated. Within one year, a local town discovered that an “Asian

Bodyworks” business was more than a place of prostitution; it was place of human trafficking. It has happened many times since. I reported a place in Norwell a couple years ago to the Norwell Police. It is now shut down.

While money from every legitimate massage therapist is sent to a State coffer with no connection to the local scene, they do not have the staff to keep up with this. If you have questions, contact the Board of Registration of Massage Therapy in Boston. Unless, of course, you have a question about massage therapy in Halifax. In that case, you can call my office.

*Cathleen Drinan is the Health Agent for the Town of Halifax. Your comments and suggestions are welcomed. Call 781 293 6768 or email her at [cathleen.drinan@halifax-ma.org](mailto:cathleen.drinan@halifax-ma.org)*