

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 289
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “exempting the practice of energy therapy from the definition of “massage therapy” under the law, thereby exempting practitioners of energy therapy from the certification and registration requirements for massage therapists;”; in line 6, strike “and” and substitute “; and altering the exemption for certain individuals working in”; in line 9, after “Section” insert “3-5A-01(g) and”; and after line 14, insert:

“3-5A-01.

(g) (1) “Massage therapy” means the use of manual techniques on soft tissues of the human body including effleurage (stroking), petrissage (kneading), tapotement (tapping), stretching, compression, vibration, and friction, with or without the aid of heat limited to hot packs and heating pads, cold water, or nonlegend topical applications, for the purpose of improving circulation, enhancing muscle relaxation, relieving muscular pain, reducing stress, or promoting health and well-being.

(2) “Massage therapy” does not include:

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

(ii) The adjustment, manipulation, or mobilization of any of the articulations of the osseous structures of the body or spine; OR

(III) THE LAYING ON OF HANDS CONSISTING OF PRESSURE OR MOVEMENT ON A FULLY CLOTHED INDIVIDUAL TO SPECIFICALLY AFFECT THE ELECTROMAGNETIC, ENERGY, OR ENERGETIC FIELD OF THE HUMAN BODY.

(Over)

(3) IN PARAGRAPH (2)(III) OF THIS SUBSECTION, “FULLY CLOTHED” DOES NOT REQUIRE THE WEARING OF FOOTWEAR.

[(3)] (4) The provisions of paragraph (2) of this subsection do not preclude the application of the modalities described in paragraph (1) of this subsection to an individual who has an injury.”.

AMENDMENT NO. 2

On page 2, in line 11, strike “OR”; in line 13, strike the brackets; in the same line, strike the period; in line 17, after “Article;” insert a closing bracket; in line 18, strike “(vii)” and substitute “(VI)”; in the same line, strike “for” and substitute “:

1. FOR”;

and in line 21, strike “.]” and substitute “; AND

2. IN WHICH THE INDIVIDUAL IS PROVIDING COSMETOLOGY AND ESTHETIC SERVICES, INCLUDING THE APPLICATION AND REMOVAL OF SKIN OR SKIN CARE PRODUCTS.”.

AMENDMENT NO. 3

On page 2, in line 23, strike “October” and substitute “June”.