TEXAS ADMINISTRATIVE CODE: As in effect on 11/3/2026.

TITLE 16. ECONOMIC REGULATION

PART 4. TEXAS DEPARTMENT OF LICENSING AND REGULATION

CHAPTER 117. MASSAGE THERAPY

SUBCHAPTER H. RESPONSIBILITIES OF THE LICENSEE AND CODE OF ETHICS

§117.90. General Ethical Requirements.

(a) A licensee shall not make deceptive, untrue, or fraudulent representations in the practice of massage therapy or employ a trick or scheme in the practice of massage therapy, including, but not limited to, warranty of results of such services and false claims of proficiency in any field.

(b) A licensee shall not use a work area, equipment or clothing that is unclean or unsanitary.

(c) A licensee shall not practice massage therapy fraudulently, with gross incompetence, with gross negligence on a particular occasion, or with negligence or incompetence on more than one occasion.

(d) A licensee shall bill clients or third parties only for those services actually rendered or as agreed to by mutual understanding at the beginning of services or as later modified by mutual agreement.

(e) A licensee must either honor an unexpired gift certificate issued by that licensee or provide a full refund.

(f) For each client, a licensee shall keep accurate records of the dates of massage therapy services, types of massage therapy and billing information. Such records must be maintained for a minimum of two years.

(g) A licensee must obtain the written consent of a parent or guardian to provide massage therapy services to a person under the age of 17.

(h) On the written request of a client, a client's guardian, or a client's parent if the client is under the age of 17, a licensee shall provide a written explanation of the charges for massage therapy services previously made on a bill or statement of the client. This requirement applies even if the charges are to be paid by a third party.

(i) A licensee shall not abuse alcohol or drugs in any manner which detrimentally affects the provision of massage therapy or massage therapy instruction.

(j) A licensee may not overcharge or over treat a client.

(k) A licensee shall not practice in an unlicensed massage establishment or massage school.

(l) A licensee shall not allow an unlicensed person to engage in activity for which licensure is required.

(m) A licensee shall not provide false information on material submitted to the department.

(n) A licensee shall not interfere with a department investigation by the willful misrepresentation of facts to the department or its authorized representative, or by the use of threats, retaliation, or harassment against any person.

(o) A licensee shall comply with any formal order issued by the department relating to the licensee.

(p) A licensee shall be subject to disciplinary action by the department if the licensee is issued a public letter of reprimand, is assessed a civil penalty by a court, or has an administrative penalty imposed by the attorney general's office under the Texas Code of Criminal Procedure, Chapter 56, Subchapter B.

(q) A licensee shall notify each client of the name, mailing address, telephone number, and web address of the department for the purpose of directing complaints to the department by providing notification:

(1) on each written contract for services of a licensee;

(2) on a sign prominently displayed in the primary place of business of each licensee;

(3) on a bill for service provided by a licensee to a client or third party; or

(4) by another written and documented method.

(r) A licensee shall keep his or her licensure file updated by notifying the department, in writing, of changes of names, address, telephone number and employment.

(s) A licensee shall be subject to disciplinary action for failure to truthfully respond in a manner that fully discloses all information in an honest, materially responsive, and timely manner to a complaint filed with or by the department.

(t) A licensee shall not make any false, misleading, deceptive, fraudulent, or exaggerated claim or statement about the licensee's services, including, but not limited to:

(1) the effectiveness of services;

(2) the licensee's qualifications, capabilities, background, training, experience, education, certification or licensure, professional affiliations, fees, products, or publications; or

(3) the practice or field of massage therapy.

(u) A licensee shall provide draping and treatment services sufficient to protect a client's safety, comfort, and privacy, and must drape:

(1) the genital area and gluteal cleavage of all clients at all times; and

(2) the breasts of female clients at all times, unless performing breast massage that is specifically authorized by the client as required in §117.91.

Source Note: The provisions of this §117.90 adopted to be effective November 1, 2017, 42 TexReg 4991; amended to be effective February 1, 2020, 45 TexReg 543; amended to be effective April 1, 2021, 46 TexReg 2003.