Massage Establishments in San Francisco
Codification of State Law and
Amendments to the SF Health Code

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Objectives

Through this legislation, we hope to accomplish three things

1) Conform local law to state law

2) Improve regulation of massage establishments

2) Increase cultural competency

We are asking for your support with a proposed resolution today
Overview

Background on massage regulation

What is this legislation?

What are the health effects?

What is the history of regulation?

How does it affect San Francisco?

How do we use this legislation to offer more health protective services?
Massage Regulation in San Francisco
Proposed Legislation

Amends the Health Code to Conform to State Law regulating massage practitioners and establishments

Adds additional requirements to improve enforcement and transparency

Recommends a stronger health care lens
Massage Regulation & Public Health Connection

Loopholes in past state law created a high density and surplus of unregulated businesses.

Impeded safety & sanitation

30 – 50% of these business are illicit

Potential hubs for human trafficking

No public process or community planning
Massage Regulation & Public Health Connection
Massage Regulation in San Francisco

Two tiered system

High concentration in certain neighborhoods

Highly unregulated
Massage Regulation in San Francisco

- Revocable Permits and Enforcement: ☑️  ☐
- Subject to cost recovery permit & license fees: ☑️  ☐
- Subject to local zoning and land use control: ☑️  ☐
- Compliant to State Human Trafficking Poster Laws & local Human Trafficking Training: ☑️  ☐
Massage Regulation in San Francisco

- High Violation Business
- Many revocations
- Many close and re-open
New State Law (AB-1147)

State legislature approved AB 1147 **taking steps to decrease illicit massage establishments and human trafficking** by

Returning land use authority to local governments

Fees and regulations can be imposed by local governments on massage businesses and establishments

Improved regulation of CAMTC and the state - including Public Health & Human Trafficking appointees on the Board

Changed Massage Therapist Requirements

Certain Restrictions on local government
Amendments to SF Health Code

Codification of State Law

Establishments

Delete exemption for establishments using only CAMTC certified practitioners. Previously exempt establishments now need a permit, annual license and pay cost recovery fees.

Practitioners

Conform attire

Disqualify current CAMTC certificate holders from getting a DPH Massage Practitioner permit to eliminate dual license fraud.

Require DPH Massage Practitioner permit applicants to provide fingerprints for background check.

Raise the education requirement for DPH Massage Practitioners.
Amendments to SF Health Code

Increase Transparency & Enforcement

Updated language to be more explicit about permitting issue authority and added more specificity to language around false testimony.

Removed and or added language not consistent with our administrative processes.

Added additional language about revocations and suspensions, including offenses related to human trafficking as ground for denial.
Amendments to SF Health Code

Providing Culturally Competent Care

Recommendation for whenever possible, inspectors shall be accompanied by a health outreach worker who is fluent in the primary language(s) spoken by the employees of the Establishment.

Why?

Direct service and Environmental Health Inspectors providers have the unique opportunity to identify and help victims

50% survivors reported having received medical care while trafficked
Additional steps to improve program

Participation in Mayor’s Task Force on Anti-Human Trafficking and other collaborative efforts

Continual Training

Increase victim identification and links to services

Informs more prevention programs and policies

Legislative Outreach