

## **“Updating Texas Massage Legislation”**

In September 2002, the Texas Association of Massage Therapists’ (TAMT) Legislative Committee Chairperson, Brooks Kasson, invited the American Massage Therapy Association’s (AMTA) representative to begin the formation of a Coalition to work on the changes in Texas Massage Therapy law, and rules and regulations. The mission statement was to ensure the health, safety and welfare of Texas massage therapists and their clients through diligent representation before all regulatory agencies, and to develop and initiate legislation that serves the mission of the Texas Association of Massage Therapists. Our goal was to change the law to improve massage therapy education in Texas, so that massage therapists are more prepared for professional practice; and to change the testing procedures.

Today, this collaborative effort has expanded to form the *Texas Legislative Coalition* which includes non-biased stakeholders from all facets of the Massage Industry. Along with the TAMT and AMTA, representatives of the Associated Bodywork and Massage Professionals (ABMP), the Texas Coalition of Massage Schools and Instructors (TCMSI), Massage and Bodywork Educators Alliance (MBEA), Community College Massage Therapy Programs, Small Clinic owners, and Spa/Relaxation Massage Therapists have attended these meetings.

Each representative was asked to poll their membership regarding the current needs and concerns of massage therapists throughout the state. The Coalition was able to identify the following major elements of concern in the current system, and then prioritize what needed legislative changes and/or administrative changes.

The existing education requirement is limited by the fact that the current law specifies that the schools can only require a *maximum* of 300 hours of training in their entry level programs. Because of the 300 hour restriction, the issue of portability or transfer of practice to another state surfaced. Most states have 500 hours or more. When polled, most therapists felt that more training in Business, Anatomy and Physiology would be beneficial before graduation.

The concern that the 300 hour program precludes Financial Aid also arose. Expanding the hours to 600 enhances the possibility for Federal Financial Aid programs in the schools. The proposed changes will give the individual schools the ability to expand their curriculum to *more* than 500 hours if the individual school desires to do so.

The existing exam process is also too limiting. One major complaint is that the exam favors Austinites. The practical exam is held quarterly in Austin, thus creating hardship and extra expense for students traveling to test from remote areas in the state. Some therapists believe that the current practical exam is ineffective and should be eliminated or reassigned back to the schools for testing. The current proposal is to remove the practical exam from the law and address the need to test the competency of graduates in the rules and regulations. Discussion continues in regards to a regional written exam proposal.

There seems to be a high attrition rate in the state of Texas in massage therapy. Why? It has been reported that client expectations can exceed training. Some therapists felt that they needed considerable more continuing education immediately after graduation to be able to meet the needs of the general public; who are ever increasingly becoming aware that massage therapy can help alleviate their ailments. Some believed they needed better business management skills in order to be successful. A growing number of therapists in Texas are taking Personal Injury claims and Workers’ Compensation Claims; and some are discounting their services in order to participate in insurance plans. They believe they would have benefited from receiving more training in medical insurance interactions. Even though the last two statements are unquantifiable and hearsay, they are valid concerns expressed by therapists desiring to move into more clinical massage therapy situations. Increasing the required number of hours will enable the schools to offer classes that would meet needs in this area.

It was concluded that the majority of the above mentioned issues could be solved legislatively by increasing the number of hours. The Texas Department of Health representatives have been invited to join this Coalition and discuss the changes needed.

The following proposal for changes to the *Requirements for Massage Therapists* will be addressed at the next meeting:

1. The applicant must satisfactorily complete massage therapy studies in a minimum of 500 hour supervised course of instruction..., in which:
  - a) a minimum of 200 hours are dedicated to the study of Massage therapy techniques, theory and practice of manipulation of soft tissue by hand or through a mechanical or electrical apparatus with a minimum of 75 hours dedicated to Swedish massage techniques, and may include a section in Eastern manual techniques and theory and taught by a massage therapy instructor;
  - b) a minimum of 165 hours are dedicated to the study of anatomy, physiology and pathology, and may include a section in Eastern physiology;
  - c) a minimum of 15 hours are dedicated to the study of hydrotherapy;
  - d) a minimum of 20 hours are dedicated to the study of business practices and standards;
  - e) a minimum of 10 hours are dedicated to the study of professional ethics;
  - f) a minimum of 20 hours are dedicated to the study of health and hygiene;
  - g) a minimum of 40 hands-on hours are spent in an internship program (an internship program may not exceed 15% of the total program hours);
  - h) a minimum of 30 hours of massage profession related topics.

With the above changes, the Grandfathering of all current registered massage therapists will be automatic. Effective January 1, 2005, the state registration renewals will extend to a two year period with the continuing education requirement of 12 CE hours instead of 6 CE hours. Registration is also currently available via the internet. The Massage Schools will have two years from the date of enactment to adapt their programs to the new requirements. Therefore, if the law goes into effect in September of 2005, the schools will have until September 2007 to comply. The wording in the new law will give School Owners more flexibility in developing their programs to specialize, and/or offer diversity in the options available for their students. When these proposals are accepted, if a student applies for registration on or after September 1, 2007, the applicant will be required to complete a 500 hour program. Current massage therapists will NOT have to do anything to comply with the new rules, except keep their registration current! There is only a one year grace period for any lapse in registration, even though there will be a two year registration period.

The Texas Legislative Coalition welcomes your comments and questions. Please contact us at [tlc@northaustinmassage.com](mailto:tlc@northaustinmassage.com).

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