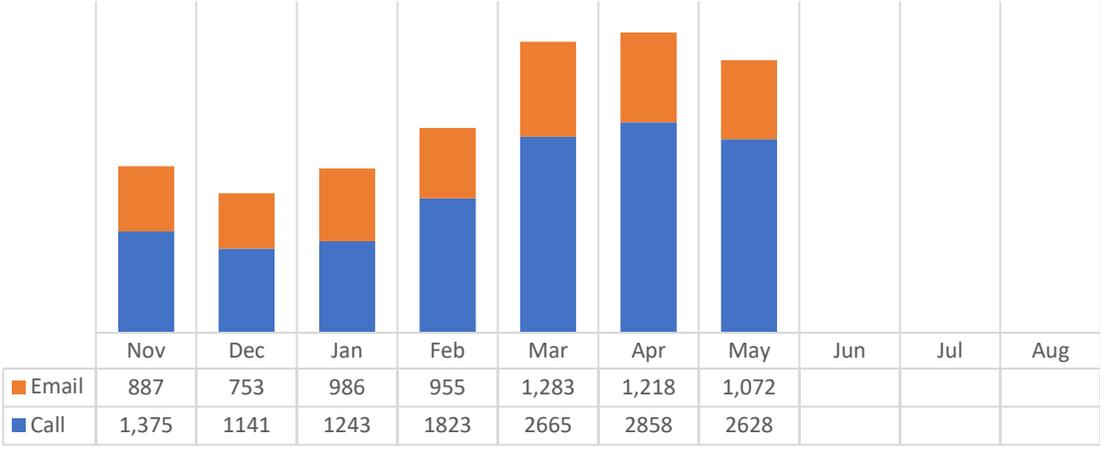


MASSAGE THERAPY STATISTICAL REPORT
July 17, 2018

MASSAGE THERAPIST	FY18
New Licenses Issued	439
Renewed Licenses Issued	4,236
Total Population	30,203
MASSAGE THERAPY INSTRUCTOR	
New Licenses Issued	48
Renewed Licenses Issued	189
Total Population	1,323
MASSAGE ESTABLISHMENTS	
New Licenses Issued	263
Renewed Licenses Issued	176
Total Population	1,978

**MASSAGE THERAPY
CUSTOMER SERVICE CONTACTS
FISCAL YEAR 2018
EFFECTIVE NOVEMBER 1, 2017**



MESSAGE THERAPY ADVISORY BOARD
JULY 17TH, 2018**CURRENT UPDATES****STATISTICS AND TRENDS**

Massage Therapy License Holders take a National Examination; those examination numbers are not available.

JURISPRUDENCE EXAMINATION COMPLETED

(AS OF MAY 31ST, 2018)

SEPTEMBER	0
OCTOBER	1
NOVEMBER	196
DECEMBER	161
JANUARY	174
FEBRUARY	153
MARCH	189
APRIL	208
MAY	209
JUNE	-
JULY	-
AUGUST	-
	1291

Massage Therapy Advisory Board
Enforcement Division Staff Report
July 17, 2018

Case Highlights

Case No. MAS20180010226 - Lin Yang Chang

On June 11, 2018, the Executive Director signed an agreed order that finalized the settlement agreement between the Department and Lin Yang Chang. As part of this negotiated settlement, Respondent accepted liability for having performed massage therapy without a license while on the premises of the massage establishment Perfect Massage. To resolve these violations, Respondent agreed to pay the Department an administrative penalty of \$1,875.

Case No. MAS20180006152 - Lijing Xiao

On or about June 11, 2018, the Executive Director signed an agreed order that finalized the settlement agreement between the Department and Lijing Xiao. As part of this negotiated settlement, Respondent accepted liability for representing that his unlicensed business (Relaxation Spa) was a licensed massage establishment. Specifically, during the investigation, the Investigator observed a price list located at Relaxation Spa's front desk that advertised multiple massage therapy services, including "full body Swedish massage," and "pregnant woman massage." To resolve these violations, Respondent agreed to pay the Department an administrative penalty of \$1,750.

Case No. MAS20180003462 - Jaime De la Cruz

On December 17, 2017, the Department notified Jaime De la Cruz that on January 4, 2016, his Massage Therapist license had been revoked by operation of law. On March 13, 2015, the Department of Health and Services received a complaint that alleged Respondent engaged in sexually inappropriate conduct with a client during a massage therapy session. Although De la Cruz' license had been expired since 2015, the case remained open without a final resolution when the Massage Program was transferred to TDLR last year. The Department discovered that on January 4, 2016, Respondent pled guilty of the offense of Sexual Assault. TEX. OCC. CODE § 455.251(b) states that if an individual is convicted of or receives deferred adjudication for a sexual offense (a category that includes Sexual Assault), their massage therapist license must be revoked, so the Department finalized that revocation to finally resolve the open case file.

Case No. MAS20180006049 - George Muro

On December 17, 2017, the Department notified George Muro that, as of May 13, 2016, he became permanently ineligible for licensure as a massage therapist. On July 9, 2015, the Department of Health and Services received a complaint that alleged Respondent took non-consensual invasive photographs of several clients during their massage therapy sessions, photos taken while the clients wore sleep masks. On May 13, 2016, Respondent pled guilty to the offense of Invasive Visual Recording and was placed on deferred adjudication/community supervision. TEX. OCC. CODE § 455.251(b) states that if an individual is convicted of or receives deferred adjudication for sexual offense (a category that includes Invasive Visual Recording), their massage therapist license must be revoked.

Case No. MAS20180003838- Melissa Garcia

On December 17, 2017, the Department notified Melissa Garcia that her application for renewal of her massage therapist license was denied, as her license had been revoked by operation of law and was incapable of renewal. On October 11, 2017, the Department received Respondent’s application for renewal of her massage therapist license. But on February 28, 2018, Respondent was convicted and imprisoned for the crime of aggravated assault, a second-degree felony. TEX. OCC. CODE § 53.021(b) provides that a license holder's license shall be revoked on the license holder's imprisonment following a felony conviction. Upon Respondent’s release from prison, she will be eligible to apply for a new massage therapist license.

Key Statistics

Shown below are key statistics for the Massage Therapy program and for all TDLR programs combined through May of Fiscal Year 2018.

<u>Statistic</u>	<u>MAS</u>	<u>TDLR</u>
• Number of cases opened:	765	7,837
• Number of cases resolved:	228	7,200
• Number of Agreed Orders:	11	1,017
• Total amount of penalties assessed:	\$9,400	\$2,458,480
• Total amount of penalties collected:	\$9,150	\$1,048,641

Massage Therapy Advisory Board Meeting

Field Operations Staff Report



The Face of TDLR

July 17, 2018

Recent Accomplishments/Current Projects

Massage Therapy Establishment Inspections

The division is performing periodic inspections of massage therapy establishment facilities. Core inspectors are trained on this process in each region and will begin training more inspectors in the next couple of months.

Continued Implementation of Massage Therapy School Inspections

The division is conducting mock inspections of Massage Therapy Schools in order to test the Massage Therapy School reference guide and gather more understanding of the school inspection process.

Work with TDLR's Strategic Response Coordinator

On May 30, 2018, Inspector Michael Hanna worked with Jennifer Harless, Strategic Response Coordinator and Grace Hernandez, Enforcement Investigator, to assist in an onsite inspection and investigation of an illicit massage facility in El Paso, Texas. Other agencies present included the Texas Department of Public Safety (DPS) and the El Paso County Attorney's Office (EPCA).

Division Personnel Updates

Sharon Hollins joined Field Inspections in the North Region on May 1, 2018. Sharon is a veteran with experience with other state agencies. We are happy to welcome her to our TDLR family.

South Region Manager, Jennifer Harless accepted a new position as TDLR's Strategic Response Coordinator in the RPM division. In her new role, Jennifer will coordinate with TDLR's efforts in combatting human trafficking. Jennifer will also coordinate TDLR's response in emergencies and natural disasters. We look forward to working with Jennifer in her new capacity.

Congratulations to the new South Region Manager, Fernando Reyes! He began his new position on June 1, 2018. Thank you to the other applicants. Their talent and experience made it a very tough choice.

Two Field Inspections Liaison positions were posted internally. Liaisons help perform school pre-license inspections and develop and perform inspector training of new inspectors and provide additional training to existing inspectors where updates are made to the 11 inspection types that require inspections. Interviews for these positions will be conducted soon.

Field Inspections Statistics and Trends

Massage Establishments

	MAS
	FY 2018
SEPT	
OCT	
NOV	
QTR 1	
DEC	
JAN	
FEB	0
QTR 2	0
MAR	0
APR	3
MAY	8
QTR 3	11
JUNE	
JUL	
AUG	
QTR 4	
Year to Date/ Year End	11

Regulatory Program Management Staff Report

Massage Therapy Advisory Committee Meeting

July 17, 2018

New Division Name & Leadership

- The name of the Division has changed from Compliance to the Regulatory Program Management Division (RPM). David Gonzales is our new Division Director and Lee Parham is our new Deputy Division Director.
- We are finalizing our calibration and program re-alignment efforts to better serve our customers. Effective June 1, Yvonne Feinleib began her duties as our new Building & Mechanical Section Manager, which has accelerated the Massage Therapy Program transition.
- The Massage Therapy Program has two new staff members, Elizabeth Perez and Marinela LaFleur. Elizabeth and Marinela have been with TDLR since 2005 and bring a wealth of regulatory experience to the Program. Yvonne is working with Elizabeth and Marinela on the transition.

Update and Discussion Regarding Massage Therapy Program Activities

- RPM staff have reviewed and approved changes and updates to the design and structure of the Massage Therapy webpages.
- A training and transition plan is underway to complete the transfer of the program from the Medical & Health Professions Section to the Business & Professionals Section.

Medical and Health Professions Section Update

- Section staff continue to provide monthly training and discussion sessions for Licensing and Customer Service staff.
- Section staff have written and produced three issues of the TDLR Health Monitor, a quarterly newsletter spotlighting the TDLR Medical & Health Professions programs, and are working on a fourth issue for Fall 2018. Links to read the newsletter online are available on the TDLR website.



To view online electronic magazine version:

Strategic Plan: [https://issuu.com/tdlr/docs/strat_plan_layout - 6-7-18 complete](https://issuu.com/tdlr/docs/strat_plan_layout_-_6-7-18_complete)

Supplemental Schedules: https://issuu.com/tdlr/docs/supplemental_schedules_complete_6-7