

The Minnesota Chiropractic Association seeks clarification of whether massage provided as a therapeutic service under the chiropractic scope of practice by qualified staff under the supervision of a licensed chiropractor within a chiropractic practice is allowed under Executive Orders 20-20, 20-08, and 20-04?

We seek further clarification, that if massage is allowed by qualified staff under the above clarification, is qualified staff precluded from being a massage therapist under Executive Orders 20-20, 20-08, and 20-04?

Background

Chiropractic services are essential to treat neuromusculoskeletal issues for individuals who may otherwise seek care from medical doctors, urgent care or emergency rooms. Chiropractic services will continue to reduce the burden on other health care professionals and facilities as we deal with our current health care crisis.

Under the clarification of Critical Sectors related to Executive Order 20-20, Chiropractors are listed as critical personnel under Caregivers for the Healthcare and Public Health sector (link: https://mn.gov/deed/assets/critical-worker-definitions-ACC_tcm1045-425195.pdf) where it states:

Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, **chiropractors**, acupuncturists, doctors of podiatric medicine, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)

Under the chiropractic scope of practice, a chiropractor licensed in Minnesota is authorized to perform chiropractic services, acupuncture, **therapeutic services**, and provide a diagnosis (see MN Statutes Section 148.01, subdivision 4).

Therapeutic services are defined as rehabilitative therapy as defined in Minnesota Rules, part 2500.0100, subpart 11, and all of the therapeutic, rehabilitative, and preventive sciences and procedures for which the licensee was subject to examination under section 148.06.

Massage is specifically included as a therapeutic service in Minnesota Rules, part 2500.0100, subpart 11. When provided, therapeutic services must be performed within a practice where the primary focus is the provision of chiropractic services, to prepare the patient for chiropractic services, or to complement the provision of chiropractic services. The administration of therapeutic services is the responsibility of the treating chiropractor and must be rendered under the direct supervision of qualified staff (see MN Statutes Section 148.01, subdivision 1, paragraph (6)).



In many cases, the qualified staff is a massage therapist.

Under Executive Order 20-04 as clarified by Executive Order 20-08, the closure of the following:

Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, tanning establishments, body art establishments, tattoo parlors, piercing parlors, **businesses offering massage therapy or similar body work**, spas, salons, nail salons, cosmetology salons, esthetician salons, advanced practice esthetician salons, eyelash salons, and barber shops. This includes, but is not limited to, all salons and shops licensed by the Minnesota Board of Cosmetologist Examiners and the Minnesota Board of Barber Examiners.

However, in Executive Order 20-04, under paragraph 4 (b) it states that the restrictions imposed by this Executive Order do not apply to health care facilities. As a chiropractor is licensed under Chapter 148, Public Health Occupations, and is a health care provider, a chiropractic clinic would fall under the “health care facility” exception.

Therapeutic services, including massage, are a component of the chiropractic scope of practice, and provide a necessary tool for chiropractors either directly or through supervised qualified staff to appropriately treat neuromusculoskeletal issues for individuals who may otherwise seek care from medical doctors, urgent care or emergency rooms.

Based on the above information, the Minnesota Chiropractic Association believes that massage provided as a therapeutic service under the chiropractic scope of practice by qualified staff, including a massage therapist, under the supervision of a licensed chiropractor within a chiropractic practice is allowed under Executive Orders 20-20, 20-08, and 20-04?

Thank you for your consideration.

MCA Board of Directors

