

NARRATIVE

How Structural Integration Became a Licensed Profession in Nevada

Robin Graber



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Abstract

This article summarizes the work of Robin Graber, Certified Advanced Rolfer, who served as a board member on the Nevada State Board of Massage Therapy (NSBMT) from 2004-2017. She helped the NSBMT pass legislation for the regulation and licensure of structural integration.

In 1996, I began my career by training and working as a massage therapist. I graduated from the Rolf Institute in Colorado in 2003 and have been practicing structural integration (SI) ever since. Over the past 15 years, I have worked hard to educate myself and build a fulfilling practice. Structural integration is my profession, my sacred art, and I have proprietary feelings about it. I endeavored to protect SI from general massage therapy regulation in Nevada and would like to see SI protected like this throughout the country.

Establishment of Massage Therapy Licensure

In 2004, I was sharing an office with Billie Shea, a massage therapist who was working on legislation to create a massage board for the state of Nevada. At the time, all massage therapists and bodyworkers in Nevada were regulated only by their respective county and/or city. Under this inconsistent structure, practitioners were required to have multiple licenses if, for example, someone lived in one county and worked in another. In this broad industry, this also resulted in a lack of uniform consumer protection.

I had previously been licensed in Washington state, where obtaining a license was a smooth process that allowed me to work anywhere and protected

consumers everywhere in the state. As I learned more about the disjointed massage licensing situation in Nevada, I became interested in Billie's efforts to form a statewide massage board. Billie and I had many conversations about the problems with the regulatory structure in Nevada and how she envisioned statewide licensure helping to address them.

Eventually, Billie achieved her goal. The statute creating the Nevada State Board of Massage Therapy (NRS 640C) was signed into law in October 2005, and "massage therapy" licenses started being issued the following year.

Licensure or exemption for SI?

One of the subjects Billie and I had discussed was whether SI should be identified in massage therapy legislation through specific inclusion, or exempted from the legislation. This was of concern to me because I had discovered that individuals in Nevada and in other states were claiming to practice SI without having completed a program recognized by the International Association of Structural Integrators (IASI). Consumers, and the practice itself, were unprotected. I did not want to see SI mistaken for something it is not, or legitimate practitioners unable to practice SI fully. Specific licensure for SI seemed like the best way to protect the public and the

profession but that goal was unrealistic at the time. We needed a strategy.

I consulted with Libby Eason, Certified Advanced Rolfer, who was working with IASI on an exemption for SI in Georgia. We decided that, in Nevada, SI should initially be regulated as massage therapy. In order for SI to have its own licensure designation it would need its own nationally-recognized board certification exam, but the first Certification Exam for Structural Integration (CESI) was not yet finalized. It would be easier to eventually convert the license type of the SI practitioners who already had massage licenses rather than exempting them and trying to license them later.

My First Term on the Massage Board

If SI were to be regulated by the massage board, then I was certain that I wanted my profession to be represented on that board. Even though I wasn't sure what specific legislation I wanted to see, I felt confident that serving on the NSBMT would be worth my time and effort. I believed I could be effective: Nevada was a small state; I lived in its capital, Carson City; and I was lucky to have friends and clients who worked in government and lobbying and were willing to assist me. In 2009, I applied to serve on the NSBMT and was appointed by governor Jim Gibbons. This meant attending six day-long meetings per year, along with annual two-day retreats which sometimes required travel across the state.

Why SI should not be categorized as massage

Sitting on the board quickly gave me insight into the regulatory struggle happening nationwide. The Federation of State Massage Therapy Boards (FSMTB) had recently formed and was becoming more effective, working to convince boards across the country to adopt their Model Massage Therapy Practice Act and Massage and Bodywork Licensing Exam (MBLEx). Massage/bodywork is a broad field. Trying to account for the needs of such a wide array of practitioners can be overwhelming for state regulatory boards, so state boards often look to national organizations like the FSMTB for guidance. After all, the work of regulators is to implement the authorizing law, and their purpose is to make sure the regulations protect the public, not the practitioners.

I realized that if a powerful entity like the FSMTB were to categorize SI as a massage technique or modality, overreaching legislation could negatively impact SI practitioners across the country. For example, in Washington state, their board is trying to limit massage practitioners' access to the coccyx, a common area for SI practitioners to address. In the state of New York and also in Washington, there are legislative threats that SI trainings will not be accepted by their massage boards, which could force some SI practitioners to attend massage schools that are irrelevant to their practice. It is also possible that categorization of SI as a form of massage would encourage more massage therapists to say they practice SI despite not being properly trained, resulting in a dissolution of the work over time.

Educating the board about SI

The NSBMT is comprised of six massage therapists and one community member who is not a massage therapist. From the beginning of my board tenure, most of the other members were opposed to any SI-specific regulation. At first, it was hard for me to understand this opposition. Those opposed had vague arguments and seemed generally threatened by the idea of SI being recognized distinctly. None of them had ever experienced the work. The more I discussed with them, it became clear that they saw SI as a massage modality, not its own profession.

I explained to the board the differences between massage and SI: How we work with clients clothed or in their underwear, how we sometimes work in a series of sessions, and how we emphasize anatomical relationships versus specific muscles. I always made it clear that I did not think SI was better than massage, just different. I argued that since the public does not understand the many differences between SI and massage, to ensure their protection it is important that the board specify what SI is and who is qualified to practice it.

My Second Term on the Massage Board

Billie Shea's term was expiring in 2014, and she was my only ally on the board. At this point, I had been bringing up SI licensure with the board for several years and was tired of getting push back from the

other members. I considered leaving the board, as my term was also about to expire, but Billie did not let me give up. She recognized that some of the early oppositionist board members' terms were also expiring that year, and once new members were in place I might have a better chance to make my case. I applied for a second term on the board and was appointed by governor Brian Sandoval.

Accepting the CESI for licensure

The first step toward achieving my goal for SI licensure in Nevada was getting the board to accept the CESI for licensure, so that SI practitioners could take an SI-specific exam in lieu of the MBLEx or the National Certification Exam for Therapeutic Massage and Bodywork. For the 2014 NSBMT retreat meeting agenda, Billie and I added a vote on whether or not to accept the CESI for licensure. After years of resistance, the board—now comprised of some members I had been trying to convince for years along with some newly appointed—finally voted yes. I was shocked.

I was quite happy when this first step was accomplished, and posted the news on the Private Page for Structural Integrators and Rolfers™ groups on Facebook. The IASI Law and Regulation Committee promptly contacted me to say thank you, congratulations, and ask if I would be interested in serving on the committee. It would involve monthly telephone conference calls to stay abreast of what was going on in other states, and helping other practitioners with matters regarding state regulation. I accepted their invitation.

Waiting patiently

The Nevada Legislature meets every other year for four months per session. The NSBMT wasn't carrying any bills through the legislature for the 2015 session, so it was too soon to try to get anything passed. Since "carrying a bill" means hiring both legal counsel to draft it and a lobbyist to work it through both houses of the legislature, it was unrealistic to expect the board to create a bill for my agenda alone. I knew the board would eventually need to go into the legislature for something, so I waited patiently. I continued to sit on the board, maintained ongoing conversations with the other members, and paid close attention to what was

happening with regards to massage, bodywork and SI legislature in Nevada and other states.

Reflexology provides an opportunity

When the process to create the NSBMT began in 2004, only one modality was exempted: reflexology, a modality involving application of pressure to the feet and hands with specific thumb, finger, and hand techniques. This exemption provided a loophole to avoid board inspection, so reflexology started being used as a front for prostitution and human trafficking. Without licensure, nothing could prevent an unqualified individual from saying they practice SI in order to exempt themselves from regulation. If for no other reason, this made including SI under massage licensure the right strategy at the time.

Reflexology as a front for criminal activity became such a problem that the City of Las Vegas and Las Vegas Metro asked the board to start regulating reflexologists. The NSBMT responded by voting to go into the 2017 legislature with a bill to amend the statute (NRS 640C) to include specific licensure for reflexologists. I argued that if there were going to be specific regulation for reflexology, then there ought to be the same for structural integration.

Some of the board members needed convincing. They were worried that the SI part of the bill would distract from the reflexology part to the point that the legislators would throw out the bill. I argued that proper regulation of SI was necessary to protect the public. To help make my point, I used a Barbie doll to demonstrate the territory, goals, and client positioning for typical SI work for the adductors of the hip, and I described the territory and procedure for intraoral and intranasal work. This seemed to finally convince enough board members to vote in favor of amending the statute to also include specific licensure for SI.

Assembly Bill 179 (AB 179) was created with the intention to create licenses for reflexology and structural integration, and was introduced in the Nevada Assembly by Assemblywoman Maggie Carlton on February 13, 2017.

Advancing the bill through the legislature

The 2017 legislative session was a rich learning experience for me. The session took about four

months, during which time we worked to get AB 179 passed through both houses. I attended hearings and meetings, including meetings with other board representatives—primarily the Physical Therapy Examiners’ Board and Chiropractic Physicians’ Board. Their main concerns were that the definition of SI included language that specified it was not physical therapy or chiropractic work. At first, their lobbyists came at us hard, to the point that our board lobbyist and counsel thought it might be easier to discard the SI portion of the bill. Fortunately, with some help from a client who had spent decades as a lobbyist in the legislature, I was able to save it by convincing our lobbyist and board counsel to let me talk to the other physical therapy and chiropractic boards’ representatives. Once I had the representatives of these boards in front of me, it was easy to work out a compromise so that the language still maintained what we do but didn’t step on their toes. This demonstrates the crucial importance of building relationships and listening to others’ concerns in order to create solutions that work for everyone. Legislators don’t take bills forward until these conflicts are addressed.

I had support from more people than just that wonderful client. Sandy Anderson, former massage therapist and newly hired executive director of the NSBMT, proved to be a tremendous support during the legislative session. She, too, was initially hesitant about SI but decided to book a ten series with me to see for herself. She immediately became a “super fan,” and from then on worked diligently to help convince the NSBMT board members, members of other boards, and legislators that SI-specific licensure was a good idea. Deborah Nimmons, IASI board member and head of the IASI Law and Regulation Committee, was a tremendous help with language for the bill. Deborah traveled to Nevada during the 2017 legislative session to testify before the assembly committee on behalf of IASI and the SI profession.

AB 179 went to vote in assembly on April 25, 2017, and passed 37-5. When it reached the senate, the bill had gained momentum. It passed the senate on May 24, 2017 with a 20-1 vote. Structural integration was officially a licensed profession in the state of Nevada.



Figure 1. *The first structural integration license issued in Nevada.*

What it Means for SI to be a Licensed Profession in Nevada

How SI is defined in NRS 640C.085 (2017):

“Structural integration” means the application of a system of manual therapy, movement education and embodiment education that is intended to improve the functional relationship of the parts of the human body to each other within the influences of gravity.”

NRS 640C.620 (2017) states that, to obtain an SI license in Nevada, one must:

1. Be 18 years of age or older.
2. Complete an application form and pay a fee.
3. Prove successful completion of an SI program recognized by the board (IASI’s list of approved schools is being used as a guideline as the regulations for this are being developed).
4. Pass a background check, including fingerprints.
5. Pass a national certification examination for SI that is recognized by the board (to be specified in the regulations as the CESI).

There are several major benefits to SI being a licensed profession in Nevada. NSBMT monitors all statewide advertising activity and will not allow anyone who does not have an SI license to advertise that they practice SI in any way. We no longer have to take massage continuing education that is irrelevant to SI practice. SI practitioners can also practice massage under this law, if they choose, without having to

acquire a separate license.

Moving Forward

Drafting regulations

Once the bill (AB 179) had passed in the legislature to amend the statute (NRS 640C), then the process to amend the regulations (NAC 640C) began. Basically, the statute is the “what,” and the regulations are the “how.” The only way the statute can be changed is in the legislature, but the regulations are determined by the board and by community input in workshop meetings.

I attended all of these workshops and worked with the board and board counsel to draft regulations for the SI license in Nevada. This included such details as hourly requirements for basic training programs, requirements for continuing education, and fines for improper advertising or practicing without a license. I drafted language to protect the work we do relating to the sacrum and the ramus of the ischium, as I have seen this threatened in other states. I also drafted language that incentivizes involvement by allowing for continuing education credit for SI practitioners who serve on a board or committee, or attend a meeting for anything relating to the practice of SI. These regulations remain unpublished at the time of this writing.

Passing the torch

AB 179 created new board positions for an SI practitioner and a reflexologist. Lorna Benedict stepped up to represent SI on the board in October 2017. Her experience includes having served as president of the Rolf Institute, as well as having been involved with the Washoe County massage therapy board before the NSBMT was created. I’m grateful to Lorna for her willingness to represent us.

Even though I termed out in June 2017, I continue to work with the board and board counsel to ensure that SI is properly regulated and protected. I also maintain an email list to keep Nevada SI practitioners updated about legislative issues.

We must stay vigilant to maintain our professional status. Thanks to the help of Lorna Benedict, Deborah Nimmons, Sandy Anderson, and the NSBMT, structural integration continues to be a regulated, recognized profession in Nevada.

Protecting SI in other states

The more states that protect SI from inappropriate regulation by independent licensure the more public awareness builds and practitioners are attracted to those states. This will help our profession grow to become as recognized as chiropractic and acupuncture. For this to happen, practitioners need to get involved with the legislative process in their own states. Become familiar with your regulatory board, go to meetings, develop a good working relationship with them, and join the board. I hope that Nevada’s legislation will serve as a model for other states to follow, but each state is different. It is important to learn the particulars of the legislative process in your own state.

I continue to serve on the IASI Law and Regulation Committee. We are available to help you, but you must first get involved in your own state. Aim high, and don’t give up. Just a short time ago, many people thought SI would never be a licensed profession in any state. I believed in myself, trusted in the board members and legislators to do the right thing, and put in the time—and now structural integration is a licensed profession in Nevada. ■

Acknowledgments

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