



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 175</b>		DATE: <b>4/11/2023</b>	
COMMITTEE: <b>Professional Registration and Licensing</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>ARNIE C. DIENOFF-STATE PUBLIC ADVOCATE</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: <b>ArnieDienoff@Yahoo.Com</b>	ATTENDANCE: <b>Written</b>		SUBMIT DATE: <b>4/11/2023 11:23 PM</b>
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>KACEY DEA</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: <b>kaceydea@gmail.com</b>		ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>4/6/2023 7:04 PM</b>
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			

Thank you for taking the time to read a little bit of my story today. I'm writing to let you know how important it is this amendment be, not only passed, but be the start of many changes necessary to protect massage clients in Missouri. I really wish I had the strength to testify in person today, but even the thought of doing so triggers the PTSD I fight against awakening on a daily basis. I don't want my family to suffer losing my attention for the time it would take to recover from the episode that would be created by a in-person testimony. I'm a very private person who feels what happened to me is a private matter; but I can't allow the same struggles to happen to someone else without trying everything in my power to protect them. I'm going to try to present my story as straightforward and professional as I possibly can; but I assure you I've struggled with a great deal of various powerful emotions over the past 3 years. I want you to know as I tell this story; the massage therapist that assaulted me is still practicing in the State of Missouri. At 24, I was drugged & brutally sexually assaulted by several men; causing me PTSD and permanent damage to my nose, neck, shoulder, back, & pelvis. As time passed, my injuries were causing more debilitating pain. Acquiring a lifetime of addiction to pain pills will not ever be an option for me. Too scared to have surgeries suggested by doctors, I searched for methods of bodywork to cope with the daily pain. I found some scientific studies showing a specific kind of technique could work for my specific injuries. When I found out the one practitioner in Missouri trained in this technique was male, I wasn't comfortable. With my history, it was very difficult to allow a stranger to touch me; especially a male. I learned that I could keep my clothes on for this therapy and this practitioner had special training for patients with a history of sexual assault. I was experiencing migraines 5 out of 7 days a week. I needed relief! I had to try! Before he worked on me, I informed him of the past abuse I suffered and let him know I was there to try to repair or learn to better live with the damage that was done to my body. He was careful and respectful when working on me. After 10 sessions, I could live most days without pain. Flash forward to a year later, when I go to see him again for pain management. I don't want to detail and relive the vulgar things he did to me that day; but the assault drove my PTSD into overdrive. Flashbacks or talking about the details of that day cause me to have trauma associated tics. In hindsight, I see how his behavior toward me in earlier sessions was meant to groom me for the assault. Like the predators before him that used to tell me as a child "don't say anything to anyone", he told me to talk it out with him if I needed to "process what happened during our session". I wanted to get out of there as soon as possible. I drove home in shock! I questioned the reality that had just happened. Once I got safely home, I texted him and told him I felt violated by his actions; and he responded with admittance of guilt for acting inappropriately. He said sorry and he'd cancel my future appointments. Sorry? I was in a really good place in my mental health before this happened. The whole "let's keep this between us" wasn't going to work on me. I wasn't going to be his victim! I called the police and drove to make a police report. I reported the incident to the place the massage therapist worked. They didn't take the complaint seriously. He still works there.

Then, here comes the outrageous therapy bills my husband shouldn't have to pay. He was having a hard enough time reminding himself that hurting this guy would make things worse. Now he has to put out money to pay for the devastating repercussions on his wife. I tried to see if there was a law the police could enforce to require the massage therapist or the business to provide me insurance information to file a claim. They said there was no law. I called the Massage Board to ask if they could make him share his insurance information. They said there was no rule to enforce that. This forces me to have to hire a lawyer to negotiate a settlement from the massage therapist so I can pay the bills for counseling, treatments, & medications I now need to manage my newly triggered PTSD. Through that legal action, I found that the massage therapist doesn't have insurance to cover the assault. I find out during that insurance inquiry call that when I reported the massage therapist to the police, there was no red flag at the Massage Board regarding his license. So, now I have to relive the story again. I have to go through an interview with the Massage Board investigator. He informs me that the massage therapist gets to respond to my accusations, but that I don't ever get to see what he reports or how he responds; not only that, but that the hearing regarding his license would be private and I would not be called to testify. Four months after my report and one year after the assault, I get a letter from the Director of the Board of Therapeutic Massage acknowledging my report. She said they were still conducting an investigation and would send me a letter when the investigation was complete. This, along with the problems acquiring the massage therapist's insurance details, prompted me to want to take action. I spoke to the Director of the Board of Therapeutic Massage to find out about how to submit for a rule change. She said I had to petition the Legislature. She seemed to empathize with me and told me that I could call periodically for updates on the disciplinary action the Board may or may not take in the case against the massage therapist. So I begin contacting my Legislators to see about getting some rules changed. None of them seemed to care. I have to wait for election time and hope a real live human being is elected as my Representative. I earned a Bachelor's Degree in Human Services with a minor in Public Administration. I figured while I'm waiting for an elected official who cares, I can educate myself on the existing Statutes governing massage therapists. I found that according to Missouri Revised Statute 536.041, the Director should have allowed me to submit a petition through her agency. Per that Statute, I submitted a petition for a rule change on June 4, 2020 to both the Missouri Division of Professional Registration and The Missouri Board of Therapeutic Massage. After a few weeks pass, I call the Director of the Board of Therapeutic Massage to check on the request for a rule change I submitted. She had previously told me if I needed any update on the case to please give her a call; but for over 7 months, she ignored my calls and emails. Then I find the Massage Board decided to renew the massage therapists Massage License; even though he's the subject of criminal charges for assaulting me. I also find out through my own investigating, the massage therapist was committing fraud; advertising credentials that he lost. He lost those credentials because when I reported him to those specialty Guilds, they immediately revoked his membership. Surely, if the Board was conducting a proper investigation of this man they would have found that fraud. Fraud is listed in the Statute as a reason not to renew a license. I had to contact the other massage Guilds the massage therapist previously belonged and let them know he was still advertising as a member. It took that Guild to threaten legal action before the massage therapist would remove the supposed affiliation with them from his advertising. How could the Massage Board renew the license of a therapist under investigation for sexual assault and committing fraud? A massage therapist friend of mine wrote a letter to the Board to ask just that same thing. The Director of the Massage Board's written response stated "upon final disposition of the criminal charges" they might do something. I'm still wondering why the Director couldn't return MY calls or emails to let me, the victim, know they planned to do nothing right now. It's been nearly 4 years and I'm still waiting for the trial to be set for this case. So the man that sexually violated me nearly 4 years ago has a license to victimize more women; and doesn't even have insurance to cover those violations. I called so many government agencies and media to help me with this, I've lost track. No one had time to help me find justice! Fast forward to the gratitude I felt when Mr. Sassmann answered my email. And I mean ALL of my emails. I am so very grateful to him for opening this channel to get my story to you; the people that I hope to work with to solve these problems that allow sexual predators to take advantage of loopholes in our Administrative Laws and Procedures governing Massage Therapists. Last year, Mr. Sassmann introduced HB 1610 and a hearing was held; but apparently it died somewhere on someone's desk. Since then, my marriage fell apart due to the toll the lack of intimacy takes on a marriage. Meanwhile, the perpetrator of this awful violation of my body continues to live his life free of consequences for his illegal actions. I'm asking that you not only pass this legislation in front of you here today, but continue to work with me to take even further steps to protect patients from these predators who take advantage of loopholes in our system. I cannot, in good conscience, move forward with my life knowing there may be another woman violated by a massage therapist who will get away with it because of how difficult it is to hold them accountable! Please help me and other victims move forward toward recovery & happiness.

**Please continue to work with me to create better rules to protect victims.**



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>MICHAEL WESTEN</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL: <b>MichaelWesten.3up@protonmail.com</b>	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>4/6/2023 6:10 PM</b>
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**I oppose HB 175.I don't think this bill is necessary.I oppose unnecessary regulations.**



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>SCOTT MCKELLAR</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL: <b>mck9@swbell.net</b>	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>4/11/2023 9:27 AM</b>

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**Massage therapists are entitled to a presumption of innocence, just like anybody else. They shouldn't be subjected to extrajudicial punishments, likely destroying their livelihoods, for crimes of which they have not been convicted.**



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<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>WESLEY SUTTON</b>		PHONE NUMBER: <b>573-508-4832</b>	
BUSINESS/ORGANIZATION NAME: <b>MISSOURI DIVISION OF PROFESSIONAL REGISTRATION</b>		TITLE: <b>LEGISLATIVE DIRECTOR</b>	
ADDRESS: <b>3605 MISSOURI BOULEVARD</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>4/11/2023 12:00 AM</b>	
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