

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 1130  
By: Hancock  
Business & Commerce  
4/1/2021  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Prior to COVID-19, the Texas Department of Licensing and Regulation (TDLR) required all portions of the massage therapy school curriculum to be taught in person. Due to COVID-19, Governor Abbott issued a waiver allowing most of the massage therapy school curriculum to be taught online, with the exception of 50 hands-on hours that are required as part of an internship program.

The bill allows students to continue to take a portion of the massage therapy school curriculum online, which removes barriers to entry, both for schools that wish to offer online courses, and for students who may have a full-time job or other responsibilities that prevent them from attending in-person courses. The bill would still require that the "hands-on" portions of the course, the Swedish massage training and the internship, take place in person.

The committee substitute for S.B. 1130 specifies that distance learning is not limited to live instruction, which allows courses to be self-paced and also allows TDLR to approve courses that incorporate alternative methods of instruction, such as those that are used in driver's safety and driver's education programs. TDLR is required to develop rules for distance learning by December 1, 2021.

C.S.S.B. 1130 amends current law relating to the provision of certain massage therapy instruction using distance learning.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 3 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 455.156, Occupations Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Requires an applicant for a license under Section 455.156 (License Requirements for Massage Therapist) to be an individual and:

(1) present evidence satisfactory to the Texas Department of Licensing and Regulation that the person has satisfactorily completed massage therapy studies in a 500-hour minimum, supervised course of instruction in a manner provided by Subsection (c), rather than a supervised course of instruction provided by a massage therapy instructor at a massage school, a licensed massage school, a state-approved educational institution, or any combination of instructors or schools, in which at least a certain number of hours of instruction on certain topics are provided; and

(2)-(3) Makes no changes to these subdivisions.

(c) Requires that the hours of instruction required by Subsection (b) be provided by a massage therapy instructor at a massage school, licensed massage school, state-approved

educational institution, or any combination of instructors or schools. Authorizes the hours of instruction required by Subsections (b)(1)(B)-(H) (relating to the number of hours of instruction required to be dedicated to certain fields of massage therapy) to be provided using distance learning. Provides that distance learning is not limited to live instruction.

SECTION 2. Authorizes an applicant for a massage therapist license to satisfy the requirements of Sections 455.156(b)(1)(B)-(H), Occupations Code, using distance learning as provided by Section 455.156(c), Occupations Code, as added by this Act, regardless of whether the application is submitted before, on, or after the effective date of this Act.

SECTION 3. Requires the Texas Commission of Licensing and Regulation, not later than December 1, 2021, to adopt rules necessary to implement the changes in law made by this Act.

SECTION 4. Effective date: upon passage or September 1, 2021.