



February 26, 2007

Last week I had the opportunity to visit Austin to get a sense of activity surrounding proposed massage therapy legislation. I'd like to report on what I have learned and offer some perspectives on behalf of ABMP.

Many of you likely recall that in 2005 there was a proposal to raise the education requirements for licensing in Texas, which ultimately did not pass. The bill introduced would have increased the training requirement from 300 hours of education to 500 hours. At the time, ABMP made the case that the consideration of increasing the hours was not based on specific needs, and rather was rushed into. We heard from members, schools and other therapists about our views, some in support and some disagreeing. Our intention has been and will continue to be to help therapists become as successful as they choose. We feel helping ensure an appropriate level of regulation is part of that position.

In the interim period since the last legislative session ended in 2005, ABMP has worked to create a dialogue among interested parties to help identify the primary issues facing the massage profession in the state. We have understood that there is a considerable segment of the massage community that seeks an education standard in Texas that is consistent with the majority of states, and in particular surrounding states. Currently, Louisiana and Arkansas have 500-hour standards, and Oklahoma has a legislative proposal that would require 500 hours of education (New Mexico is the lone dissenter, with a 650-hour requirement).

Representative Rafael Anchia (D-Dallas) has introduced legislation House Bill 1883, which would amend the current massage law by broadening the scope of licensing. Specifically, the bill would include the term "bodywork" in its title so that all licensees would be known as "massage and bodywork therapists." The primary intent of the bill is to more clearly define who is able to practice, what their qualifications are, and to eliminate loopholes by which the adult entertainment industry uses terms associated with our profession. In addition, HB 1883 also proposes an increase of the number of hours required to 500, would add a state jurisprudence exam as a requirement, and would require additional locations (besides Austin) for a practical examination (should it remain a requirement). Perhaps most significantly for massage therapists, the bill includes the creation of a standing "Massage and Bodywork Therapies Advisory Committee," which would consist of 9 license holders appointed by the commissioner of state health services.

This bill is not without opposition in the massage community. Specifically, the Texas Association of Massage School Owners (TAMSO) has indicated it will oppose Rep. Anchia's bill, primarily over its broadening of the massage definition to include bodywork, as well as their general view that the bill uses the massage profession to attempt to control "massage parlor" issues.

TAMSO is also in the process of advancing its own legislation, the focal point of which is increasing the education requirement to 500 hours. In addition, that proposed bill would eliminate the practical examination, re-establish the temporary license, require credentialing of continuing education providers, and allow for a longer internship period in school.

The Career Schools and Colleges of Texas are also in support of legislation that would increase the training requirement to 500 hours, but are at this point not offering legislation of their own.

At this point, it seems likely that two bills will be entertained in the legislature, and that some in the massage community will support both bills, some will support just one, and few will support neither.

Where does ABMP stand on all this?

ABMP supports the following:

- ❖ Establishment of a massage therapy board that allows for participation in the regulatory process by the massage community;
- ❖ Establishing a minimum training standard of 500 hours, while allowing for greater flexibility in the curriculum for schools to customize their offerings as they see fit;
- ❖ Elimination of the practical examination;
- ❖ Acceptance of multiple licensing examinations (Texas licensing exam, Federation of State Massage Therapy Boards exam in development, NCBTMB exams); and
- ❖ Consistent language that provides appropriate accommodation for “non-massage” disciplines, i.e. reflexology, etc.

Taking a broad view, ABMP feels that the 24,000 licensees in Texas are doing their part for the state; we'd like to see changes in the massage law that provide FOR therapists, not just changes implemented that are done TO therapists.

We will keep you posted on all activities occurring during the legislative session.

Sincerely,

A handwritten signature in black ink, appearing to read "Les Sweeney". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Les Sweeney, NCTM  
President