

SUBJECT: Classifying massage therapy programs as postsecondary education

COMMITTEE: Economic and Small Business Development — committee substitute recommended

VOTE: 6 ayes — Button, C. Anderson, Faircloth, Metcalf, Villalba, Vo

0 nays

3 absent — Johnson, Isaac, E. Rodriguez

WITNESSES: For — Russell Rust, American Massage Therapy Association; CG Funk, Massage Envy Franchising; Jarrett Erasmous, Steiner Education Group, Texas Center for Massage Therapy; Chris Hughes, Texas Center for Massage Therapy; (*Registered, but did not testify*: Jerry Valdez, American Association of Cosmetology Schools, Career Colleges and Schools of Texas; Les Sweeney, Associated Bodywork and Massage Professionals; David Burlington and Hang Hua, Massage Heights)

Against — Sharon Jahn; (*Registered, but did not testify*: Raul Flores, Academy for Massage and Texas Massage Academy)

On — Mark Dauenhauer; David Lauterstein; (*Registered, but did not testify*: Alex Matthews, Austin Community College; Yvonne Feinleib, Department of State Health Services; John Conway)

BACKGROUND: Occupations Code, ch. 455 regulates massage therapy in Texas, including massage schools.

DIGEST: CSHB 1049 would amend Occupations Code, sec. 455.203 to designate the course of instruction in massage therapy provided by a licensed massage school as a postsecondary education program. Massage schools that provide instruction to people who are beyond the age of compulsory education could operate postsecondary-level educational programs.

This bill would take immediate effect if finally passed by a two-thirds

record vote of the membership of each house. Otherwise, it would take effect September 1, 2015.

**SUPPORTERS
SAY:**

CSHB 1049 would improve options for students and support a growing industry in Texas by explicitly designating massage therapy programs as postsecondary education. Designating instruction in massage therapy as a postsecondary program would make it easier for students in Texas who otherwise might not be able to afford massage school to access federal grants and loans. Massage therapy is a large industry in the state and likely will continue to grow rapidly. In addition to licensed massage therapists, administrative staff and other professionals support the industry in spas, hotels, cruise ships, sports clinics, and other venues. Massage currently is considered a leisure activity in Texas, but other states are beginning to treat it as preventive health care as well. As demand increases, spas and clinics need access to qualified therapists.

**OPPONENTS
SAY:**

CSHB 1049 would benefit large for-profit massage schools more than smaller institutes, which could get pushed out of the market. As the popularity of massage therapy increases, large for-profit institutions have begun purchasing massage schools and creating programs with questionable success rates. To compete with one another, massage schools might spend more on amenities and other features to attract students, inadvertently increasing the cost of their programs. Loans would provide students with an avenue to pay for their education while accruing thousands of dollars of student debt with no guarantee of employment.

NOTES:

The companion bill, SB 1556 by Rodríguez, was referred to the Senate Health and Human Services Committee on March 23.