



## Open Letter to All Massage Therapy Industry Stakeholders

I have been deeply involved in the not-so-pleasant legislative aspect of massage therapy since 1994. At that time, there was a concerted effort on the part of the AMTA to increase the hours for licensure as a massage therapist to 500 via HB 2190 in 1995. This effort was made by a few people and they were very closed about their efforts. Ultimately, that effort was defeated. In 1997, some of my colleagues and I discovered that HB 727 may have affected the ability of a massage therapist to provide massage therapy for injuries. A grass roots effort was made and HB 727 was defeated, and it was after this session that I became a member of the TCMSI. In 1999, the Texas Department of Health underwent a Sunset Review, and rules were re-written to reflect the Sunset recommendations. I and several of the members of TAMSO were a part of that effort. There has been a relentless concerted effort on the part of different aspects of the industry over the last 18 years to increase the educational hours for massage. The 2005 legislative session was the beginning of the end for those opposed to a mandatory increase in hours.

The 2005 legislature gave us HB 1842, a bill crafted by a few to increase the hours to a minimum 500. This bill was defeated because of a collaborative effort on the part of the AMTA, the ABMP, and the TCMSI, much to the chagrin of the Career Colleges and Schools of Texas (CCST) and a select few from the massage therapy community. HB 2696 (Anchia) was passed, but not until a few concerned therapists who are now TAMSO members were able to amend HB 2696 so that it would not be detrimental to the massage industry. The most important amendment was removing the requirement of massage establishments to have a sign on the door or window of the establishment stating "You must be at least 18 years old to enter these premises. Any person under 18 must be accompanied by a parent or guardian." Another suggestion by an industry stakeholder which was defeated was the requirement to obtain a copy of a driver's license for every massage client. How humiliating and cumbersome that would have been for massage therapists.

Then, there was the 2007 session and HB 2644. HB 2644 had and still has the potential of being the "Utopian" massage therapy bill, if everyone involved would try to listen to everyone else who has been involved since before it was filed. It occurred to me after the March stakeholder meeting in Austin that most people not associated with TAMSO really had no knowledge of how HB 2644 was actually allowed to become law and the compromises and sacrifices that were made by TAMSO members. Please allow me to explain. By the way, I have every piece of documentation to substantiate what I am about to share.

Rewind to 2004. Here were the goals of those who have been directly or indirectly involved in the process of attempting to increase the hours to a minimum 500:

The goals of increasing the hours to a minimum 500 (as stated by proponents of an increase in hours to a minimum 500 in Jan 2005) were to

- a. bring Texas up to a "national" standard
- b. allow therapists the option to become "nationally" certified
- c. create reciprocity/portability opportunities for Texas LMTs (only 4% leave Texas)
- d. increase hours to make federal financial aid available – the main goal for the CCST
- e. increase opportunity for therapists to better meet client expectations
- f. increase hours in business to possibly add insurance billing to core curriculum

The passage of HB 2644 created the opportunity for all of the above goals which had been fought over for so many years to be met. HB 2644 lacked, however, items clearly written in the law needed for private massage schools to continue to be the vehicle for future massage students – a viable financial aid option for students which

privately owned schools could readily implement. We knew there would be financial challenges for students with an increase to a minimum 500 hours. Attaining eligibility for federal financial aid is a two to four year process – time that privately owned schools do not have. PELL grants are not available for any programs under 600 hours. Privately owned massage schools are responsible for approximately 97% of all massage therapy graduates since 1985. A good number of them do a great job preparing their graduates for professional massage therapy practice. **We cannot allow these schools to wither away on the vine.**

The majority of the privately owned schools **opposed** a mandatory increase in hours for various reasons. Specifically, there was no clear educational or public safety concern which warranted an increase. However, TAMSO served as the **agent of change** to bring about the opportunity to satisfy the goals of everyone else. HB 2644 language, less the amendments, was written by members of TAMSO. It is true that Representative Rose was the “author” of the bill, but he “authored” it on behalf of the CCST. The CCST got the language for the bill – the curriculum and hours - from the TAMSO membership. This language was negotiated and sent by TAMSO to Gary Tyner, President of the CCST who in turn agreed to file a bill which would include only the curriculum and hours language that TAMSO had offered. This language was sent via email to the CCST on January 19, 2007. That language became the core of HB 2644, less the amendments that were added later. We agreed to support the bill as long as it was not amended, and as long as we were able to satisfy our needs and the needs of students by administrative rule.

**HB 2644 could have easily been defeated.  
We had enough support in the legislature to cause HB 2644 to not move forward.**

When the opportunity to stop HB 2644 was presented to us, we passed it up. Why? We allowed HB 2644 to move forward because we were given assurances by the Department of State Health Services, Heather Meuhr, in a meeting that took place at the Capitol building the day of the House Committee Hearing for HB 2644, that the needs of students and schools would be met by rule. In addition, the proposed third amendment to HB 2644 – capping internship at 20% - was withdrawn after debate during the 2<sup>nd</sup> reading on the Senate floor. It was withdrawn because the internship issue was to be addressed by rule. All other concerns and needs that had been fought over for years would be met if HB 2644 became law.

**So rather than take the selfish, self-serving route,  
TAMSO put others’ desires before our needs and continued our support for HB 2644.**

All TAMSO is fighting for is truly what is best for students and the industry – CHOICES! - Choices in programs, choices in testing, and a choice between career schools and community colleges and private school programs. In addition, we want for students to have the opportunity to gain more hands-on experience while not requiring students to go deep into debt.

As this rule making process continues, everyone involved needs to consider the efforts of TAMSO during the 2007 legislature and beyond, consider the truth about extended programs as cited above , and stop the demagoguery, speculation, fabrications, and fear mongering.

I invite anyone who is interested in knowing the facts to visit my school, talk to our students, and talk to our graduates who have completed extended programs with us.

We welcome debate, but debate that is based on fact, logic, and reason - not emotion or worse, **spite**. We look forward to future constructive dialogue.

Sincerely,



Raul S Flores  
President, Texas Association of Massage School Owners  
[rflores@academyformassage.com](mailto:rflores@academyformassage.com)

The next page is a myth/fact sheet dispelling myths about extended programs.

**Myth:** Massage therapy students providing massage in a school extended internship program are competing for clients with licensed massage therapists.

**Fact:** The mathematical and practical realities are: If every one of the 3000 annual massage therapy graduates in Texas completed 225 internship hours, that would only total approximately 2.9% of the massage therapy demand market share for the state of Texas. In addition, the typical massage school client is in a different demographic than a client who visits a professional massage therapist. The typical massage school internship client is usually someone who cannot afford to pay for a \$60 or \$70 professional massage, so schools fill the void in this part of the massage marketplace.

**Myth:** Students are kept at school for an indefinite period of time “working” in the school clinic.

**Fact:** Students enroll for a finite number of hours disclosed and agreed upon prior to enrollment. In addition, a date certain for completion of all hours is stated in the enrollment agreement as well. All program hours, classroom and clinic, are usually completed within 7 to 9 months and often times ahead of schedule.

**Myth:** Schools are using students to make excessive profits in extended internship programs

**Fact:** Students who complete extended programs **DO NOT** account for any more revenue than a student who is paying tuition. For example, a student who is paying tuition in a private school's 500 hour program is paying an average of \$5400 (the average cost at a Career School is \$9000). In addition, that Career School student is completing 50 hours of internship at an average price of \$30 per hour. That generates an additional \$1500 in revenue to the school. The total revenue generated by the student in a private massage school is \$6900 compared to \$10,500 at a Career School. Compare that to the total revenue generated by a student - \$6750 - in a 675 hour extended program (that's 450 classroom hours and 225 clinic hours). They are able In addition, the expense to the school providing an extended internship is much higher because the school must provide the facilities, administrative support, proper staffing, additional MTIs, and clientele to be able to allow the student the opportunity for the extended hours to be completed. Schools offering extended programs **DO NOT** make any extra money with extended programs. Schools offering extended programs **DO**, however, assume much greater **RISK** when enrolling students in extended programs. Students who don't pay tuition to the school (because they are enrolled in an extended program) and fail to complete their programs rarely pay the school a penny – yet the school provided all of the education without payment!