



37b Business-

TX Massage Law quiz and Find a Job



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Class Outline

10 Break

5 Attendance and Breath of Arrival

20 Lecture

40 State Law Quiz

15 Break Announce the return time and write it on the board.

55 Lecture/Discussion

15 Break Announce the return time and write it on the board.

50 Lecture/Discussion

10 Break down, clean up, and circle up

3h 30m Total Class Time



37b Business- TX Massage Law quiz and Find a Job

Class Reminders

Assignments:

- 41a Review Questions (Packet A: 165-178)
- 43a Swedish: Outside Massages (Packet A: 57-62)

Quizzes and Exams:

- 43a Kinesiology Quiz
(adductor magnus, gracilis, iliopsoas, sartorius, TFL, piriformis, quadratus femoris)
- 44a Quiz (33b, 35a, 36a, 37a/b, 38a, 39a, 40a, 41a/b, 42b, and 43a)
- 46a Exam

Preparation for upcoming classes:

- 38a A&P: Lymphatic System and Immunity
 - Trail Guide: sartorius and tensor fasciae latae
 - Packet E: 75-78
 - RQ Packet A: 171-172
- 38b Body Mobilization Techniques: Technique Demo and Practice - Prone
 - Packet F: 79-82



Classroom Rules

Punctuality - everybody's time is precious

- Be ready to learn at the start of class; we'll have you out of here on time
- Tardiness: arriving late, returning late after breaks, leaving during class, leaving early

The following are not allowed:

- Bare feet
- Side talking
- Lying down
- Inappropriate clothing
- Food or drink except water
- Phones that are visible in the classroom, bathrooms, or internship

You will receive one verbal warning, then you'll have to leave the room.



37b Business- TX Massage Law Quiz

Are you Ready?



Which of the following terms is included in the definition of massage therapist?

- a) person who administers massage therapy to a client for compensation
- b) masseuse, myotherapist, body massager, body rubber
- c) person who administers massage therapy to a client regardless of compensation
- d) a and b



Which of the following terms is included in the definition of massage therapist?

- a) person who administers massage therapy to a client for compensation
- b) masseuse, myotherapist, body massager, body rubber
- c) person who administers massage therapy to a client regardless of compensation
- d) **a and b**



“Compensation” includes:

- a) Money
- b) Goods and services
- c) Barter
- d) All of the above



“Compensation” includes:

- a) Money
- b) Goods and services
- c) Barter
- d) **All of the above**



The definition of massage therapy specifies that massage:

- a) Is manipulation of soft tissue for the purpose of body massage
- b) May be done by hand or through a mechanical or electrical apparatus
- c) Includes “Swedish gymnastics”
- d) All of the above



The definition of massage therapy specifies that massage:

- a) Is manipulation of soft tissue for the purpose of body massage
- b) May be done by hand or through a mechanical or electrical apparatus
- c) Includes “Swedish gymnastics”
- d) **All of the above**



The terms “therapy” and “therapeutic” do not include diagnosis, treatment of illness or disease, or any procedure for which a license to practice medicine, chiropractic, physical therapy or podiatry is required by law.

- a) True
- b) False



The terms “therapy” and “therapeutic” do not include diagnosis, treatment of illness or disease, or any procedure for which a license to practice medicine, chiropractic, physical therapy or podiatry is required by law.

- a) **True**
- b) **False**



Massage therapy may include the use of heat lamps, cabinet baths, ultrasound or jacuzzi.

- a) True
- b) False



Massage therapy may include the use of heat lamps, cabinet baths, ultrasound or jacuzzi.

- a) True
- b) False



Swedish gymnastics includes:

- a) Passive and active joint movements
- b) Non-specific stretches, passive and active exercise
- c) A and B



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- a) Passive and active joint movements
- b) Non-specific stretches, passive and active exercise
- c) **A and B**



If an application is incomplete,
fees will be refunded.

- a) True
- b) False



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fees will be refunded.

- a) True
- b) **False**



For the initial massage therapist license,
the application fee is:

- a) \$117
- b) \$106
- c) \$100
- d) None of these



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the application fee is:

- a) \$117
- b) \$106
- c) **\$100**
- d) None of these



Renewal fee for a two-year license is:

- a) \$200
- b) \$100
- c) \$106
- d) None of these.



Renewal fee for a two-year license is:

- a) \$200
- b) \$100
- c) \$106
- d) **None of these. It's \$75**



The fee for late renewal is:

- a) One and a half times the regular fee
- b) Two times the regular fee
- c) Depends on how late you are



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- a) One and a half times the regular fee
- b) Two times the regular fee
- c) **Depends on how late you are**



Records of the dates, types, and billing information for each session must be maintained:

- a) For three years
- b) For two years
- c) For five years
- d) As long as you are in practice



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- b) For two years**
- c) For five years
- d) As long as you are in practice



To massage a person under the age of 17:

- a) You must have the written consent of their parent or guardian
- b) You must be certified in adolescent massage
- c) It is illegal to massage a person under 17



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- a) **You must have the written consent of their parent of guardian**
- b) You must be certified in adolescent massage
- c) It is illegal to massage a person under 17



As long as a person is licensed, they can legally practice in an unlicensed massage establishment.

- a) True
- b) False



As long as a person is licensed, they can legally practice in an unlicensed massage establishment.

- a) True
- b) **False**



A licensee must prominently display a sign in their primary place of business notifying clients of the name, mailing address and telephone number of the Texas Department of Licensing and Regulation for the purpose of directing complaints to the department:

- a) On each written contract for services of a licensee
- b) On a sign prominently displayed in the primary place of business of each licensee
- c) On a bill for service provided by a licensee to a client or third party
- d) By another written and documented method
- e) Any of the Above



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- c) On a bill for service provided by a licensee to a client or third party
- d) By another written and documented method
- e) **Any of the Above**



As long as you keep your license current, you are not required to update the department regarding changes of name, address, phone number, or employment.

- a) True
- b) False



As long as you keep your license current, you are not required to update the department regarding changes of name, address, phone number, or employment.

- a) True
- b) **False**



For each client you must have on file an initial consultation document, signed by you and the client, detailing:

- a) Areas to be massaged or avoided
- b) That draping will be used unless otherwise agreed upon by client and therapist
- c) A and B



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- a) **Areas to be massaged or avoided**
- b) That draping will be used unless otherwise agreed upon by client and therapist
- c) A and B



The initial consultation document must include a statement that:

- a) A statement that the licensee shall drape the breasts of all female clients and not engage in breast massage of female clients unless the client gives written consent before each session involving breast massage
- b) If uncomfortable for any reason the client may ask the therapist to cease the massage and the therapist will end the session
- c) If the client is not satisfied, money will be refunded
- d) A and B



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- a) A statement that the licensee shall drape the breasts of all female clients and not engage in breast massage of female clients unless the client gives written consent before each session involving breast massage
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- c) If the client is not satisfied, money will be refunded
- d) **A and B**



Sexual misconduct:

- a) Includes inappropriate comments or improper clothing
- b) Includes touching the clients' genitalia
- c) Includes any behavior, gestures, or expressions which may reasonably be interpreted as inappropriately seductive or sexual
- d) All of the above



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- a) Includes inappropriate comments or improper clothing
- b) Includes touching the clients' genitalia
- c) Includes any behavior, gestures, or expressions which may reasonably be interpreted as inappropriately seductive or sexual
- d) **All of the above**



A licensee shall not perform massage therapy, whether or not for compensation, at a sexually oriented business:

- a) True
- b) False



A licensee shall not perform massage therapy, whether or not for compensation, at a sexually oriented business:

- a) **True**
- b) False



A licensee shall immediately stop the session or the professional relationship when a client initiates any verbal or physical contact that is intended to arouse or gratify the sexual desire of either person:

- a) True
- b) False



A licensee shall immediately stop the session or the professional relationship when a client initiates any verbal or physical contact that is intended to arouse or gratify the sexual desire of either person:

- a) **True**
- b) **False**



A sexually oriented business may not use the following words on any form of advertising:

- a) Body
- b) Bath
- c) Massage
- d) B and C



A sexually oriented business may not use the following words on any form of advertising:

- a) Body
- b) Bath
- c) Massage
- d) **B and C**



A licensed massage therapist must use the license number in any advertising:

- a) True
- b) False



A licensed massage therapist must use the license number in any advertising:

- a) True
- b) **False**



A licensed massage therapist who does not have an office:

- a) Must carry a current identification card
- b) Must post their license or a copy at each workplace
- c) Does not have to have proof of licensure at the time of the massage



A licensed massage therapist who does not have an office:

- a) **Must carry a current identification card**
- b) Must post their license or a copy at each workplace
- c) Does not have to have proof of licensure at the time of the massage



Applicants for licensure must be at least 18 years of age.

- a) True
- b) False



Applicants for licensure must be at least 18 years of age.

- a) **True**
- b) False



If an applicant submits an incomplete application the department:

- a) May void it immediately and keep the fees
- b) Will notify the applicant listing any additional materials required to complete the application
- c) Will return the application and the fees
- d) Will hold it for one year



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- a) May void it immediately and keep the fees
- b) Will notify the applicant listing any additional materials required to complete the application**
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- d) Will hold it for one year



When applying, applicants must submit SS#, and information about any misdemeanor or felony convictions:

- a) True
- b) False



When applying, applicants must submit SS#, and information about any misdemeanor or felony convictions:

- a) **True**
- b) **False**



Before or after graduating from a 500-hour program in Texas and submitting an application, applicants must pass a written examination in order to be licensed:

- a) True
- b) False



Before or after graduating from a 500-hour program in Texas and submitting an application, applicants must pass a written examination in order to be licensed:

- a) **True**
- b) **False**



When issued your initial license, it is good:

- a) For two years from the date of issue
- b) For one or two years, depending on the amount you paid
- c) Until the last day of your birth month in the year following the date of issue



When issued your initial license, it is good:

- a) **For two years from the date of issue**
- b) For one or two years, depending on the amount you paid
- c) Until the last day of your birth month in the year following the date of issue



At least 30 days prior to expiration, a notice will be sent to your last address of record stating the expiration date and cost of renewal:

- a) True
- b) False



At least 30 days prior to expiration, a notice will be sent to your last address of record stating the expiration date and cost of renewal:

- a) **True**
- b) **False**



Proof of failure to receive notification from the department will result in late penalties being waived:

- a) True
- b) False



Proof of failure to receive notification from the department will result in late penalties being waived:

- a) True
- b) **False**



A person whose license has expired for 90 days or less may renew for two times the normal fee:

- a) True
- b) False



A person whose license has expired for 90 days or less may renew for two times the normal fee:

- a) True
- b) **False**



A person whose license has expired for more than 90 days but less than 18 months may not renew:

- a) True
- b) False



A person whose license has expired for more than 90 days but less than 18 months may not renew:

- a) True
- b) **False**



A person whose license has expired may continue to do massage for up to 90 days while the late renewal application is being processed:

- a) True
- b) False



A person whose license has expired may continue to do massage for up to 90 days while the late renewal application is being processed:

- a) True
- b) **False**



Jurisprudence Exam

The End of the TX State Law Quiz :D

We recommend that you take your Jurisprudence test soon!

<https://www.tdlr.texas.gov/mas/masexam.htm>

37b Business-
Find the Job you Want!
B: 33-36





The History of TX State Law & Rules

1984

- 250 hours
- first massage law and rules
- state test and practical

1990

- 300 hours
- + 50 hours internship

2007

- 500 hours BTW: TLC offered 750 hours since 1989
- MBLEX



TX Massage State Law & Rules

Texas Department of Licensing and Regulation

<https://www.tdlr.texas.gov/mas/mas.htm>



Being an Employee: Advantages

- Greater possibilities for getting more clients faster
- Part of a team
- Easier re: paperwork, marketing, supplies needed, taxes, bookkeeping, scheduling
- Ability to focus on hands-on work
- Possible benefits in addition to salary



Being an Employee: Challenges

- Lack of control
- Possibly poor management, lack of freedom re: dress, choice of session design
- Difficult coworkers, possibly less money, possibly unclear boundaries



Being Self-Employed: Advantages and Challenges

Advantages:

- More control over work atmosphere, session design, environment
- More autonomy, more repeat clients, potentially more money

Challenges:

- More isolated, more risks and responsibility, more non-massage work required

(More re: Self-employment in class 45b)



Employee Settings

- Day Spas
- Massage Centers
- Destination Resorts & Luxury Hotel Spas
- Cruise Ships
- Dental/Medical Spas
- Wellness Centers

THE BIG FIVE INDUSTRY STATISTICS

ISPA 2019 U.S. Spa Industry Study

	2017 (YEAR END)	2018 (YEAR END)	% CHANGE*
REVENUE	\$17.5 billion	\$18.3 billion	4.7%
SPA VISITS	187 million	190 million	1.6%
LOCATIONS	21,770	22,160	1.8%
REVENUE PER VISIT	\$93.7	\$96.5	3.0%

	2018 (MAY)	2019(MAY)	% CHANGE*
TOTAL EMPLOYEES	372,100	377,900	1.6%
FULL-TIME	170,900	172,000	0.6%
PART-TIME	173,900	178,500	2.6%
CONTRACT	27,300	27,400	0.4%

*Calculations of percentage change are based on unrounded figures.



Community- Corporate Culture Considerations

- Treat employees and customers with respect
- Discourage gossip
- Good teamwork / mutual support
- May have dress and conduct code
- Required duties other than massage? Training for those? Pay?
- Continuing Education training- provided? How much?
- Scheduling? Not recommended to massage more than 3 back-to-back sessions.
- No more than 6 hour of massage in a day.



Some Ethical Considerations

- Addressing sexual misconduct
- Working outside scope of practice
- Not detailed intake form (to screen for contraindications/ effective session planning)
- Compensation inequities/ dishonesty/ pay too low – (min. acceptable \$20/hr up to \$70 + tips in any case.)
- Benefits – health ins., paid vacation and sick days, pension, profit-sharing, 401-K, reimbursement for CE's
- Confidentiality
- Seniority – how do they assign customers to therapists?



Planning for spa environment

- Study brochures, website, talk with former and current employees, visit (incognito)
- What is the spa's vision?
- How long is a shift?
- What is the rate of turnover?
- Strong team environment?
- Methods of communication / structure for mutual feedback?
- How is seniority handled?
- What are the treatment rooms and general environment like?
- What you bring to the table – advanced trainings
- Compensation?



Spa

- Review policy and procedures manuals
- Set your boundaries with care and some acceptance of the realities
- Support their marketing of you and others
- Support optimizing your employer's income as much as possible (within appropriate boundaries)
- Keep good records
- Practice good self-care
- Consider: "body treatments" (i.e. salt scrubs, mud wraps, Vichy showers, etc.) can be welcomed "hand-saving" alternatives to strictly doing massage



Massage Centers

- You will gain a great deal of experience (of all varieties) in a short period of time
- Pay can be low
- Be careful, checking re: policies in general ***especially scheduling*** - *before taking the job*
- Self-care is super important



Destination, Resort, and Luxury Hotel Spas

- Affluent clientele
- Little repeat business
- Often fully booked
- Often very pretty work environment
- Often provide alternative treatments - salt scrubs, body wraps, Ayurvedic treatments, etc. are a welcomed break for your hands
- Do your research – decide FOR SURE where you want to be. Show them through repeated contacts that you have chosen them as **the** place you want to work



Cruise Ships

- 12-hour workday not uncommon incl. spa treatments
- You will gain lots of experience!
- Save some money
- Travel (albeit most while working a lot!)
- Captive environment
- Sea-sickness
- Privacy issues
- Little time off
- At times may be expected to help with serving banquets or cleaning, etc.!



Dental/Medical Spa

- Research reputations on-line and with employees
- In medical setting – demonstrate:
 - proficiency with medical terminology
 - excellent record-keeping
 - Knowledge of clinical bodywork
 - knowledge of contraindications/indications



Medical Settings for Complementary and Alternative Medicine

(including: Hospitals, medical centers, orthopedic/sports medicine clinics, chiropractic/physical therapy practices)

- Knowledge of clinical techniques
- Assessment skills
- Short and long-term treatment plans/ goals
- Medical terminology & record-keeping
- Dress and hygiene code
- Be a great employee – understand and respect the structure and hierarchy of where you are employed



Wellness Centers

Often combine alternative & allopathic therapies such as **Chiropractic Medicine, Osteopathy, Medical Doctors, Nurse Practitioners, Physical Therapists, Psychotherapists, Acupuncturists, Midwives/Doulas, Athletic Trainers, Yoga Instructors, Pilates Instructors, Personal Trainers, Massage Therapists** and more.

- Talk with employees and clients if possible
- Understand the referral structure and expectations- what is your pay if/when not booked?



41b Assignment- Resume

- Assignment **41b Resume** is a resume that will be **done in class 41b** through ClassMarker or emailed to your business instructor. **Even if it is emailed, please type your name and hit submit in classmarker.**
- Resume should be in the chronological format with bullet points for job description, instead of paragraphs. Prepare this resume as if you were applying for a job as a Licensed Massage Therapist, and you were a recent graduate (see BM pp. 174-182 for examples).
- Please keep your resume to one page (or two pages max) and include the following in the order listed below:
 1. **Heading**
 2. **Education**
 3. **Work Experience**



37b Business- State Law Quiz and Find a Job