



DEPARTMENT OF HEALTH

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Maryland Board of Massage Therapy Examiners
4201 Patterson Avenue, Suite 301
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2026 SESSION POSITION PAPER

BILL NO: HB 42
COMMITTEE: Health
POSITION: Support

TITLE: Health Occupations-State Board of Massage Therapy Examiners-Revisions

BILL ANALYSIS: When enacted, this bill will authorize registered massage practitioners to continue practicing massage therapy in the State of Maryland beyond October 30, 2026; repeal obsolete qualification requirements for registered massage practitioners; require applicants seeking reactivation of a license or registration to submit to a criminal history background check; modify reinstatement and reactivation requirements for licenses or registrations under certain circumstances; clarify pathways for out-of-state applicants to qualify for licensure in Maryland; and repeal the requirement for a hearing prior to the imposition of an administrative penalty under certain circumstances.

POSITION AND RATIONALE: The Maryland Board of Massage Therapy Examiners (the “Board”) supports HB 42.

One purpose of the bill is to repeal statutory provisions that would prohibit individuals registered by the Board from practicing massage therapy in the State beyond October 30, 2026. Repealing these provisions ensures workforce stability and the continued employment of Maryland residents. As of January 20, 2026, there were one thousand one hundred, forty-three (1,143) registered practitioners (RMPs) who did not meet the statutory or regulatory requirements for conversion to licensed massage therapist (LMT) status.

A second objective of the bill is to repeal obsolete qualifications for registered massage practitioners. In 2022, the Maryland General Assembly enacted legislation prohibiting the Board from issuing initial registrations after September 30, 2024. *See* 2022 Md. Laws Ch. 705 (H.B. 220); 2022 Md. Laws Ch. 706 (S.B. 37). The law was subsequently amended in 2023 to extend the deadline for initial registrations to September 30, 2024. *See* 2023 Md. Laws Ch. 329 (H.B. 242); 2023 Md. Laws Ch. 330 (S.B. 216). Again, while there are currently RMPs who the Board does not want to disenfranchise if they do not want to convert to LMT status, these provisions

are no longer necessary since the Board is statutorily prohibited from issuing new RMP registrations.

In addition to the provisions regarding RMPs, from time to time, a licensee or registrant may allow a license or registration to remain inactive or non-renewed for more than five years beyond the date of status change. This bill clarifies the requirements for qualifying for a new license or registration under those circumstances.

The Board regularly receives applications from individuals who have graduated from out-of-state massage therapy education programs. The bill clearly defines licensure pathways for these applicants, providing transparency and consistency in the application process. Furthermore, by requiring that out-of-state applicants graduate from massage programs approved by a state regulatory body responsible for certifying such programs and by requiring that the out-of-state program be duly accredited, this will ensure that out-of-state applicants are held to the same standards that in-state applicants are and close a loophole that potentially would allow an out-of-state applicant to have graduated from a non-bona fide massage education program (ie., a diploma mill).

On October 1, 2016, criminal history background checks became a condition of licensure. Approximately three thousand individuals who were licensed or registered by the Board prior to the enactment of this requirement were not fingerprinted. Requiring criminal history records checks as part of the reactivation process ensures appropriate vetting of applicants and enables the Board to obtain ongoing criminal history updates through the RAP Back system.

Finally, while the Board has authority to impose administrative penalties for minor violations of the Act, current law requires a hearing before such penalties may be imposed – even where there is no genuine dispute of fact, such as failing to notify the Board of a change of address. The cost of conducting an administrative hearing far exceeds the maximum allowable penalty of \$100 for these minor infractions. Eliminating the hearing requirement in these limited circumstances promotes efficiency while preserving due process for more serious matters.

For all of these reasons, the Board of Massage Therapy Examiners respectfully requests a favorable vote on HB 42.

For more information, please contact Sharon J. Oliver, Executive Director at 410-764-5985 or Sharon.oliver@maryland.gov, or Lillian Reese, the legislative liaison for the boards at [443-794-4757](tel:443-794-4757) or at lillian.reese@maryland.gov.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.