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| <b><u>TITLE 25</u></b>     | <b>HEALTH SERVICES</b>                                 |
| <b><u>PART 1</u></b>       | <b>DEPARTMENT OF STATE HEALTH SERVICES</b>             |
| <b><u>CHAPTER 141</u></b>  | <b>MASSAGE THERAPISTS</b>                              |
| <b><u>SUBCHAPTER E</u></b> | <b>MASSAGE SCHOOLS AND MASSAGE THERAPY INSTRUCTORS</b> |
| <b>RULE §141.37</b>        | <b>Enrollment Procedures</b>                           |

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(a) Prior to enrollment, each massage therapy educational program shall provide each prospective student copies of the following:

- (1) a program outline;
  - (2) the admission requirements;
  - (3) a schedule of tuition, fees, and other charges;
  - (4) a cancellation and refund policy;
  - (5) the length of time for completion of program;
  - (6) a class schedule including estimated break and meal times;
  - (7) the attendance and progress policies, including requirements and fees for make-up hours;
  - (8) grievance policies;
  - (9) the pupil-teacher ratio;
  - (10) the conduct policy;
  - (11) the written and verbal explanations of the difference between a loan and a grant, if the school participates in a loan or grant program;
  - (12) a copy of the enrollment agreement;
  - (13) a notice that clearly states the number of course hours which must be successfully completed before a student can be licensed as a massage therapist under this chapter;
  - (14) a list of instructors, their qualifications, and the subject area taught by each; and
  - (15) information indicating how a prospective student may obtain copies of the Massage Therapy Act, Texas Occupations Code, Chapter 455 and this chapter; and
  - (16) a statement that the Act sets out that a person is ineligible for licensure:
    - (A) if the person has been convicted of, entered a plea of nolo contendere or guilty to, or received deferred adjudication to crimes or offenses involving prostitution or another sexual offense;
    - (B) until the fifth anniversary of the date of a conviction for a misdemeanor involving moral turpitude or a felony; or
    - (C) until the fifth anniversary of the date of a conviction of a violation of the Act.
- (b) Each prospective student shall be given a reasonable time to review the material in subsection (a) of this section and offered the opportunity to tour the instructional facility and inspect equipment prior to signing an enrollment agreement. The prospective student may decline the tour.
- (c) Each massage therapy educational program shall use an acknowledgment form approved by the department to verify the prospective student's receipt of the information required in subsection (a) of this section. A signed copy of the form shall be given to the

prospective student. The form shall include the following or similar statements.

(1) "I have been furnished information disclosing my previous education, training, and work experiences. I understand this will be evaluated and may result in the program length being shortened and the cost reduced."

(2) "I further realize that complaints may be made to the massage therapy educational program and the Department of State Health Services, Massage Therapy Licensing Program, 1100 West 49th Street, Austin, Texas 78756-3183, (512) 834-6616."

(3) "I have been offered the opportunity to read the Massage Therapy Act and the rules of the department included in 25 Texas Administrative Code, Chapter 141."

(d) Each massage therapy educational program shall develop an enrollment agreement which shall be used to enroll each student. The agreement shall include but is not limited to:

(1) the full and correct name and location of the massage therapy educational program, the massage school director and owners, and the massage therapy instructor if operating an independent massage therapy educational program;

(2) the program title, tuition, fees, reasonable estimated cost of books and supplies, any other expenses, total cost of the program, items subject to cost change, method of payment and payment schedule, disclosure statement (if interest is charged on more than three payments), student's right to cancel;

(3) the date the program is to begin, the course length and course schedule;

(4) the name and address of the student; and

(5) a statement that the student has received a copy of the information in subsection (a) of this section.

(e) Each student shall be given a copy of his or her executed enrollment agreement and a copy shall be kept in the student's file maintained by the school along with a copy of the acknowledgment form required by subsection (c) of this section.

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**Source Note:** The provisions of this §141.37 adopted to be effective March 19, 2001, 26 TexReg 2173; amended to be effective October 26, 2006, 31 TexReg 8672