

## Article - Health Occupations

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§3-202.

- (a)
  - (1) The Board consists of 11 members.
  - (2) Of the 11 members:
    - (i) 6 shall be licensed chiropractors;
    - (ii) 3 shall be licensed massage therapists; and
    - (iii) 2 shall be consumer members.
  - (3)
    - (i) The Governor shall appoint the chiropractor members, with the advice of the Secretary, and with the advice and consent of the Senate, from a list of qualified individuals submitted to the Governor by the Maryland Chiropractic Association.
    - (ii) The number of names on the list shall be five times the number of vacancies.
    - (iii) The list shall include the name of the incumbent member unless the incumbent declines renomination.
  - (4)
    - (i) The Governor shall appoint the massage therapist members, with the advice of the Secretary, and with the advice and consent of the Senate, from a list of qualified individuals submitted to the Governor by the American Massage Therapy Association, Maryland Chapter.
    - (ii) The number of names on the list shall be five times the number of vacancies.
    - (iii) The list shall include the name of the incumbent member unless the incumbent declines renomination.
  - (5) The Governor shall appoint the consumer members with the advice of the Secretary, and with the advice and consent of the Senate.
- (b) Each chiropractor member of the Board shall be:
  - (1) A resident of this State;
  - (2) A licensed chiropractor of integrity and ability who is in active practice;
  - (3) A graduate of a resident course in chiropractic; and
  - (4) An individual who has practiced chiropractic in this State for at least

5 consecutive years.

(c) Each massage therapist member of the Board shall be:

- (1) A resident of this State;
- (2) A licensed massage therapist of integrity and ability who is in active practice;
- (3) A graduate of a Board–approved course in massage therapy; and
- (4) An individual who has practiced massage therapy in this State for at least 5 consecutive years.

(d) Each consumer member of the Board:

- (1) Shall be a member of the general public;
- (2) May not be or ever have been a chiropractor or massage therapist or in training to become a chiropractor or massage therapist;
- (3) May not have a household member who is a chiropractor or massage therapist or in training to become a chiropractor or massage therapist;
- (4) May not participate or ever have participated in a commercial or professional field related to chiropractic or massage therapy;
- (5) May not have a household member who participates in a commercial or professional field related to chiropractic or massage therapy; and
- (6) May not have had, within 2 years before appointment, a substantial financial interest in a person regulated by the Board.

(e) (1) In addition to the requirements of subsections (b) and (c) of this section, each chiropractic and massage therapy member of the Board shall be a licensed chiropractor or licensed massage therapist whose license is in good standing with the Board.

(2) For purposes of this subsection, “good standing” means that the Board has not reprimanded the licensee, suspended or revoked the license of the chiropractor and massage therapist, or placed the licensee on probation within 5 years prior to or after confirmation to the Board.

(f) While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

(g) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(h) (1) The term of a member is 4 years.

(2) The terms of members are staggered as required by the terms provided for members of the Board on October 1, 2008.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) The Governor shall fill any vacancy on the Board within 60 days of the date of the vacancy.

(6) A member may not serve more than 2 consecutive full terms.

(i) (1) The Governor may remove a member for incompetence or misconduct.

(2) Upon the recommendation of the Secretary, the Governor may remove a member whom the Secretary finds to have been absent from 2 successive Board meetings without adequate reason.

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