

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1157

(Delegate Hubbard)

Health and Government Operations

Education, Health, and Environmental Affairs

Health Occupations - Massage Therapy - Authority to Practice

This bill alters educational requirements for (1) licensure to practice massage therapy or (2) registration to practice massage therapy. The bill redefines “non-therapeutic massage” and makes conforming changes. The bill clarifies terminology by repealing references to the practice of “non-therapeutic massage” and replacing them with the practice of *massage therapy in a setting that is not a health care setting*.

Fiscal Summary

State Effect: The State Board of Chiropractic and Massage Therapy Examiners can ensure that applicants complete additional educational requirements with existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary:

Definitions

“Health care setting” means the office of a health care provider regulated under the Health Occupations Article *or* a health care facility. The definition of “registered massage practitioner” is altered to mean an individual who is registered by the board to practice *massage therapy in a setting that is not a health care setting*, and “registration”

is altered to mean a registration issued by the board to practice *massage therapy in a setting that is not a health care setting*

Licensure and Registration Requirements

To qualify for a license an applicant must (1) be of good moral character; (2) be at least age 18; and (3) complete specified education requirements. An applicant must either satisfactorily complete (1) at least 60 hours of education at a qualifying institution of higher education with a minimum of 24 credit hours of basic and applied science courses related to health care *or* (2) at least 60 hours of education at a qualifying institution of higher education *and* 24 hours of board-approved advanced massage therapy continuing education in basic and applied science courses related to health care. Additionally, applicants for licensure must have completed 600 hours of education in a board-approved program for the study of massage therapy with specified areas of content, including *kinesiology*, and (4) pass an examination approved by the board.

To qualify for registration, an applicant must (1) be of good moral character; (2) be at least age 18; (3) complete 600 hours of education in a board-approved program for the study of massage therapy with specified areas of content, including *kinesiology*; and (4) pass an examination approved by the board.

The board must issue a license or registration to any applicant who pays the required fee and meets all specified requirements. The board must waive the education requirements established under the bill for an individual who is licensed as a massage therapist or registered as a massage practitioner by the board before October 1, 2014.

Current Law: Current law uses the term “non-therapeutic massage” instead of “massage therapy in a setting that is not a health care setting.” Licensees and registrants are not required to submit to a CHRC.

To qualify for a license, an applicant must (1) be of good moral character; (2) be at least age 18; (3) satisfactorily complete at least 60 credit hours at a qualified institution of higher education (the content of these credit hours is not specified); (4) complete 500 hours of education in a board-approved program for the study of massage therapy; and (5) pass a board-approved examination.

To qualify for registration, an applicant must (1) be of good moral character; (2) be at least age 18; (3) complete 500 hours of education in a board-approved program for the study of massage therapy; and (5) pass a board-approved examination.

A massage therapy program (for both licensure and registration) must include the following areas of content: (1) anatomy and physiology; (2) massage theory, techniques, and practice; (3) contraindications to massage therapy; and (4) professional ethics.

Background: The regulation of massage therapy in Maryland is differentiated by the setting in which it is practiced. If outside of a health care facility, it is deemed to be non-therapeutic massage, and the individual practicing must be a registered massage practitioner (RMP). Otherwise, a practitioner must be a licensed massage therapist (LMT). RMPs may not practice massage in a health care facility nor may health care providers refer patients to RMPs. Because a massage therapy license offers more flexibility than a registration, most massage therapy practitioners are LMTs. According to the board, as of February 2013, there were 2,721 LMTs and 981 RMPs in Maryland.

The board noted in 2013 that nearly all accredited massage therapy programs either then required or would soon require 600 hours of education.

Kinesiology is an academic discipline which involves the study of physical activity and its impact on health, society, and quality of life. At least one of the major examinations used for licensure (the National Certification Examination for Therapeutic Massage & Bodywork) includes content areas in anatomy, physiology, and *kinesiology*.

Additional Information

Prior Introductions: HB 818 of 2013, a similar bill, received an unfavorable report from the House Health and Government Operations Committee.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Public Safety and Correctional Services, Department of Legislative Services

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