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Colorado Coalition Formed to Fight Proposed Auto Insurance Bill

Current Language Excludes Massage as Personal Injury Protection Benefit

By Editorial Staff

An insurance bill introduced in the Colorado legislature¹ has the state's massage therapy community up in arms, and for good reason: the bill excludes massage as a benefit of motor-vehicle-injury insurance coverage.

The bill, **HB 1225**, was introduced after Colorado Gov.

Bill Owens decided sweeping changes were needed in the state's no-fault auto insurance system.^{2 2,3}

The current insurance law, on the books in Colorado since 1974, includes a benefit for "medically reasonable" massage for auto accident-related injuries, but Gov. Owens has said he won't extend the law, which expires July 1. His decision may have been spurred by a 20-percent increase in Colorado premiums in the past year, compared with a 9-percent increase nationwide.

As currently written, HB 1225 would establish three types of policy coverage - basic, managed care and direct - but appears to make no mention of massage therapy as a covered personal injury protection (PIP) benefit. Specifically, the bill language allows an insurer to limit coverage "... to only licensed, registered, or certified health care providers." As Colorado currently lacks statewide massage or bodywork licensure, registration or certification, this stipulation means that auto-accident patients must pay out of pocket for massage and bodywork services - a requirement that would undoubtedly limit patient access to the benefits of massage therapy severely. The bill also notes that a "primary care physician may refer only to nurse

practitioner, physical therapist or occupational therapist according to treatment protocols given"; again, there is no mention of referral to massage therapists or bodyworkers.



Denver massage therapist Rebekah Adamson performs a chair massage on Reb. Frank Weddig at the state capitol during Massage Therapy Awareness Day. Following Gov. Owens' decision and the introduction of HB 1225, the Colorado Coalition of Massage Therapists and Bodyworkers (CCMTB) was formed. The coalition's stated mission is "To be a responsible voice for the massage therapy profession, and to educate a united community to protect Colorado citizens' informed choice about therapeutic treatments." Colorado massage therapists, bodyworkers, schools and organizations have been invited to become members of the coalition, which currently lists the American Manual Medicine Association (AMMA); American Massage Therapy Association (AMTA); Associated Bodywork and Massage Professionals (ABMP); Colorado Massage Network (CMN); other massage therapy and bodywork professionals; patients; and other interested persons as members.⁴

The CCMTB is in the process of drafting an amendment to HB 1225, which will stipulate that medical massage be made available for all levels of care, and as a matter of choice for all Colorado consumers. The coalition also coordinated Massage Therapy Awareness Day at the state capitol on Jan. 20. The event, which received substantial local media coverage, was intended to raise public and legislative awareness of the benefits of massage therapy, and voice opposition to the proposed bill as written.^{5,6}

The coalition's efforts at Massage Therapy Awareness Day, and in the weeks preceding the event, appeared to pay off, at least in the short-term: On Feb. 11, the House Business Affairs and Labor Committee held a hearing in the Supreme Court chambers of the state capitol to discuss issues relating to HB 1225.^{6,7}

Kathryn Stewart, a member of the CCMTB, presented testimony clarifying the coalition's opposition to the bill.

Excerpts from Ms. Stewart's testimony follow:

"In Colorado, massage therapy is considered a medical service under current auto insurance statute, as well as workers' compensation statute. In workers' compensation, massage therapy is specifically mentioned in Rule 17's treatment protocols. We are included in general health insurance plans for Kaiser, Cigna, and Anthem Blue Cross/Blue Shield. We are a valid medical service and [we] believe that massage therapy should be continued as a benefit for all insurance plans."

"Medical doctors, osteopaths, chiropractors and dentists refer their patients to massage therapists for specific treatment work on affected muscles, to decrease swelling, and to restore function. The sooner massage therapy is implemented, the faster the recovery from injury."

"Massage therapy is an effective low-cost alternative to pain medication and surgical options. It helps people get back to work and stay there. We are willing to talk to the insurance industry about reasonable alternatives and, yes, limitations to services. But we can't get to the table. We want to be included in the discussions. Please remember that this is not only about premium costs, but also care of people hurt in an auto accident. Until the service providers are completely at the table, HB 1225 should be defeated."

Following the Feb. 11 committee hearing, the bill was "tabled," suggesting it would not proceed to a vote, pending consideration of potential bill text changes. However, on Feb. 13, after the bill was amended to include chiropractic treatment, the committee passed HB 1225 by an 8-5 vote.⁷ As we go to press, the bill has moved to the House floor, still lacking specific reference to or inclusion of massage or bodywork as a covered benefit.

Massage Today will report on the progress of HB 1225, and the coalition's efforts to change the bill's proposed language, as more details become available. For more information, visit the CCMTB Web site: www.ccmtb.org.

References

1. House Bill 03-1225. A Bill for an Act Concerning Colorado Motor Vehicle Insurance. Sponsored by Rep. Tambor Williams (R-Greeley). The complete text of the bill as introduced is available at www.leg.state.co.us.
2. Auto insurance at a crossroads: state legislature taking wheel as premiums jump. *Rocky Mountain*

News, Jan. 4, 2003.

3. Bill revamps no-fault. Car-insurance buyers would have choices to cut costs. *Rocky Mountain News*, Feb. 4, 2003.
 4. CCMTB news release packet, received Jan. 17, 2003.
 5. Letter to *Massage Today* from Suzanne Sylte, president, Aficionado Communications, on behalf of the CCMTB, Feb. 7, 2003.
 6. Phone conversation with Suzanne Sylte, Feb. 12, 2003.
 7. Bill status report. *Denver Post*, Feb. 14, 2003.
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* *Photos courtesy of Joshua Lawton*



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