

HOUSE BILL 208

J2

5lr1383

By: **Delegate Pendergrass**

Introduced and read first time: January 30, 2015

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: February 25, 2015

CHAPTER _____

1 AN ACT concerning

2 **State Board of Chiropractic and Massage Therapy Examiners – Preapproval for**
3 **Use of Trade Names – Repeal**

4 FOR the purpose of repealing certain provisions of law that condition the use of certain
5 trade names by certain chiropractors, massage therapists, and massage
6 practitioners on preapproval of the use by the State Board of Chiropractic and
7 Massage Therapy Examiners; and generally relating to the State Board of
8 Chiropractic and Massage Therapy Examiners and preapproval for use of trade
9 names.

10 BY repealing and reenacting, with amendments,
11 Article – Health Occupations
12 Section 3–407 and 3–5A–12
13 Annotated Code of Maryland
14 (2014 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Health Occupations**

18 3–407.

19 A licensed chiropractor may use a trade name in connection with the practice of
20 chiropractic provided that:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (1) The use of the trade name is not deceptive or misleading;

2 (2) The advertisement in which the trade name appears includes the name
3 of the licensed chiropractor or the name of the business entity providing the chiropractic
4 services being advertised as long as the advertisement includes the name of a licensed
5 chiropractor;

6 (3) The name of the licensed chiropractor providing chiropractic services
7 appears on the billing invoices, stationery, and on any receipt given to a patient; **AND**

8 (4) Treatment records are maintained that clearly identify the licensed
9 chiropractor who has performed the chiropractic service for the patient[]; and

10 (5) The use of a trade name is preapproved by the Board before use].

11 3-5A-12.

12 (a) The Board shall adopt rules and regulations to establish standards for
13 advertising or soliciting by licensed massage therapists or registered massage
14 practitioners.

15 (b) For purposes of this section, notices mailed to patients to inform them of times
16 for periodic appointments are not advertising or soliciting.

17 (c) A licensed massage therapist or a registered massage practitioner may use a
18 trade name in connection with the practice of massage therapy provided that:

19 (1) The use of the trade name is not deceptive or misleading;

20 (2) The advertisement in which the trade name appears includes the name
21 of the licensed massage therapist or registered massage practitioner or the name of the
22 business entity providing the massage therapy services being advertised, as long as the
23 advertisement includes the name of a licensed massage therapist or registered massage
24 practitioner;

25 (3) The name of the licensed massage therapist or registered massage
26 practitioner providing massage therapy services appears on the billing invoices, stationery,
27 and on any receipt given to a patient; **AND**

28 (4) Treatment records are maintained that clearly identify the licensed
29 massage therapist or registered massage practitioner who has performed the massage
30 therapy service for the patient[]; and

31 (5) The use of a trade name is preapproved by the Board before use].

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.