


# 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)
- Lets begin

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


# Therapists are "trading" or "exchanging"

- Goods or products for revenue
   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.



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 fudiciary 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.

<ol> <li>Zoning laws and ordinances</li> <li>Business Licenses</li> <li>Occupational licenses</li> <li>Special massage establishment licenses</li> </ol>	

There are Local Stage and governmental agencies and policies that make sure this happens.

# 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.


#### **Business Licenses**

Basically in all areas a local city or government type agency will require all businesses to aquire 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.




# Occupational License

This is usually issued by a government that grants permission to practice a profession that falls within their jurisdiction.

In US state governments issue Occ licenses. Usually each state will have certain requirements of the practitioner and some will require passing a written examination.

Just because you can practice in Walla Walla Washington does not mean you can move an start in Bangor Maine

Usually these are framed and on display in the business.




### 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.






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


# Deceptive or Misleading advertising.

FTC (Fed Trade Commish) defines this as

" representation , omission or practice that is likely to mislead the reasonable consumer"  $\ensuremath{^{\prime\prime}}$ 

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

1. You cant offer

- 2. You don't have




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
GUABANTEES


Advertising Your Credentials	
Certification	
Certified	
Specialty	
Advanced Training	
National Certification	
Board Certification	




# 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.








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"

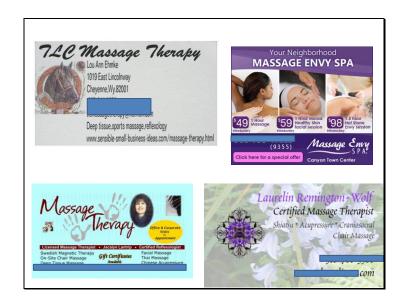
"female masseuse"

"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  $% \left( 1\right) =\left( 1\right) \left( 1\right$ with prostitution.

#### Endorcomonto

These are testimonials from someone other than the therapist themselves usually a client.

The FTC defines it as

"any advertising or message which consumers are likely to believe reflects the opinions, beliefs, findings, and or experience of a party other than the sponsoring advertiser."

Things like

"After 2 treatments my headaches totally went away"

"Afterwards I slept like a baby all night"

"I shaved 10 minutes off my marathon time after getting a massage from..."

Though these are meant to be harmless and in fact may be true they are deceptive in a sense that they are implying that everyone whom gets a massage will reap these benefits.



If a price is stated in an advertisement then the massage the rapist should honor it.  $% \begin{center} \end{center} \begin{center} \begin{c$ 

However if it is a blatant misprint such as \$6 for 1 hr when it should be \$60 for 1 hour then common sense should be used.

What if customer wants you to honor the ad?


### Special Pricing

If you are going to offer special pricing for such things like holidays, couples, first timers etc then you need to put the discount % or price and a begin or end date and stick to it. Ex. Valentines special from Feb 1st till the 14th (unless considering first timers that can be an ongoing thing)

### Upselling

Advertising an initial visit of \$10 then when the client comes in pressure them for an higher package that is NOT based on medical necessity.

### Misleading

Placing an ad that offer first timers a fee of only \$10 (but no mention of time) and the rest of the ad talks about hour long massages and the benefits, when they come they find out the \$10 is only for 10 min chair massage.

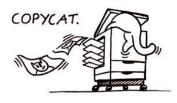
Ads should state exactly what the client is getting for their \$




How to type a © symbol?

alt+ 0169

This and Trademark ™ offers legal protection for intellectual property. According to Copyright laws a person may not copy brochures, papers, or other documents that have this symbol without written permission by the owner.




Trademark  $\,^{\text{\tiny TM}}\,$  ( type TM in parenthesis) TM inside ( ) or alt + 0153

Offers exclusive use of a name or symbol to identify unique goods and or services and use the symbol  $^{\text{TM}}$ . This is used to distinguish a particular brand or method or service from others that are similar.

Names such as "Jodie Hawley Massage  $^{\mathsf{TM}}$  " for example.

Systems or Techniques\* (type R in parenthesis) R inside ( ) or alt+ 0174 Rolfing \* is a registered Trademark

Therapists may NOT use TM names in their advertising unless they have been certified in that particular technique or hold credentials relating to that technique.


# 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."



# 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

- A thank you letter
   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.



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?	Fees & Charges	

Key factors play a role in determining fee structures key is keeping things consistent.

- Demographics
   Specialties
- 3. Office or home

Some charge more for various types of massage Swedish vs Deep Tissue vs Fascial release with ART

Some also offer package discounts by 3 get 1 free Some also have programs where they set clients up on auto drafts for monthly discounts (see chart)

Session	BRONZE	SILVER	GOLD
Time	1 Massage Per Month	2 Massages Per Month	4 Massages Per Month
<b>60 MIN</b> Regular Rate \$79.99	\$59.99	\$54.99	\$49.99
<b>90 MIN</b> Regular Rate \$119.99	\$79.99	\$74.99	\$69.99
120 MIN Regular Rate \$159.99	\$99.99	\$84.99	\$79.99

# 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

In practices where the LMT is the owner and or keeps the full price of the massage then tips are not necessary.



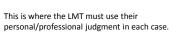

Can you put a sign for tips?

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.



Gifts are under the same guidelines and rules.

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



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.	Products Services

		-

# Selling products via an MLM

This usually falls under the Essential oil category for most Therapists

In some instances it can also fall into the Weight loss and cosmetics categories.

In most instances if the product is warranted for helping the client and it is in their best interest then no harm has been done.  $\frac{1}{2} \int_{-\infty}^{\infty} \frac{1}{2} \left( \frac{1}{2} \int_{-\infty}^{\infty} \frac{1}$ 

It is however very hard for some that are in an MLM to not pressure or sway the client into purchasing a product or next level up package if deadlines or certain ranks are in the making.



Defamation

Injury to a persons personal ar	d or business reputation.		
Libel if its written Slander if its spoken			
Either or it is unethical			
There can be legal charges bro found guilty of defamation of a	ught up and heavy fines paid if you are a fellow professional.		

Protecting and coveting a client base

Obviously any therapist will want to build and manage a client base. Afterall this is the lifeblood of any practice.

However soliciting and or stealing clients from another is very unprofessional and unethical.

If you are an employee of another therapist or spa then usually there are non compete clauses laid out in contracts and clients are usually the property of the spa not the individual therapists.

Seeing clients on the side or out of office when you are an employee is also unethical as well as most likely a contract violation.



# **Stealing Clients**



On the surface one would think this is a no brainer but when clients have FREE Choice to choose whom ever they want it can make things a bit murky.

The best way to cover yourself in this situation is

- 1. Non solicitation (has to be clients own free will)
- 2. Clear up any prior pre employment agreements

Discuss......


Insurance Billing	
Some plans in the US will cover Massage Therapy (yes they are far and few in between) but there are some private ones that do as well.	
<ol> <li>In net work</li> <li>Out of Net work</li> <li>Superbill to client</li> </ol>	
CPT codes CPT means Current Procedural Terminology. Massage therapists may not use any CPT codes from any area of the American Medical Association (AMA) CPT code manual outside of the physical medicine and rehabilitation pages.	
97124 - massage; and 97140 - manual therapy are the most widely used codes.  Timed codes  Monitor time in clinic as well.	

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.




Workers Comp and PIP

Things clients will need in most cases

- 1. a prescription from a physician, naturopathic physician or chiropractor
  2. the prescription must include a diagnosis code (or codes) for billing purposes
  3. a claim number from your auto insurance company (PIP)
  4. the name of the claims representative from your auto insurance company who is handling your claim

### The Prescription

You will need to have the following information on your prescription.

- 1. Diagnosis codes
- 2. Frequency of Treatments
- 3. Total Number of Treatments
- 4. Name and UPIN# (Doctor's ID #)
- 5. State That Massage Therapy is Medically Necessary


### PIP and Workman's Comp

With a PIP and Workman's comp claim, you'll have an adjustor assigned to your case. The adjustor is the person in charge of managing your claim, and whom we'll work with directly in order to make sure you get the paid treatment that you need.

Most PIP and Workman's comp claims will remain open until you've reached the dollar limit for treatment, you are no longer affected by your injuries, MMI, or your claim becomes dated.

Also some states have "No Fault Policy" on their MVA claims KY is \$10,000



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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

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  $\operatorname{mod}$  in nature over glute minor into the SI region.


ı	
	Working with the Objective may also be tricky
	Be careful when doing ortho test so as to not "diagnose" however they can give a reasonable base line
	Another and in this authors opinion is ROM
	ROM both active and passive can provide the Therapist with an objective baseline of discovery and monitoring without performing a diagnosis.
	Midline of Humersi Neidd  Midline of Humersi Parallel to Stemum.
	Will and the second sec


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]

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

Authorize to treat and obtain/release records


#### 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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