

HOUSE BILL 178

Unofficial Copy
J2

1999 Regular Session
9r1282
CF 9r1852

By: **Delegate Hubbard**

Introduced and read first time: January 29, 1999

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations - Massage Therapists**

3 FOR the purpose of altering the definition of "practice massage therapy" to prevent
4 the practice of massage therapy by uncertified persons; expanding the scope of
5 prohibited actions for persons practicing massage therapy without being
6 certified; and generally relating to the practice of massage therapy by
7 uncertified persons.

8 BY repealing and reenacting, with amendments,
9 Article - Health Occupations
10 Section 3-5A-01 and 3-5A-10
11 Annotated Code of Maryland
12 (1994 Replacement Volume and 1998 Supplement)

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

15 **Article - Health Occupations**

16 3-5A-01.

17 (a) In this subtitle the following words have the meanings indicated.

18 (b) "Board" means the State Board of Chiropractic Examiners.

19 (c) "Certificate" means, unless the context requires otherwise, a certificate
20 issued by the Board to practice massage therapy.

21 (d) "Certified massage therapist" means an individual who is certified by the
22 Board to practice massage therapy.

23 (e) "Massage Therapy Advisory Committee" means the Committee established
24 under § 3-5A-04 of this subtitle.

25 (f) (1) "Massage therapy" means the use of manual techniques on soft
26 tissues of the human body including effleurage (stroking), petrissage (kneading),

1 tapotement (tapping), stretching, compression, vibration, and friction, with or
2 without the aid of heat limited to hot packs and heating pads, cold water, or
3 nonlegend topical applications, for the purpose of improving circulation, enhancing
4 muscle relaxation, relieving muscular pain, reducing stress, or promoting health and
5 well-being.

6 (2) "Massage therapy" does not include:

7 (i) The diagnosis or treatment of illness, disease, or injury; or

8 (ii) The adjustment, manipulation, or mobilization of any of the
9 articulations of the osseous structures of the body or spine.

10 (3) The provisions of paragraph (2) of this subsection do not preclude the
11 application of the modalities described in paragraph (1) of this subsection to an
12 individual who has an injury.

13 (g) "Practice massage therapy" means to engage professionally and for
14 compensation in massage therapy [while representing oneself to be a certified
15 massage therapist].

16 3-5A-10.

17 (a) Except as otherwise provided in this subtitle, an individual may not
18 practice, attempt to practice, or offer to practice massage therapy, MASSAGE,
19 MYOTHERAPY, OR ANY SYNONYM OR DERIVATION OF THESE TERMS in this State
20 unless certified by the Board.

21 (b) An individual who is not certified as a certified massage therapist under
22 this subtitle may not advertise or claim by title, abbreviation, sign, card, or any other
23 representation that the individual practices massage, massage therapy, myotherapy,
24 or any synonym or derivation of these terms.

25 (c) Any individual who violates a provision of this subsection is guilty of a
26 misdemeanor and on conviction shall be subject to a fine not exceeding \$5,000 or
27 imprisonment for not more than 1 year, or both.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1999.