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SB 215/95 - EEA

1996 Regular Session
6lr1655
CF HB 51

By: Senators Teitelbaum, Hoffman, Stoltzfus, Pinsky, Sfikas, and Forehand

Introduced and read first time: February 1, 1996

Assigned to: Economic and Environmental Affairs

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.

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

2

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

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

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

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

15 (2) "MASSAGE 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 MASSAGE THERAPY" MEANS TO ENGAGE PROFESSIONALLY
20 AND FOR COMPENSATION IN MASSAGE THERAPY WHILE REPRESENTING ONESELF
21 TO BE A LICENSED MASSAGE THERAPIST.

22 8-7A-02.

23 THE BOARD SHALL ADOPT REGULATIONS FOR THE LICENSURE AND PRACTICE
24 OF MASSAGE 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 MASSAGE
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 MASSAGE 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
38 REGULATORY DUTIES OF THE BOARD AS PROVIDED BY THE PROVISIONS OF THIS
39 SUBTITLE.

3

1 8-7A-04.

2 (A) (1) THERE IS A MASSAGE THERAPY ADVISORY COMMITTEE WITHIN THE
3 BOARD.

4 (2) THE COMMITTEE SHALL CONSIST OF FIVE MEMBERS APPOINTED BY
5 THE BOARD.

6 (3) OF THE FIVE MEMBERS:

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

9 (II) THREE SHALL BE LICENSED MASSAGE THERAPISTS.

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

12 (1) DEVELOP AND RECOMMEND TO THE BOARD REGULATIONS TO
13 CARRY OUT THE PROVISIONS OF THIS SUBTITLE;

14 (2) DEVELOP AND RECOMMEND TO THE BOARD A CODE OF ETHICS FOR
15 THE PRACTICE OF MASSAGE THERAPY FOR ADOPTION BY THE BOARD;

16 (3) DEVELOP AND RECOMMEND TO THE BOARD THE REQUIREMENTS
17 FOR LICENSURE AS A MASSAGE THERAPIST;

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

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

24 (6) EVALUATE EDUCATION PROGRAMS IN MASSAGE THERAPY FOR
25 APPROVAL BY THE BOARD;

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

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

28 8-7A-05.

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

32 (2) THIS SECTION DOES NOT APPLY TO:

33 (I) A STUDENT ENROLLED IN AN APPROVED EDUCATION
34 PROGRAM AS DETERMINED BY THE BOARD WHILE PRACTICING MASSAGE THERAPY
35 IN THAT PROGRAM;

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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 THAT HAS SUBSTANTIALLY SIMILAR
5 REQUIREMENTS FOR AUTHORIZATION TO PRACTICE MASSAGE THERAPY AND THE
6 INDIVIDUAL IS IN THIS STATE FOR NO MORE THAN 7 DAYS; OR

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

11 (III) A FAMILY MEMBER PRACTICING MASSAGE THERAPY ON
12 ANOTHER FAMILY MEMBER;

13 (IV) AN ATHLETIC TRAINER WHILE FUNCTIONING IN THE COURSE
14 OF THE ATHLETIC TRAINER'S PROFESSIONAL CAPACITY; OR

15 (V) AN INDIVIDUAL EMPLOYED BY THE FEDERAL GOVERNMENT
16 TO PRACTICE MASSAGE THERAPY WHILE PRACTICING WITHIN THE SCOPE OF THE
17 INDIVIDUAL'S EMPLOYMENT.

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

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

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

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

26 (F) THE APPLICANT SHALL:

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

30 (I) ANATOMY AND PHYSIOLOGY;

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

32 (III) CONTRAINDICATIONS TO MASSAGE THERAPY; AND

33 (IV) PROFESSIONAL ETHICS; AND

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

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

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

2 (II) PROVIDES EVIDENCE ACCEPTABLE TO THE BOARD THAT THE
3 APPLICANT HAS PRACTICED MASSAGE THERAPY FOR AT LEAST A TOTAL OF 2 YEARS
4 AFTER OCTOBER 1, 1994 AND BEFORE OCTOBER 1, 1999 AND HAS PERFORMED AT
5 LEAST 300 PAID MASSAGE THERAPY SESSIONS; AND

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

8 2. PASSES AN EXAMINATION APPROVED BY THE BOARD.

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

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

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

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

18 (II) PROVIDES ADEQUATE EVIDENCE THAT THE APPLICANT:

19 1. HAS COMPLETED EDUCATIONAL REQUIREMENTS THAT
20 THE BOARD DETERMINES TO BE EQUIVALENT TO THE BOARD APPROVED
21 EDUCATIONAL REQUIREMENTS IN THIS STATE; AND

22 2. AT THE TIME THE APPLICANT BECAME CERTIFIED,
23 REGISTERED, OR LICENSED IN THE OTHER STATE, PASSED IN THAT STATE OR ANY
24 OTHER STATE AN EXAMINATION THAT THE BOARD DETERMINES TO BE
25 EQUIVALENT TO THE EXAMINATION REQUIRED IN THIS STATE; AND

26 3. IS OF GOOD MORAL CHARACTER.

27 8-7A-06.

28 TO APPLY FOR A LICENSE, AN APPLICANT SHALL:

29 (1) SUBMIT TO THE BOARD AN APPLICATION ON THE FORM THAT THE
30 BOARD REQUIRES;

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

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

34 8-7A-07.

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

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1 (B) AT LEAST 1 MONTH BEFORE THE LICENSE EXPIRES, THE BOARD SHALL
2 SEND TO THE LICENSEE, BY FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF
3 THE LICENSEE, A RENEWAL NOTICE THAT STATES:

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

5 (2) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE
6 RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE
7 THE LICENSE EXPIRES; AND

8 (3) THE AMOUNT OF THE RENEWAL FEE.

9 (C) BEFORE A LICENSE EXPIRES, THE LICENSEE PERIODICALLY MAY RENEW
10 IT FOR AN ADDITIONAL TERM, IF THE LICENSEE:

11 (1) OTHERWISE IS ENTITLED TO BE LICENSED;

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

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

15 (D) (1) EACH LICENSEE SHALL NOTIFY THE BOARD IN WRITING OF ANY
16 CHANGE IN THE NAME OR ADDRESS OF THE LICENSEE WITHIN 60 DAYS AFTER THE
17 CHANGE OCCURRED.

18 (2) IF A LICENSEE FAILS TO NOTIFY THE BOARD WITHIN THE TIME
19 REQUIRED UNDER THIS SUBSECTION, SUBJECT TO THE HEARING PROVISIONS OF §
20 8-317 OF THIS TITLE, THE BOARD MAY IMPOSE AN ADMINISTRATIVE PENALTY OF
21 \$100.

22 (E) THE BOARD SHALL RENEW THE LICENSE OF EACH LICENSEE WHO MEETS
23 THE REQUIREMENTS OF THIS SECTION.

24 8-7A-08.

25 (A) SUBJECT TO THE HEARING PROVISIONS OF § 8-317 OF THIS TITLE, THE
26 BOARD MAY DENY A LICENSE TO ANY APPLICANT, REPRIMAND ANY LICENSEE,
27 PLACE ANY LICENSEE ON PROBATION, OR SUSPEND OR REVOKE THE LICENSE OF A
28 LICENSEE IF THE APPLICANT OR LICENSEE:

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

31 (2) FRAUDULENTLY OR DECEPTIVELY USES A LICENSE;

32 (3) IS DISCIPLINED BY A LICENSING OR DISCIPLINARY AUTHORITY OF
33 ANY OTHER STATE OR COUNTRY OR CONVICTED OR DISCIPLINED BY A COURT OF
34 ANY STATE OR COUNTRY FOR AN ACT THAT WOULD BE GROUNDS FOR
35 DISCIPLINARY ACTION UNDER THIS SECTION;

36 (4) IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE TO A
37 FELONY OR TO A CRIME INVOLVING MORAL TURPITUDE, WHETHER OR NOT ANY

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1 APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA
2 SET ASIDE;

3 (5) WILLFULLY AND KNOWINGLY:

4 (I) FILES A FALSE REPORT OR RECORD OF AN INDIVIDUAL
5 UNDER THE CARE OF THE LICENSEE; OR

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

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

11 (7) PROVIDES PROFESSIONAL SERVICES WHILE:

12 (I) UNDER THE INFLUENCE OF ALCOHOL; OR

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

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

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

19 (10) IS PROFESSIONALLY INCOMPETENT;

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

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

22 (13) IS PHYSICALLY OR MENTALLY INCOMPETENT;

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

25 (15) REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES AGAINST
26 AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL SERVICES
27 FOR WHICH THE LICENSEE IS QUALIFIED TO RENDER BECAUSE THE INDIVIDUAL IS
28 HIV POSITIVE;

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

32 (17) IS HABITUALLY INTOXICATED;

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

35 (19) FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION
36 CONDUCTED BY THE BOARD;

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1 (20) ENGAGES IN CONDUCT THAT VIOLATES THE PROFESSIONAL CODE
2 OF ETHICS; OR

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

5 (B) IF, AFTER A HEARING UNDER § 8-317 OF THIS TITLE, THE BOARD FINDS
6 THAT THERE ARE GROUNDS UNDER SUBSECTION (A) OF THIS SECTION TO SUSPEND
7 OR REVOKE A LICENSE TO PRACTICE MASSAGE THERAPY, TO REPRIMAND A
8 LICENSEE, OR PLACE A LICENSEE ON PROBATION, THE BOARD MAY IMPOSE A
9 PENALTY NOT EXCEEDING \$5,000 IN LIEU OF OR IN ADDITION TO SUSPENDING OR
10 REVOKING THE LICENSE, REPRIMANDING THE LICENSEE, OR PLACING THE
11 LICENSEE ON PROBATION.

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

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

17 (D) THE BOARD SHALL FILE A NOTICE FOR PUBLICATION IN THE EARLIEST
18 PUBLICATION OF THE MARYLAND REGISTER OF EACH REVOCATION OR
19 SUSPENSION OF A LICENSE UNDER THIS SECTION WITHIN 24 HOURS OF THE
20 REVOCATION OR SUSPENSION.

21 8-7A-09.

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

25 8-7A-10.

26 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN INDIVIDUAL
27 MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE MASSAGE
28 THERAPY IN THIS STATE UNLESS LICENSED BY THE BOARD.

29 (B) AN INDIVIDUAL WHO IS NOT LICENSED AS A MASSAGE THERAPIST UNDER
30 THIS SUBTITLE MAY NOT ADVERTISE OR CLAIM BY TITLE, ABBREVIATION, SIGN,
31 CARD, OR ANY OTHER REPRESENTATION THAT THE INDIVIDUAL PRACTICES
32 MASSAGE, MASSAGE THERAPY, MYOTHERAPY, OR ANY SYNONYM OR DERIVATION
33 OF THESE TERMS.

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

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

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

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

9 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to Section 4 of
10 this Act, this Act shall take effect October 1, 1997.