

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 26, 2011

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB722 by Harless (Relating to the regulation of massage therapists, massage establishments, massage schools, and sexually oriented businesses; providing penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 455, Occupations Code, relating to massage therapy licensing by further specifying prohibited acts and authorizing certain enforcement procedures. The bill would include reflexology in the definition of massage therapy. The bill would repeal two provisions in Chapter 451, Occupations Code, relating to athletic trainers: Section 451.202(d) requiring a person whose license has been expired for one year or longer to obtain a new license by submitting to reexamination and complying with the requirements and procedures for obtaining an original license, and Section 451.351(i) requiring referral to the State Office of Administrative Hearings if a person requests a hearing. The bill would take effect September 1, 2011.

The Department of State Health Services (DSHS) indicates that implementation of the provisions of the bill could be accomplished utilizing existing resources. DSHS estimates that inclusion of reflexology as a massage therapy would not necessarily result in an increase in the number of massage therapy applicants and licensees, as licensure requires a 500-hour course of study, and the number of reflexologists in the state is small.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of

LBB Staff: JOB, CL, MB, VJC, NB