



## Housekeeping

- Notes and recording will be sent out tomorrow
- Certificates and tests
- Questions
- All presented is based off OUR OWN CLINIC system
- Email ([info@clublmt.com](mailto:info@clublmt.com))
- Lets begin



copy right 2010 Dr Bryan Hawley

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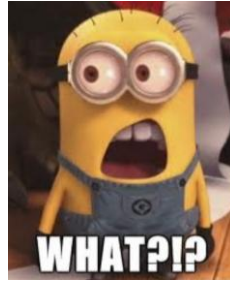
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Business Ethics can be defined as a combination of legal as well as moral obligations related to commercial transactions.



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### Therapists are “trading” or “exchanging”

1. Goods or products for revenue
2. Time for revenue (60 min massage for \$60)

When either is done with the consumer certain rules and regulations are followed both ethically (morally) and business wise.



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However the healthcare industry is held to a higher moral ethical and business compass than most other businesses.

The ethics of the therapeutic relationship give the massage therapist a fiduciary responsibility not usually present in other situations.

Ex. A car salesman has a certain level of ethic responsibility re the sales of the vehicle.  
But the healthcare worker in particular the massage therapist also has the next level of ethics and that is holding the clients overall wellbeing above their own personal financial gain.

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**Zoning laws and ordinances**

This defines what type of business establishment can be set up in a particular location.

Some zones are strictly for residential and family housing. This can place a road block for someone legally wanting to establish a massage business out of their house.

Usually massage business are designated as "light industrial"

So make sure you check zoning regulations before signing any leases especially if its located in or near a residential housing area.

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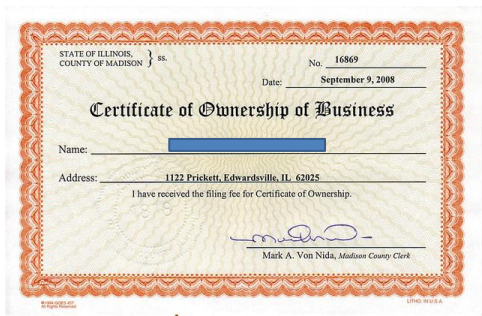
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Business Licenses

Basically in all areas a local city or government type agency will require all businesses to acquire a license. This will provide them with the ability to monitor and manage the local business and make sure they are following the local business rules and regs . Also not to mention for tax purposes.



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Special Massage Ordinances

In some cases the local governments will grant a special business license for massage therapy. This is mainly to crack down on using Massage clinics for a front for prostitution and other things. These are usually heavily regulated with stricter ordinances.



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Yellow pages, print, internet, flyers, website certain guidelines must be followed.

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**Deceptive or Misleading advertising.**

FTC (Fed Trade Commish) defines this as

“ representation , omission or practice that is likely to mislead the reasonable consumer”

So this generally means in a nut shell offering something in exchange for compensation that

1. You cant offer
2. You don't have



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Un-kept Promises

- Giving Guarantees of relief or your money back
- Offering Cures
- Guaranteeing physical outcomes (ex. After wards pt will be able to run a 5k faster every time.
- Lowest prices guaranteed
- Best Massage guaranteed



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The Images you use in ads are more important than the words!

Words will give direct meaning

Images will require the viewer to interpret and establish their own meaning of the ad based off what they see in the images.




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Sexually implying ads to lure customers



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Slide 18

Let's not shed lightly on verbiage however. Some guidelines are also employed with print advertising.

Things that wont be allowed or are to be avoided in yellow page ads might be

“open 24 hours massage”  
“female masseuse”  
“24 hour outcalls available”  
“full body sensual massage”  
“full tension release masseuse services”  
“Angela's relaxing touch”  
Ads with words like these are highly suggestive.

Also unfortunately the term “masseuse” used in the US has become associated with prostitution.

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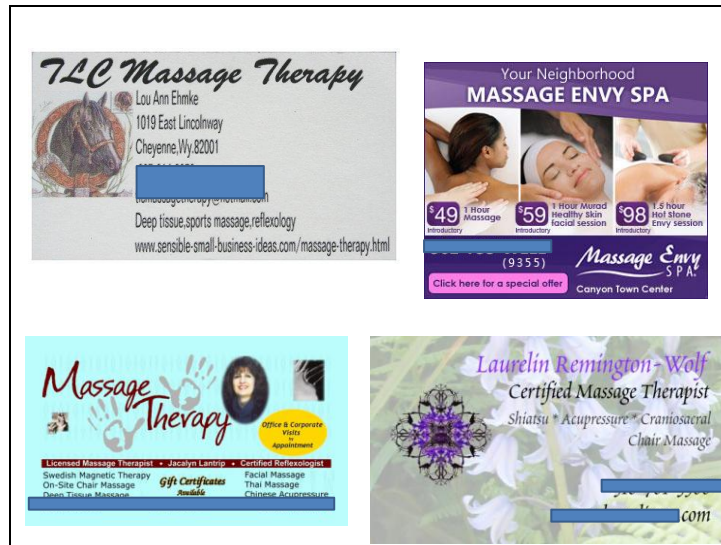
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### Referrals

It is unethical for professionals to reward each other for referrals in a quid pro quo manner with either money or gifts.

Ex It would be unethical for me as a Chiropractor to give a Massage therapist \$10 for every client they refer to me. And visa versa

NCBTMB 2001 states that "therapists are advised to refuse any gifts or benefits which are intended to influence a referral, decision, or treatment that are purely for personal gain and not for the good of the client."



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**Referrals**

It is however a good idea to keep a list of other allied professionals that you can easily refer your client to in case of need.

Yes this includes other LMTs

On the other side of the coin

Do not accept referrals that fall outside your scope or expertise.

If you do get a referral and is within your scope remember to send

- 1. A thank you letter
- 2. Initial assessment and progress notes

In some instances it may be appropriate to refer the client back for a follow up visit with the initiating provider.



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Your prices

Fees & Charges



The method of exchange is you give a certain amount of your time in the form of manual treatment and in turn the customer pays you.

Key points here are

1. Fair compensation
2. Clarity of exchange rules
3. Consistency across the board for all

So how do you set your fees?

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Accepting Tips

Monies given in gratitude above and beyond the normal fee schedule at the sole discretion of the client.

Accepting tips in an ethical way can be tricky sometimes

Accepting tips can be ethical providing that they do not negatively influence the therapeutic relationship.

Something to consider:

In practices where the LMT is an employee and receive less compensation than the scheduled price then they usually keep and should be tipped.  
In practices where the LMT is the owner and or keeps the full price of the massage then tips are not necessary.



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Can you put a sign for tips?

In most cases it is appropriate to place an unobtrusive sign or post about tipping. However there is a fine line with pressuring the client to tip that cannot be crossed.



It is prudent to turn down tips that are too large our are out of the ordinary \$200, \$100 for a 30 min. These type usually come with a hidden agenda and an undercurrent of wanting something in exchange from the customer.

This is where the LMT must use their personal/professional judgment in each case.

Gifts are under the same guidelines and rules.

*NOTE: According to the IRS Tips are taxable income and must be reported.*

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Selling Products along with your Services

Usually this is

1. Oils
2. Lotions
3. Scrubs
4. Apparel
5. Self massage products
6. Pillows
7. Hot cold packs
8. Books videos



Having products in and of itself is Not unethical.

However positioning yourself in an authoritative manner by pressuring the client into buying products for Your own personal gain is.

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Defamation

Injury to a persons personal and or business reputation.

Libel if its written  
Slander if its spoken

Either or it is unethical

There can be legal charges brought up and heavy fines paid if you are found guilty of defamation of a fellow professional.

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Before billing the insurance company, massage therapists should first confirm they are eligible providers and also confirm which codes the company reimburses. Usually a prescription from a referring doctor is required to verify medical necessity.

Another note is most all insurances will not pay for maint .care. They require the client to be in active care only.



A series of horizontal lines for taking notes.





**Avoid having a Dual Fee Schedule**

- Cash
- Insurance
- PIP
- Workers Comp

Tell story of Past clinic experience (mental que for Dr. H. he's getting older

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Slide 41

Taking Notes

The standard of procedure across all healthcare professionals is the SOAP format

S what the client states and is the subjective information they provide  
O what you observe about the client both physically, mentally, and emotionally  
A this is your assessment from the combination of the clients "subjective" findings combined with their "objective" findings.  
P This is your Plan of attack! What are you proposing to do and what goals are you wanting to accomplish.

NOTE: sometimes its is tricky with the "A" section because Therapists are not allowed to dx. However it is within scope to assess the musculo skeletal system and establish a baseline based off your professional assessment.

High shoulder R  
Head Tilt forward  
Antalgic lean L  
TTF in lower lumbar on R  
TPs mod in nature over glute minor into the SI region.

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Informed consent agreement

**A Simplified Informed Consent Agreement**

I understand that the massage given to me by \_\_\_\_\_ is for the purpose of (stress reduction, pain reduction, relief from muscle tension, increasing circulation, or specific reasons stated here).

I understand that the massage therapist does not diagnose illness or disease and does not prescribe medical treatment or pharmaceuticals, nor are spinal manipulations part of massage therapy.

I understand that massage therapy is not a substitute for medical care and that it is recommended that I work with my primary caregiver for any condition I may have.

I have stated all my known physical conditions and medications, and I will keep the massage therapist updated on any changes.

[Client signature and date]

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Authorize to treat and obtain/release records

I authorize my therapist to release or obtain information pertaining to my condition(s) and/or treatment to/from my other caregivers or third party payers, only when necessary and only with a prior verbal request. I have read the above noted consent and I have had the opportunity to question the contents and my therapy.

By signing this form, I confirm my consent to treatment and intend this consent to cover the treatment discussed with me and such additional treatment as proposed by my therapist from time to time, to deal with my physical condition and for which I have sought treatment. I understand that at any time, I may withdraw my consent and treatment will be stopped.

Client signature and date

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HIPAA

I suggest following the HIPAA guidelines: They actually make good business sense and are fairly easy to implement. Consumers are now accustomed to getting privacy policy statements from other healthcare providers as well as from a myriad of other businesses such as insurance carriers and credit card companies. Your clients might find it disconcerting if you don't follow suit.

Note that even if you do not need to be HIPAA compliant for your own practice, you still need to be compliant if you work with other covered entities. The term for this is a "chain of trust."



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