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**By: Delegates Owings, Hubbard, Menes, Frush, Rosapepe, Goldwater, Hammen, Klausmeier, Mohorovic, and Hurson**

Requested: September 20, 1995

Introduced and read first time: January 10, 1996

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Nursing - Licensure of Massage Therapists**

3 FOR the purpose of requiring the State Board of Nursing to adopt regulations for the  
4 licensure and practice of massage therapists; defining certain terms; authorizing the  
5 Board of Nursing to set certain fees; establishing the Massage Therapy Advisory  
6 Committee within the Board of Nursing; specifying the powers and duties of the  
7 Advisory Committee; requiring an individual to be licensed by the Board of Nursing  
8 before the individual may practice massage therapy; making certain exceptions;  
9 specifying the qualifications for a certain license; authorizing the issuance and  
10 renewal of a certain license; establishing certain grounds for discipline; providing  
11 that this Act does not limit the rights of certain individuals to practice certain  
12 occupations; prohibiting certain acts; making certain exceptions; establishing certain  
13 penalties; providing for the construction of this Act; requiring the initial members of  
14 the Massage Therapy Advisory Committee to be eligible to be licensed under this  
15 Act; providing for the effective date of this Act; and generally relating to the  
16 licensure of individuals to practice massage therapy in this State.

17 BY adding to

18 Article - Health Occupations  
19 Section 8-7A-01 through 8-7A-10, inclusive, to be under the new subtitle "Subtitle  
20 7A. Licensure of Massage Therapists"  
21 Annotated Code of Maryland  
22 (1994 Replacement Volume and 1995 Supplement)

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

25 **Article - Health Occupations**

26 SUBTITLE 7A. LICENSURE OF MASSAGE THERAPISTS.

27 8-7A-01.

28 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
29 INDICATED.

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1 (B) "BOARD" MEANS THE STATE BOARD OF NURSING.

2 (C) "LICENSE" MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE, A  
3 LICENSE ISSUED BY THE BOARD TO PRACTICE MASSAGE THERAPY.

4 (D) "LICENSED MASSAGE THERAPIST" MEANS AN INDIVIDUAL WHO IS  
5 LICENSED BY THE BOARD TO PRACTICE MASSAGE THERAPY.

6 (E) "MESSAGE ADVISORY COMMITTEE" MEANS THE COMMITTEE  
7 ESTABLISHED UNDER § 8-7A-04 OF THIS SUBTITLE.

8 (F) (1) "MESSAGE THERAPY" MEANS THE MANIPULATION OF SOFT TISSUES  
9 OF THE BODY BY MANUAL TECHNIQUES INCLUDING EFFLEURAGE, PETRISSAGE,  
10 TAPOTEMENT, STRETCHING, COMPRESSION, VIBRATION, AND FRICTION, WITH OR  
11 WITHOUT THE AID OF HEAT LIMITED TO HOT PACKS AND HEATING PADS, COLD  
12 WATER, OR TOPICAL APPLICATIONS, FOR THE PURPOSE OF IMPROVING  
13 CIRCULATION, ENHANCING MUSCLE RELAXATION, RELIEVING MUSCULAR PAIN,  
14 REDUCING STRESS, OR PROMOTING HEALTH AND WELL-BEING.

15 (2) "MESSAGE THERAPY" DOES NOT INCLUDE:

16 (I) THE DIAGNOSIS OR TREATMENT OF ILLNESS OR DISEASE; OR

17 (II) ADJUSTING ANY OF THE ARTICULATIONS OF THE OSSEOUS  
18 STRUCTURES OF THE BODY OR SPINE.

19 (G) "PRACTICE MESSAGE THERAPY" MEANS TO ENGAGE PROFESSIONALLY  
20 AND FOR COMPENSATION IN MESSAGE THERAPY WHILE REPRESENTING ONESELF  
21 TO BE A LICENSED MESSAGE THERAPIST.

22 8-7A-02.

23 THE BOARD SHALL ADOPT REGULATIONS FOR THE LICENSURE AND PRACTICE  
24 OF MESSAGE THERAPISTS.

25 8-7A-03.

26 (A) (1) THE BOARD SHALL SET REASONABLE FEES FOR THE ISSUANCE AND  
27 RENEWAL OF LICENSES AND THE OTHER SERVICES IT PROVIDES TO MESSAGE  
28 THERAPISTS.

29 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO  
30 APPROXIMATE THE COST OF MAINTAINING THE LICENSURE PROGRAM, AND THE  
31 OTHER SERVICES PROVIDED TO MESSAGE THERAPISTS.

32 (B) (1) THE BOARD SHALL PAY ALL FEES COLLECTED UNDER THE  
33 PROVISIONS OF THIS SUBTITLE TO THE COMPTROLLER OF THE STATE.

34 (2) THE COMPTROLLER SHALL DISTRIBUTE ALL FEES TO THE STATE  
35 BOARD OF NURSING FUND ESTABLISHED UNDER § 8-206 OF THIS TITLE.

36 (C) THE FEES SHALL BE USED EXCLUSIVELY TO COVER THE ACTUAL  
37 DOCUMENTED DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND

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1 REGULATORY DUTIES OF THE BOARD AS PROVIDED BY THE PROVISIONS OF THIS  
2 SUBTITLE.

3 8-7A-04.

4 (A) (1) THERE IS A MASSAGE THERAPY ADVISORY COMMITTEE WITHIN THE  
5 BOARD.

6 (2) THE COMMITTEE SHALL CONSIST OF FIVE MEMBERS APPOINTED BY  
7 THE BOARD.

8 (3) OF THE FIVE MEMBERS:

9 (I) TWO SHALL BE REGISTERED NURSES WHO ARE ALSO  
10 LICENSED MASSAGE THERAPISTS; AND

11 (II) THREE SHALL BE LICENSED MASSAGE THERAPISTS.

12 (B) IN ADDITION TO THE POWERS AND DUTIES SET FORTH ELSEWHERE IN  
13 THIS SUBTITLE, THE ADVISORY COMMITTEE SHALL:

14 (1) DEVELOP AND RECOMMEND REGULATIONS TO CARRY OUT THE  
15 PROVISIONS OF THIS SUBTITLE;

16 (2) DEVELOP AND RECOMMEND A CODE OF ETHICS FOR THE PRACTICE  
17 OF MASSAGE THERAPY FOR ADOPTION BY THE BOARD;

18 (3) DEVELOP AND RECOMMEND THE REQUIREMENTS FOR LICENSURE  
19 AS A MASSAGE THERAPIST;

20 (4) EVALUATE THE CREDENTIALS OF APPLICANTS AND RECOMMEND  
21 LICENSURE OF APPLICANTS WHO FULFILL THE REQUIREMENTS FOR A LICENSE TO  
22 PRACTICE MASSAGE THERAPY;

23 (5) CONSIDER COMPLAINTS BROUGHT TO THE BOARD INVOLVING  
24 LICENSED MASSAGE THERAPISTS AND RECOMMEND TO THE BOARD THE  
25 APPROPRIATE DISCIPLINARY ACTION;

26 (6) EVALUATE EDUCATION PROGRAMS IN MASSAGE THERAPY FOR  
27 APPROVAL BY THE BOARD;

28 (7) KEEP A RECORD OF ITS PROCEEDINGS; AND

29 (8) SUBMIT AN ANNUAL REPORT TO THE BOARD.

30 8-7A-05.

31 (A) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN  
32 INDIVIDUAL SHALL BE LICENSED BY THE BOARD BEFORE THE INDIVIDUAL MAY  
33 PRACTICE MASSAGE THERAPY IN THIS STATE.

34 (2) THIS SECTION DOES NOT APPLY TO:

35 (I) A STUDENT ENROLLED IN AN APPROVED EDUCATION  
36 PROGRAM WHILE PRACTICING MASSAGE THERAPY IN THAT PROGRAM; OR

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1 (II) AN INDIVIDUAL PERMITTED TO PRACTICE MASSAGE THERAPY  
2 UNDER REGULATIONS ADOPTED BY THE BOARD, IF THE INDIVIDUAL:

3 1. OTHERWISE HAS QUALIFIED TO PRACTICE MASSAGE  
4 THERAPY IN ANY OTHER STATE OR COUNTRY AND IS IN THIS STATE FOR NO MORE  
5 THAN 7 DAYS; OR

6 2. HAS AN APPLICATION FOR A LICENSE PENDING BEFORE  
7 THE BOARD BUT HAS NOT TAKEN THE EXAMINATION REQUIRED UNDER THIS  
8 SECTION OR HAS TAKEN AN EXAMINATION UNDER THIS SECTION, BUT THE RESULTS  
9 OF THE EXAMINATION ARE NOT YET KNOWN.

10 (B) TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL BE AN INDIVIDUAL  
11 WHO MEETS THE REQUIREMENTS OF THIS SECTION.

12 (C) THE APPLICANT MUST BE OF GOOD MORAL CHARACTER.

13 (D) THE APPLICANT MUST BE AT LEAST 18 YEARS OLD.

14 (E) AFTER JANUARY 1, 2000, THE APPLICANT SHALL HAVE SATISFACTORILY  
15 COMPLETED AT LEAST 60 CREDIT HOURS OF EDUCATION AT AN INSTITUTION OF  
16 HIGHER EDUCATION AS DEFINED IN § 10-101 OF THE EDUCATION ARTICLE AND AS  
17 APPROVED BY THE BOARD.

18 (F) THE APPLICANT FOR LICENSURE AS A LICENSED MASSAGE THERAPIST  
19 SHALL:

20 (1) COMPLETE 500 HOURS OF EDUCATION IN A BOARD APPROVED  
21 PROGRAM FOR THE STUDY OF MASSAGE THERAPY THAT INCLUDES THE  
22 FOLLOWING AREAS OF CONTENT:

23 (I) ANATOMY AND PHYSIOLOGY;

24 (II) MASSAGE THEORY, TECHNIQUES, AND PRACTICE;

25 (III) CONTRAINDICATIONS TO MASSAGE THERAPY; AND

26 (IV) PROFESSIONAL ETHICS; AND

27 (2) PASS AN EXAMINATION APPROVED BY THE BOARD.

28 (G) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS  
29 SUBSECTION, THE BOARD MAY WAIVE ANY OF THE QUALIFICATIONS REQUIRED  
30 FOR A LICENSE UNDER THIS SUBTITLE FOR AN APPLICANT WHO:

31 (I) PAYS THE APPLICATION FEE SET BY THE BOARD;

32 (II) PROVIDES EVIDENCE ACCEPTABLE TO THE BOARD THAT THE  
33 APPLICANT HAS PRACTICED MASSAGE THERAPY FOR AT LEAST A TOTAL OF 2 YEARS  
34 AFTER OCTOBER 1, 1994 AND BEFORE OCTOBER 1, 1999; AND

35 (III) 1. COMPLETES A BOARD APPROVED PROGRAM IN THE  
36 STUDY OF MASSAGE THERAPY; OR

37 2. PASSES AN EXAMINATION APPROVED BY THE BOARD.

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1 (2) THE AUTHORITY OF THE BOARD TO GRANT A WAIVER UNDER THIS  
2 SUBSECTION SHALL TERMINATE ON JANUARY 1, 2000.

3 (H) (1) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE BOARD  
4 MAY WAIVE ANY REQUIREMENT OF THIS SUBTITLE FOR AN APPLICANT WHO IS  
5 REGISTERED, CERTIFIED, OR LICENSED TO PRACTICE MASSAGE THERAPY IN  
6 ANOTHER STATE.

7 (2) THE BOARD MAY GRANT A WAIVER UNDER THIS SUBSECTION ONLY  
8 IF THE APPLICANT:

9 (I) PAYS THE APPLICATION FEE SET BY THE BOARD; AND

10 (II) PROVIDES ADEQUATE EVIDENCE THAT THE APPLICANT:

11 1. HAS COMPLETED EDUCATIONAL REQUIREMENTS THAT  
12 THE BOARD DETERMINES TO BE EQUIVALENT TO THE BOARD APPROVED  
13 EDUCATIONAL REQUIREMENTS IN THIS STATE; AND

14 2. AT THE TIME THE APPLICANT BECAME CERTIFIED,  
15 REGISTERED, OR LICENSED IN THE OTHER STATE, PASSED IN THAT STATE OR ANY  
16 OTHER STATE AN EXAMINATION THAT THE BOARD DETERMINES TO BE  
17 EQUIVALENT TO THE EXAMINATION REQUIRED IN THIS STATE; AND

18 3. IS OF GOOD MORAL CHARACTER.

19 8-7A-06.

20 TO APPLY FOR A LICENSE, AN APPLICANT SHALL:

21 (1) SUBMIT TO THE BOARD AN APPLICATION ON THE FORM THAT THE  
22 BOARD REQUIRES;

23 (2) SUBMIT TO THE BOARD EVIDENCE OF COMPLIANCE WITH THE  
24 REQUIREMENTS OF § 8-7A-05 OF THIS SUBTITLE; AND

25 (3) PAY THE APPLICATION FEE SET BY THE BOARD.

26 8-7A-07.

27 (A) A LICENSE EXPIRES ON THE 28TH DAY OF THE BIRTH MONTH OF THE  
28 LICENSEE, UNLESS THE LICENSE IS RENEWED FOR A 2-YEAR TERM AS PROVIDED IN  
29 THIS SECTION.

30 (B) AT LEAST 1 MONTH BEFORE THE LICENSE EXPIRES, THE BOARD SHALL  
31 SEND TO THE LICENSE HOLDER, BY FIRST CLASS MAIL TO THE LAST KNOWN  
32 ADDRESS OF THE LICENSE HOLDER, A RENEWAL NOTICE THAT STATES:

33 (1) THE DATE ON WHICH THE CURRENT LICENSE EXPIRES;

34 (2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE  
35 RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE  
36 THE LICENSE EXPIRES; AND

37 (3) THE AMOUNT OF THE RENEWAL FEE.

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1 (C) BEFORE A LICENSE EXPIRES, THE LICENSE HOLDER PERIODICALLY MAY  
2 RENEW IT FOR AN ADDITIONAL TERM, IF THE LICENSE HOLDER:

3 (1) OTHERWISE IS ENTITLED TO BE LICENSED;

4 (2) SUBMITS TO THE BOARD A RENEWAL APPLICATION ON THE FORM  
5 THAT THE BOARD REQUIRES; AND

6 (3) PAYS TO THE BOARD A RENEWAL FEE SET BY THE BOARD.

7 (D) (1) EACH LICENSE HOLDER SHALL NOTIFY THE BOARD IN WRITING OF  
8 ANY CHANGE IN THE NAME OR ADDRESS OF THE LICENSE HOLDER WITHIN 60 DAYS  
9 AFTER THE CHANGE OCCURRED.

10 (2) IF A LICENSE HOLDER FAILS TO NOTIFY THE BOARD WITHIN THE  
11 TIME REQUIRED UNDER THIS SUBSECTION, SUBJECT TO THE HEARING PROVISIONS  
12 OF § 8-317 OF THIS TITLE, THE BOARD MAY IMPOSE AN ADMINISTRATIVE PENALTY  
13 OF \$100.

14 (E) THE BOARD SHALL RENEW THE LICENSE OF EACH LICENSE HOLDER WHO  
15 MEETS THE REQUIREMENTS OF THIS SECTION.

16 8-7A-08.

17 (A) SUBJECT TO THE HEARING PROVISIONS OF § 8-317 OF THIS TITLE, THE  
18 BOARD MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY LICENSE  
19 HOLDER, PLACE ANY LICENSE HOLDER ON PROBATION, OR SUSPEND OR REVOKE  
20 THE LICENSE OF A LICENSE HOLDER IF THE APPLICANT OR LICENSE HOLDER:

21 (1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO  
22 OBTAIN A LICENSE FOR THE APPLICANT OR FOR ANOTHER;

23 (2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;

24 (3) IS DISCIPLINED BY A LICENSING OR DISCIPLINARY AUTHORITY OF  
25 ANY OTHER STATE OR COUNTRY OR CONVICTED OR DISCIPLINED BY A COURT OF  
26 ANY STATE OR COUNTRY FOR AN ACT THAT WOULD BE GROUNDS FOR  
27 DISCIPLINARY ACTION UNDER THIS SECTION;

28 (4) IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE TO A  
29 FELONY OR TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT ANY  
30 APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA  
31 SET ASIDE;

32 (5) WILLFULLY AND KNOWINGLY:

33 (I) FILES A FALSE REPORT OR RECORD OF AN INDIVIDUAL  
34 UNDER THE CARE OF THE LICENSE HOLDER; OR

35 (II) GIVES ANY FALSE OR MISLEADING INFORMATION ABOUT A  
36 MATERIAL MATTER IN AN EMPLOYMENT APPLICATION;

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1 (6) KNOWINGLY DOES ANY ACT THAT HAS BEEN DETERMINED BY THE  
2 BOARD, IN ITS REGULATIONS, TO EXCEED THE SCOPE OF PRACTICE AUTHORIZED  
3 TO THE INDIVIDUAL UNDER THIS SUBTITLE;

4 (7) PROVIDES PROFESSIONAL SERVICES WHILE:

5 (I) UNDER THE INFLUENCE OF ALCOHOL; OR

6 (II) USING ANY NARCOTIC OR CONTROLLED DANGEROUS  
7 SUBSTANCE, AS DEFINED IN ARTICLE 27 OF THE CODE, OR OTHER DRUG THAT IS IN  
8 EXCESS OF THERAPEUTIC AMOUNTS OR WITHOUT VALID MEDICAL INDICATION;

9 (8) DOES AN ACT THAT IS INCONSISTENT WITH GENERALLY ACCEPTED  
10 PROFESSIONAL STANDARDS IN THE PRACTICE OF MASSAGE THERAPY;

11 (9) IS NEGLIGENT IN THE PRACTICE OF MASSAGE THERAPY;

12 (10) IS PROFESSIONALLY INCOMPETENT;

13 (11) HAS VIOLATED ANY PROVISION OF THIS SUBTITLE;

14 (12) SUBMITS A FALSE STATEMENT TO COLLECT A FEE;

15 (13) IS PHYSICALLY OR MENTALLY INCOMPETENT;

16 (14) KNOWINGLY FAILS TO REPORT SUSPECTED CHILD ABUSE IN  
17 VIOLATION OF § 5-704 OF THE FAMILY LAW ARTICLE;

18 (15) REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES AGAINST  
19 AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL SERVICES  
20 FOR WHICH THE LICENSE HOLDER IS QUALIFIED TO RENDER BECAUSE THE  
21 INDIVIDUAL IS HIV POSITIVE;

22 (16) EXCEPT IN AN EMERGENCY LIFE-THREATENING SITUATION WHERE  
23 IT IS NOT FEASIBLE OR PRACTICABLE, FAILS TO COMPLY WITH THE CENTERS FOR  
24 DISEASE CONTROL'S GUIDELINES ON UNIVERSAL PRECAUTIONS;

25 (17) IS HABITUALLY INTOXICATED;

26 (18) IS ADDICTED TO, OR HABITUALLY ABUSES, ANY NARCOTIC OR  
27 CONTROLLED DANGEROUS SUBSTANCE AS DEFINED IN ARTICLE 27 OF THE CODE;

28 (19) FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION  
29 CONDUCTED BY THE BOARD;

30 (20) ENGAGES IN CONDUCT THAT VIOLATES THE PROFESSIONAL CODE  
31 OF ETHICS; OR

32 (21) KNOWINGLY DOES AN ACT THAT HAS BEEN DETERMINED BY THE  
33 BOARD TO BE A VIOLATION OF THE BOARD'S REGULATIONS.

34 (B) IF, AFTER A HEARING UNDER § 8-317 OF THIS TITLE, THE BOARD FINDS  
35 THAT THERE ARE GROUNDS UNDER SUBSECTION (A) OF THIS SECTION TO SUSPEND  
36 OR REVOKE A LICENSE TO PRACTICE MASSAGE THERAPY, TO REPRIMAND A  
37 LICENSE HOLDER, OR PLACE A LICENSE HOLDER ON PROBATION, THE BOARD MAY

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1 IMPOSE A PENALTY NOT EXCEEDING \$5,000 IN LIEU OF OR IN ADDITION TO  
2 SUSPENDING OR REVOKING THE LICENSE, REPRIMANDING THE LICENSE HOLDER,  
3 OR PLACING THE LICENSE HOLDER ON PROBATION.

4 (C) (1) AN INDIVIDUAL WHOSE LICENSE HAS BEEN SUSPENDED OR  
5 REVOKED BY THE BOARD SHALL RETURN THE LICENSE TO THE BOARD.

6 (2) IF THE SUSPENDED OR REVOKED LICENSE HAS BEEN LOST, THE  
7 INDIVIDUAL SHALL FILE WITH THE BOARD A VERIFIED STATEMENT TO THAT  
8 EFFECT.

9 (D) THE BOARD SHALL FILE A NOTICE FOR PUBLICATION IN THE EARLIEST  
10 PUBLICATION OF THE MARYLAND REGISTER OF EACH REVOCATION OR  
11 SUSPENSION OF A LICENSE UNDER THIS SECTION WITHIN 24 HOURS OF THE  
12 REVOCATION OR SUSPENSION.

13 8-7A-09.

14 THIS SUBTITLE DOES NOT LIMIT THE RIGHT OF AN INDIVIDUAL TO PRACTICE  
15 OR ADVERTISE AN OCCUPATION THAT THE INDIVIDUAL IS OTHERWISE  
16 AUTHORIZED TO PRACTICE UNDER THE MARYLAND ANNOTATED CODE.

17 8-7A-10.

18 (A) (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (B) OF THIS  
19 SECTION, AN INDIVIDUAL MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER  
20 TO PRACTICE MASSAGE THERAPY IN THIS STATE UNLESS LICENSED BY THE BOARD.

21 (2) AN INDIVIDUAL WHO IS NOT LICENSED AS A LICENSED MASSAGE  
22 THERAPIST UNDER THIS SUBTITLE MAY NOT ADVERTISE OR CLAIM BY TITLE,  
23 ABBREVIATION, SIGN, CARD, OR ANY OTHER REPRESENTATION THAT THE  
24 INDIVIDUAL PRACTICES MASSAGE, MASSAGE THERAPY, MYOTHERAPY, OR ANY  
25 SYNONYM OR DERIVATION OF THESE TERMS.

26 (3) ANY INDIVIDUAL WHO VIOLATES A PROVISION OF THIS SUBSECTION  
27 IS GUILTY OF A MISDEMEANOR AND ON CONVICTION SHALL BE SUBJECT TO A FINE  
28 NOT EXCEEDING \$5,000 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR, OR BOTH.

29 (B) THE FOLLOWING INDIVIDUALS MAY PRACTICE MASSAGE THERAPY IN  
30 THIS STATE WITHOUT A LICENSE:

31 (1) A STUDENT ENROLLED IN A BOARD APPROVED EDUCATION  
32 PROGRAM WHILE PRACTICING MASSAGE THERAPY IN THE PROGRAM;

33 (2) A FAMILY MEMBER PRACTICING MASSAGE THERAPY ON ANOTHER  
34 FAMILY MEMBER;

35 (3) AN ATHLETIC TRAINER WHILE FUNCTIONING IN THE COURSE OF  
36 THE ATHLETIC TRAINER'S PROFESSIONAL CAPACITY; AND

37 (4) AN INDIVIDUAL EMPLOYED BY THE FEDERAL GOVERNMENT TO  
38 PRACTICE MASSAGE THERAPY WHILE PRACTICING WITHIN THE SCOPE OF THE  
39 INDIVIDUAL'S EMPLOYMENT.



1       SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act may be  
2 construed to require a nonprofit health service plan, an insurer, health maintenance  
3 organization, or person acting as a third party administrator to reimburse a licensed  
4 massage therapist for any services rendered.

5       SECTION 3. AND BE IT FURTHER ENACTED, That the initial members of the  
6 Massage Therapy Advisory Committee appointed in accordance with § 8-7A-04 of this  
7 Act shall be eligible to be certified under the provisions of § 8-7A-05 of this Act.

8       SECTION 4. AND BE IT FURTHER ENACTED, That the changes to the Health  
9 Occupations Article made by §§ 8-7A-01, 8-7A-02, 8-7A-03, and 8-7A-04 shall take  
10 effect October 1, 1996, and the changes to the Health Occupations Article made by §§  
11 8-7A-05, 8-7A-06, 8-7A-07, 8-7A-08, 8-7A-09, and 8-7A-10 shall take effect January  
12 1, 1998.