

Senate Executive Departments and Administration Committee

Ben Mickens 271-1403

HB 1469-FN-A, relative to the licensing requirements for massage therapy establishments.

Hearing Date: April 15, 2026

Time Opened: 9:22 a.m. **Time Closed:** 10:19 a.m.

Members of the Committee Present: Senators Pearl, Gannon, Altschiller and Reardon

Members of the Committee Absent : Senator Lang

Bill Analysis: This bill requires massage establishments to be licensed and regulated by the office of professional licensure and certification (OPLC). The bill also allows for compensation of members of the advisory board of massage therapists.

Sponsors:

Rep. Foote	Rep. Grote	Rep. Nelson
Rep. Rhodes	Rep. Roy	Rep. Rice
Rep. N. Murphy	Rep. D. Mannion	Rep. Sweeney
Rep. Milz	Sen. Altschiller	Sen. Birdsell
Sen. Abbas	Sen. Gannon	

Who supports the bill: Fifty-five people signed in support.

Who opposes the bill: Representative Carol McGuire; and Cory Stone, Terry Sturke, and Daniel Richardson.

Who is neutral on the bill: David Lovejoy (NHDOJ).

Summary of testimony presented in support:

Representative Charles Foote

- Representative Foote explained that this legislation comes from a long history of trying to tackle the problem of illicit massage businesses and stop them from setting up in New Hampshire.
- Representative Foote listed organizations who collaborated, including local law enforcement, federal law enforcement, survivors, town officials, business owners, massage therapists, and more.

- Representative Foote explained the bill would require massage therapists to be licensed through OPLC.

Representative Dennis Mannion

- Representative Mannion addressed some concerns about legitimate businesses by stating that pushing out these illicit businesses will ultimately be very good for the legitimate ones which remain.
- Representative Mannion added that this bill helps tackle some areas missed by other legislation.

Senator Pearl asked if we have a reasonable cost for applicants so the program can be self-sustaining.

Representative Foote stated he wouldn't want to speak to it without confirmation from more technical experts.

Representative Mannion added that the fiscal note has been updated with some positions no longer needed to be added.

Senator Altschiller asked if much of this would be left to the rulemaking process which would allow practitioners to most effectively weigh in.

Representative Foote confirmed that **Senator Altschiller** was correct.

Senator Pearl asked about a situation where multiple businesses are in the same building.

Representative Foote stated that the bill was not for sole proprietors but for those with multiple employees.

Senator Pearl stated that he had missed that at first, but it can be found on line 10.

Audra Doody, Co-CEO and Chief Programs Officer, Safe Exit Initiative

- Ms. Doody told the committee that she herself is a victim of this crime.
- Ms. Doody explained how human trafficking crosses state borders and is not limited to one place.
- Ms. Doody further explained the inhumane conditions the victims of human trafficking live through, including massage parlors.
- Ms. Doody explained how this legislation works well with other laws passed in New Hampshire to tackle trafficking.

George Feole, Chief of Police, Derry New Hampshire with Jonathan Green, Captain, Derry New Hampshire

- Chief Feole explained his history both in law enforcement and in trying to tackle illicit massage businesses.

- Chief Feole gave a history of investigations in Derry including those which resulted in arrests. This includes when one illicit business was shut down, only for someone to apply to reopen shortly thereafter.
- Chief Feole stated that, even with all the work done at the local level, illicit businesses continue to pop up.
- Chief Feole believes this legislation will help local police departments across the state to more permanently

Senator Reardon asked how the police would work with OPLC and enforce the law when there are operations without licenses.

Chief Feole stated that when they are told of a business without a license they would be able to go in and enforce the law.

Senator Reardon asked how one finds out someone is operating without a license.

Chief Feole said they might inquire with OPLC if they have a concern about a business.

Senator Pearl asked about the prior situation without this bill in place.

Chief Feole stated that there would be ability to do anything.

Senator Pearl asked how this process would start and whether someone would know to begin the investigation.

Captain Green stated that it could start in any number of ways, one example would be a citizen contacting OPLC who then could contact local authorities.

Senator Altschiller asked for clarity on understanding and gave an example of an issue from Exeter where there was a facility known to be an issue, but police did not have probable cause to investigate as there was no license issue or other concrete starting point. However, with this law, local police could contact OPLC who can let the police know they are unlicensed. The police can then enforce the law.

Chief Feole confirmed.

Senator Pearl asked why this is better for law enforcement than the existing license which individuals are required to have.

Chief Feole stated that it was because they do not always know who specifically is operating in a particular business and so cannot say that they are operating unlicensed. With this legislation, the delineation is more clear from the outside.

Michael Fowler, *Town Administrator, Derry New Hampshire*

- Mr. Fowler explained that this legislation will give towns and the state the power needed to address illicit businesses more effectively.
- Mr. Fowler stated the overarching goal was to rid the town, state, region, and even country of this problem as much as we can.
- Mr. Fowler underlined that individual licensure is not always enforced as effectively.

Senator Reardon asked about the penalty for the ordinance in Derry.

Mr. Fowler stated that the business is shut down and no longer valid.

Senator Reardon clarified that this meant it solves the problem with in Derry, but not neighboring towns.

Mr. Fowler confirmed.

Senator Reardon clarified that this was the local business license that was lost.

Mr. Fowler confirmed.

Senator Reardon asked if the specific person in this case was licensed as a massage therapist and if the town can get that kind of information from OPLC.

Mr. Fowler confirmed on both counts.

Senator Reardon asked about what the town can do if they find out there is a lack of licensure.

Mr. Fowler stated it was grounds for closing the business or issues a cease and desist..

Carlene Ferrier, *Registered Nurse, New Hampshire Nursing Association*

- Ms. Ferrier explained that many registered nurses see the victims of human trafficking every day
- Ms. Ferrier provided a story about a nurse who suspected a patient was a victim of human trafficking and the difficulty of getting that dealt with even though nurses are given training and process to address the situation.
- Ms. Ferrier stated that the NH Nursing association is in support.

Pamela Keilig, *Public Policy Specialist, NH CADSV*

- Ms. Keilig provided testimony from a national organization focused on stopping illicit massage businesses which will provide support for New Hampshire's efforts.
- Ms. Keilig also stipulated that this would lend credibility to the massage parlors that do not have to have these law enforced and are completely

legitimate. There should be an effort to separate the massage businesses from these assumptions which people can have about them.

Meg Chant, *Program Director*, NH CADSV

- Ms. Chant explained the coalitions work with the NH Human Trafficking Collaborative Task Force
- Ms. Chant explained how recent work has specifically identified illicit massage businesses as a particular issue in fighting human trafficking.
- Ms. Chant underlined that a key issue with these businesses is how easily operations can move from one place to another without scurrility. This legislation would help address that.

Senator Altschiller asked if OPLC was collaborated with on this law.

Ms. Keilig stated they were working together on the House side, however, she understands there may be further concerns and stated they are open to continuing to work on it to make sure the legislation is implemented well.

Senator Reardon stated she was concerned about this being implemented successfully and asked if a misdemeanor was enough to motivate someone to get the license.

Ms. Keilig stated that she understands the concern, however this does give more teeth for law enforcement and would defer to them on the specifics. Starting the process from a health and safety perspective and then moving to law enforcement as needed is a good model.

Summary of testimony presented in opposition:

Representative Carol McGuire

- Representative McGuire opposed the immediate implementation of the bill until the fiscal cost could be properly understood.
- Representative McGuire also expressed concern about OPLC enforcing licensing when this is such a sensitive law enforcement issue.

Senator Pearl asked if the preference is to pass the first bill and hold off on the second bill for the time being.

Representative McGuire confirmed and stated that she has a number of these businesses in her district which could go under if they are given these additional costs to cover.

Senator Altschiller underlined that the bill would not go in effect until the summer of 2027 so it can go through rulemaking, additionally with many stakeholders ready to help.

Representative McGuire agreed and said law enforcement was ready to go, however **Representative McGuire** was concerned about small businesses being quite as ready for this.

Senator Altschiller asked for clarity on OPLC getting involved in law enforcement, as she reads the bill as being focused on licensure which happens far before law enforcement.

Representative McGuire stated she agreed that's the first level however believes there would be use by law enforcement. **Representative McGuire** also expressed concern about rulemaking authority of either the board or OPLC to address this.

Neutral Information Presented:

David Lovejoy, Associate Attorney General, NH Department of Justice

- The department is available for questions but does not take a position.

Senator Reardon asked about the role of NHDOJ on this issue.

AAG Lovejoy responded that they were involved in combatting human trafficking. In particular, the NH DOJ is working on a landlord engagement project to educate the building owners on what to watch out for and work toward eviction where needed.

Senator Reardon confirmed that the primary goal of that program was education.

AAG Lovejoy confirmed and explained the difficulties of building a human trafficking case as a prosecutor.

Senator Reardon asked if a misdemeanor was sufficient.

AAG Lovejoy stated it would depend on what the committee's policy goal was and he would defer to them.