



# American Massage Council™

## AMERICAN MASSAGE COUNCIL CODE OF ETHICS

### PREAMBLE

This document is not meant to supersede or conflict with any state or federal law. The conduct of our members shall be consistent with all applicable federal, state and local laws. This document refers to the practice of massage therapy.

### PREAMBLE: A PRACTITIONER'S RESPONSIBILITIES

A Practitioner of Massage therapy is a health care professional who is educated and trained in the practice of massage and body work to assist clients in the maintenance and enhancement of their own health. To accomplish this, the Practitioner shall maintain good ethics so as to best serve the client, the public, and the profession as a whole.

The Practitioner shall provide quality care and a safe environment. The primary objective of the Practitioner is dedicated service to the client's healing process. The Practitioner shall be mindful of all professional duties to uphold the highest standards of the profession.

The Following code is set up in three parts. The first refers to Commitment to the Client; the second refers to Commitment to the Public; the third refers to Commitment to the Profession. Within the Rules, the verbs "shall" and "must" are used in a mandatory sense, while the verb "should" or "may" is used in the sense that it is good practice and something that a Practitioner should strive towards, but it is not mandatory.

### COMMITMENT TO THE CLIENT

The paramount duty of the Massage Practitioner is commitment to the client. In this respect, the following duties are warranted:

#### **Rule 1.1 Competences**

(a) The Practitioner shall be educated and trained to provide competent massage and body work. The Practitioner shall limit his or her practice to those areas in which he or she has acquired certification and/or licensure.

(b) The Practitioner shall be committed to lifelong professional study, always keeping relevant update(s) available to their clients.

When a Practitioner determines that a matter is beyond his or her professional competence and experience, the Practitioner shall consult with and refer the client to another health care professional in order to better serve the needs of the client.

(e) A Practitioner shall refrain from the practice of massage and bodywork when suffering from physical or mental impairment that affects the ability to practice safely.

(f) The Practitioner should engage in a lifestyle that optimizes his or her ability to care for clients.

### **Rule 1.2 Communications with Client**

(a) A Practitioner should competently perform an interview which includes any contraindications for massage and bodywork.

(b) The Practitioner shall comply with all regulations regarding client privacy and security to the extent of ordinances or laws applicable.

(c) If the Practitioner is also licensed, educated or trained in some other health-care modality, he or she may practice the other modality on a client, but only with the informed consent of the client, and in accordance with all State law and/or local ordinances concerning that other modality.

(d) The Practitioner shall not misrepresent their academic or licensure credentials, experience, or affiliations with any group or institutions.

### **Rule 1.3 Confidentiality**

(a) The Practitioner shall follow all applicable state and federal regulations regarding client confidentiality.

(b) The Practitioner's staff may have in attendance in the therapy room an observer, e.g. an intern, a visiting consultant, or a student observer, only with the consent of the client after the client has been fully informed of who the person is. The Practitioner shall also ensure that the observer is fully informed of the duty of confidentiality concerning the identity of the client and the treatment.

### **Rule 1.4 Referrals**

(a) When, in the professional judgment of the Practitioner, it is for the well-being of the client to be diagnosed or treated by another health care professional, the client should then be referred.

(b) Should the client at any time suggest or inquire about the advisability of consulting with, or seeking diagnosis or treatment from another health-care practitioner of any modality, the Practitioner shall furnish the client with his or her professional judgment.

### **Rule 1.5 Personal Relations with the Client**

(a) A Practitioner shall not undertake or evaluate a client with whom the Practitioner has an ongoing family or other close relationship unless the Practitioner has concluded that the relationship will not prevent the treatment from being objective to the client. If the Practitioner is not able to be sufficiently objective, he or she shall refer the client to another practitioner in accordance with the provisions of Rule 1.4.

(b) A Practitioner shall follow all state rules and local regulations regarding sexual conduct with clients and touch clients only in accordance with standard massage and bodywork procedures as defined by the scope of practice.

(c) A Practitioner shall not enter into romantic or sexual relations, of any type, with a client, or a client's spouse or "significant other" while the practitioner-client relationship continues and for a reasonable time after the practitioner-client relationship is terminated.

### **Rule 1.6 Fees**

(a) Before entering into a relationship with a new client, the Practitioner shall explain fully to the patient, preferably in writing, the fees expected for service, and any payment policies, including when payment is expected, interest, if any, that will be charged for delayed payment and credit card possibilities. If the Practitioner expects payment from the client without waiting for the insurer to pay, the client should be so advised before any treatment begins. If the Practitioner's fees change during the course of treatment, the Practitioner or his or her staff shall advise the client of that fact before rendering service under the new fee schedule.

### **Rule 1.7 Practice Coverage**

(a) The Practitioner shall act in good faith to make an arrangement with another practitioner to be available for the Practitioner's clients during those times when the Practitioner is unavailable.

### **Rule 1.8 Insurance Coverage**

(a) At all times, the Practitioner should have in force professional liability insurance in an amount deemed by the Practitioner to be reasonable, but in no event any less than any minimum required by the state of licensure or local permitting.

### **Rule 1.9 Record Keeping**

(a) All records shall be kept in a secure manner that is in accordance with federal and state law and all local regulations.

(b) Upon written request by the client, the Practitioner shall send a written report to the client and/or to any health-care professional that the client designates.

#### **Rule 1.10 Termination of Practice**

(a) Should the Practitioner become impaired, physically or mentally, so as to threaten the safety of his or her clients, he or she shall terminate practice as soon as practicable.

(b) When a practice is sold, the Practitioner shall not attempt to obligate the client to continue treatment with the purchaser of the practice. If the client has paid in advance for treatment, upon sale of the practice, the client shall be reimbursed or credit assigned.

### **COMMITMENT TO THE PUBLIC**

#### **Rule 2.1 Advertisements and Promotion**

(a) The Practitioner may advertise fairly, with non-misleading advertisement. The advertisement shall be with integrity in all respects, setting forth honestly the Practitioner's credentials and experience.

(b) Practitioner's shall follow state and local regulations regarding advertising.

#### **Rule 2.2 License or Registration; Cooperation with Investigations**

(a) When applying for licensure with a state or applied cities or counties, the Practitioner shall set forth honestly and fully all information concerning his or her education, experience, licensure in other states, discipline (if any) in other states or professions, and any other matter requested. A violation of this duty is a violation of the ethical duty of the Practitioner even though in normal course it occurs before licensure is granted.

(b) The Practitioner shall advise any permitting licensure or authorities of the state of any material change since the grant of licensure, including but not limited to any discipline received in any other state, any crime of which the Practitioner has been convicted, and of any professional malpractice action which the Practitioner has lost based on his or her action or lack of action as a practitioner.

(c) The Practitioner will acquire the written consent of each patient before disclosing the records of that client during such inquiry, unless the request for disclosure shall be accompanied by a duly authorized subpoena of a court or other governmental body, and then the Practitioner shall advise the client of this fact, if practicable in advance of the disclosure.

(d) The license or permit that the Practitioner receives is solely for his or her use. The Practitioner shall never allow anyone else to use his or her license or license number in any way for any use.

### **Rule 2.3 Staff**

(a) The Practitioner may maintain a staff of non-practitioners that assist and aid the Practitioner in his or her practice. A non-licensuree may not perform any act or service not authorized by state law or local ordinances.

(b) The Practitioner's staff may have access to client files and information as is necessary and appropriate to the staff carrying out their duties, in accordance within their local, state and federal law and regulations.

(c) A Practitioner's staff should be trained and educated in their duties regarding confidentiality, as well as state and local laws and regulations that relate to health and hygiene.

### **Rule 2.4 Non-discrimination**

(a) The Practitioner shall not discriminate in hiring staff or in accepting clients on the basis of race, religion, national origin, gender, or sexual orientation and should always strive to provide the highest quality of care for each client. This rule does not prevent the Practitioner from requiring that the applicant for a staff position fulfill bona fide job requirements. This rule also does not prevent the Practitioner from refusing to accept a client with whom the Practitioner cannot communicate because of language differences.

### **Rule 2.5 Pro-Bono Service**

(a) As the recipient of a license from the state to practice a profession, the Practitioner should give some of his or her time to the diagnosis and treatment of persons who are not fortunate enough to have funds, or third-party payers, to pay for treatment. Each Practitioner should determine that amount and treatment of such service that he or she will render.

## **COMMITMENT TO THE PROFESSION**

### **Rule 3.1 Admissions to the Profession**

(a) When requested to provide a reference for admission to a school of Massage Therapy or for licensure/permitting in the field, the Practitioner shall furnish honest and complete information.

### **Rule 3.2 Aids to the Disciplinary Process**

(a) When requested by a relevant disciplinary authority concerning another practitioner, or by another practitioner under investigation or charge, the Practitioner shall cooperate honestly and to the best of his or her ability.

### **Rule 3.3 Reporting Professional Misconduct**

(a) When the Practitioner becomes aware of another practitioner that may jeopardize the safety and well being of a client, the Practitioner shall inform the appropriate government authority.

(b) Practitioners shall not engage in frivolous claims against other practitioners.

(c) This rule does not require disclosure of information by the Practitioner while serving as a member of a peer review panel or while being a mediator or arbitrator between a practitioner and one or more clients.

### **Rule 3.4 Aids to the Profession**

(a) The Practitioner should assist to the best of his or her ability in the development of the massage and bodywork profession, through local, state, and national professional organizations, through making appearances to promote the profession before civic, professional and school groups, and other means available to the Practitioner within the limitations of his or her ability and interest. When called upon, the Practitioner should participate in peer review, development of state, local laws and ordinances, and in other service that will aid the development of the profession, within the limitations of his or her ability or interest.

### **Rule 3.5 Professional Conduct**

(a) The Practitioner shall treat a fellow therapist and all other health care professionals with dignity and respect in regard to his or her professional philosophy, even if disparate from the Practitioner's own philosophy.

(b) Except as required in Rule 3.3, the Practitioner should work through appropriate professional organizations, or in a professional manner with another professional, toward correcting what is considered to be unethical or otherwise inappropriate behavior prior to addressing the behavior in a public forum, while maintaining his or her own personal behavior so as to reflect well on the profession as a whole.