
By: **Delegates Frush and Baldwin**
Introduced and read first time: February 9, 2001
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Chiropractic Examiners - Registration of Energy**
3 **Practitioners**

4 FOR the purpose of requiring the State Board of Chiropractic Examiners to adopt
5 regulations for the registration of energy practitioners; authorizing the Board to
6 set certain fees; establishing an Energy Practitioner Advisory Committee within
7 the Board; specifying the membership, powers, and duties of the Advisory
8 Committee; prohibiting the practice of energy therapy by individuals without a
9 registration by the Board and providing certain exceptions to the prohibition;
10 specifying the qualifications of an individual for registration as an energy
11 practitioner; authorizing the Board to waive certain qualifications for
12 registration as an energy practitioner; providing the requirements for
13 application for registration as an energy practitioner; providing for the issuance
14 and renewal of a certain registration; specifying certain grounds for discipline of
15 a registered energy practitioner; providing that the Board may deny a
16 registration to an applicant, reprimand any registration holder, place any
17 registration holder on probation, or suspend or revoke a registration under
18 certain circumstances; requiring the Board to file a certain notice regarding the
19 discipline of an energy practitioner; providing that this Act does not limit the
20 rights of certain individuals to practice certain occupations; prohibiting certain
21 acts by individuals who are not registered energy practitioners; prohibiting
22 certain acts by registered energy practitioners and their employers; establishing
23 certain penalties; providing for the construction of this Act; defining certain
24 terms; and generally relating to the registration of energy practitioners and the
25 State Board of Chiropractic Examiners.

26 BY adding to
27 Article - Health Occupations
28 Section 3-5B-01 through 3-5B-09 to be under the new subtitle "Subtitle 5B.
29 Registration of Energy Practitioners"
30 Annotated Code of Maryland
31 (2000 Replacement Volume)

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

Article - Health Occupations

SUBTITLE 5B. REGISTRATION OF ENERGY PRACTITIONERS.

3 3-5B-01.

4 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.

6 (B) "BOARD" MEANS THE STATE BOARD OF CHIROPRACTIC EXAMINERS.

7 (C) "ENERGY PRACTITIONER ADVISORY COMMITTEE" MEANS THE COMMITTEE
8 ESTABLISHED UNDER § 3-5B-04 OF THIS SUBTITLE.

9 (D) (1) "ENERGY THERAPY" MEANS THE LAYING OF HANDS ON A CLOTHED
10 INDIVIDUAL TO AFFECT THE HUMAN ENERGY FIELD AND INCLUDES THE
11 FOLLOWING MODALITIES:

12 (I) SHIATSU;

13 (II) POLARITY;

14 (III) REFLEXOLOGY;

15 (IV) REIKI;

16 (V) JIN SHIN JYUTSU;

17 (VI) HEALING TOUCH;

18 (VII) ZERO BALANCING;

19 (VIII) KINESIOLOGY;

20 (IX) BOWEN TECHNIQUE; AND

21 (X) THERAPEUTIC TOUCHING.

22 (2) "ENERGY THERAPY" DOES NOT INCLUDE:

23 (I) THE DIAGNOSIS OR TREATMENT OF ILLNESS, DISEASE, OR
24 INJURY;

25 (II) THE ADJUSTMENT, MANIPULATION, OR MOBILIZATION OF ANY
26 OF THE ARTICULATIONS OF THE OSSEOUS STRUCTURES OF THE BODY OR SPINE; OR

27 (III) MASSAGE THERAPY AS DEFINED IN § 3-5A-01 OF THIS TITLE.

28 (3) THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION DO NOT
29 PRECLUDE THE APPLICATION OF THE MODALITIES DESCRIBED IN PARAGRAPH (1) OF
30 THIS SUBSECTION TO AN INDIVIDUAL WHO HAS AN INJURY.

1 (E) "PRACTICE ENERGY THERAPY" MEANS TO ENGAGE PROFESSIONALLY AND
2 FOR COMPENSATION IN ENERGY THERAPY.

3 (F) "REGISTRATION" MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE, A
4 REGISTRATION ISSUED BY THE BOARD TO PRACTICE ENERGY THERAPY.

5 (G) "REGISTERED ENERGY PRACTITIONER" MEANS AN INDIVIDUAL WHO IS
6 CERTIFIED BY THE BOARD TO PRACTICE ENERGY THERAPY.

7 3-5B-02.

8 THE BOARD SHALL ADOPT REGULATIONS FOR THE REGISTRATION OF ENERGY
9 PRACTITIONERS.

10 3-5B-03.

11 (A) (1) THE BOARD SHALL SET REASONABLE FEES FOR THE ISSUANCE AND
12 RENEWAL OF REGISTRATIONS UNDER THIS SUBTITLE.

13 (2) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
14 APPROXIMATE THE COST OF MAINTAINING THE REGISTRATION PROGRAM.

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

17 (2) THE COMPTROLLER SHALL DISTRIBUTE ALL FEES TO THE STATE
18 BOARD OF CHIROPRACTIC EXAMINERS FUND ESTABLISHED UNDER § 3-206 OF THIS
19 TITLE.

20 (C) THE FEES SHALL BE USED EXCLUSIVELY TO COVER THE ACTUAL
21 DOCUMENTED DIRECT AND INDIRECT COSTS OF FULFILLING THE STATUTORY AND
22 REGULATORY DUTIES OF THE BOARD AS PROVIDED BY THE PROVISIONS OF THIS
23 SUBTITLE.

24 3-5B-04.

25 (A) (1) THERE IS AN ENERGY PRACTITIONER ADVISORY COMMITTEE WITHIN
26 THE BOARD.

27 (2) THE COMMITTEE SHALL CONSIST OF SIX MEMBERS APPOINTED BY
28 THE BOARD.

29 (3) OF THE SIX MEMBERS:

30 (I) TWO SHALL BE LICENSED CHIROPRACTORS; AND

31 (II) FOUR SHALL BE REGISTERED ENERGY PRACTITIONERS.

32 (B) IN ADDITION TO THE POWERS AND DUTIES SET FORTH ELSEWHERE IN
33 THIS SUBTITLE, THE ENERGY PRACTITIONER ADVISORY COMMITTEE SHALL:

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

3 (2) DEVELOP AND RECOMMEND TO THE BOARD A CODE OF CONDUCT
4 AND A CODE OF ETHICS FOR THE PRACTICE OF ENERGY THERAPY FOR ADOPTION BY
5 THE BOARD;

6 (3) DEVELOP AND RECOMMEND TO THE BOARD THE REQUIREMENTS
7 FOR REGISTRATION AS AN ENERGY PRACTITIONER;

8 (4) EVALUATE THE CREDENTIALS OF APPLICANTS AND RECOMMEND TO
9 THE BOARD REGISTRATION OF APPLICANTS WHO FULFILL THE REQUIREMENTS FOR
10 A REGISTRATION TO PRACTICE ENERGY THERAPY;

11 (5) CONSIDER COMPLAINTS BROUGHT TO THE BOARD INVOLVING
12 ENERGY PRACTITIONERS AND RECOMMEND TO THE BOARD THE APPROPRIATE
13 DISCIPLINARY ACTION;

14 (6) EVALUATE ENERGY THERAPY PROGRAMS AND MODALITIES FOR
15 APPROVAL BY THE BOARD;

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

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

18 (C) (1) THE CODE OF CONDUCT DEVELOPED BY THE ENERGY
19 PRACTITIONER ADVISORY COMMITTEE UNDER THIS SECTION SHALL INCLUDE A
20 PROHIBITION OF:

21 (I) EXCEPT FOR FOOTWEAR, ASKING FOR THE REMOVAL OF A
22 CLIENT'S CLOTHING, ENGAGING IN SEXUAL CONTACT WITH A CLIENT, ENGAGING IN
23 CONTACT WITH A CLIENT THAT MAY BE CONSTRUED AS INDECENT, OR ENGAGING IN
24 ANY VERBAL BEHAVIOR THAT IS SEDUCTIVE OR SEXUALLY DEMEANING TO A
25 CLIENT;

26 (II) ADVERTISING THAT IS FALSE, FRAUDULENT, DECEPTIVE, OR
27 MISLEADING;

28 (III) CONDUCT THAT IS LIKELY TO DECEIVE, DEFRAUD, OR HARM
29 THE PUBLIC, OR DEMONSTRATES A WILLFUL OR CARELESS DISREGARD FOR THE
30 HEALTH, SAFETY, OR WELFARE OF A CLIENT; AND

31 (IV) OFFERING MEDICAL DIAGNOSES, PRESCRIBING MEDICINE, OR
32 COUNTERMANDING THE INSTRUCTIONS GIVEN BY ANOTHER HEALTH CARE
33 PRACTITIONER UNLESS THE ENERGY PRACTITIONER IS OTHERWISE QUALIFIED BY
34 LAW TO DO SO.

35 (2) THE CODE OF CONDUCT ADOPTED BY THE ENERGY PRACTITIONER
36 ADVISORY COMMITTEE SHALL REQUIRE AN ENERGY PRACTITIONER TO PROVIDE TO
37 A CLIENT PRIOR TO RENDERING ENERGY THERAPY SERVICES:

1 (I) THE NAME, TITLE, BUSINESS ADDRESS, AND TELEPHONE
2 NUMBER OF THE ENERGY PRACTITIONER;

3 (II) THE DEGREE, TRAINING, EXPERIENCE, OR OTHER
4 QUALIFICATIONS OF THE ENERGY PRACTITIONER REGARDING THE PRACTITIONER'S
5 MODALITY OF ENERGY THERAPY;

6 (III) THE NAME, ADDRESS, AND PHONE NUMBER OF THE ENERGY
7 PRACTITIONER ADVISORY COMMITTEE AND A NOTICE THAT THE CLIENT MAY FILE A
8 COMPLAINT WITH THE ENERGY PRACTITIONER ADVISORY COMMITTEE;

9 (IV) A LIST OF THE ENERGY PRACTITIONER'S FEES PER UNIT OF
10 SERVICE;

11 (V) A BRIEF AND SIMPLE-TO-UNDERSTAND SUMMARY OF THE
12 THEORETICAL APPROACH TO BE USED BY THE ENERGY PRACTITIONER IN
13 PROVIDING ENERGY THERAPY TO THE CLIENT; AND

14 (VI) THE NAME, ADDRESS, AND PHONE NUMBER OF AN
15 APPROPRIATE PROFESSIONAL ORGANIZATION FOR THE MODALITY TO BE USED BY
16 THE ENERGY PRACTITIONER AND A NOTICE THAT THE CLIENT MAY CONTACT THAT
17 ORGANIZATION FOR MORE INFORMATION ABOUT THE MODALITY USED AND THE
18 CREDENTIALS OF PRACTITIONERS IN THAT MODALITY.

19 3-5B-05.

20 (A) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN
21 INDIVIDUAL SHALL BE REGISTERED BY THE BOARD BEFORE THE INDIVIDUAL MAY
22 PRACTICE ENERGY THERAPY IN THIS STATE.

23 (2) THIS SECTION DOES NOT APPLY TO:

24 (I) A STUDENT ENROLLED IN AN APPROVED EDUCATION PROGRAM
25 AS DETERMINED BY THE BOARD WHILE PERFORMING ENERGY THERAPY IN THAT
26 PROGRAM;

27 (II) AN INDIVIDUAL PERMITTED TO PRACTICE ENERGY THERAPY
28 UNDER REGULATIONS ADOPTED BY THE BOARD, IF THE INDIVIDUAL OTHERWISE
29 HAS QUALIFIED TO PRACTICE ENERGY THERAPY IN ANY OTHER STATE OR COUNTRY
30 THAT HAS SUBSTANTIALLY SIMILAR REQUIREMENTS FOR AUTHORIZATION TO
31 PRACTICE ENERGY THERAPY AND THE INDIVIDUAL IS IN THIS STATE FOR NO MORE
32 THAN 7 DAYS; OR

33 (III) A FAMILY MEMBER PRACTICING ENERGY THERAPY ON
34 ANOTHER FAMILY MEMBER.

35 (B) TO QUALIFY FOR REGISTRATION, AN APPLICANT SHALL BE AN
36 INDIVIDUAL WHO:

37 (1) IS OF GOOD MORAL CHARACTER;

- 1 (2) IS AT LEAST 18 YEARS OLD; AND
- 2 (3) IS CERTIFIED BY OR HAS COMPLETED A PROGRAM APPROVED BY:
- 3 (I) THE ASSOCIATED BODYWORK AND MASSAGE PROFESSIONALS
4 (ABMP);
- 5 (II) THE AMERICAN POLARITY THERAPY ASSOCIATION (APTA);
- 6 (III) THE AMERICAN ORIENTAL BODYWORK THERAPY ASSOCIATION
7 (AORTA);
- 8 (IV) THE REFLEXOLOGY ASSOCIATION OF AMERICA;
- 9 (V) THE BOWEN THERAPY ACADEMY;
- 10 (VI) THE ZERO BALANCING ASSOCIATION;
- 11 (VII) HEALING TOUCH INTERNATIONAL;
- 12 (VIII) THE SYNTHESIS CENTER OF SAINT MARY;
- 13 (IX) A PROGRAM APPROVED BY THE BOARD THAT DEMONSTRATES
14 COMPLETION OF REIKI TRAINING LEVELS I AND II; OR
- 15 (X) OTHER ORGANIZATIONS APPROVED BY THE BOARD; OR
- 16 (4) HAS COMPLETED A MINIMUM OF 100 HOURS OF TRAINING APPROVED
17 BY THE BOARD IN THE RELEVANT MODALITY.
- 18 (C) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS
19 SUBSECTION, THE BOARD MAY WAIVE ANY OF THE QUALIFICATIONS REQUIRED FOR
20 REGISTRATION UNDER THIS SUBTITLE FOR AN APPLICANT WHO:
- 21 (I) PAYS THE APPLICATION FEE SET BY THE BOARD; AND
- 22 (II) PROVIDES EVIDENCE ACCEPTABLE TO THE BOARD THAT THE
23 APPLICANT HAS PRACTICED ENERGY THERAPY FOR AT LEAST A TOTAL OF 2 YEARS
24 AFTER OCTOBER 1, 1996 AND BEFORE OCTOBER 1, 2002 AND HAS PERFORMED AT
25 LEAST 200 PAID ENERGY THERAPY SESSIONS.
- 26 (2) THE AUTHORITY OF THE BOARD TO GRANT A WAIVER UNDER THIS
27 SUBSECTION SHALL TERMINATE ON JANUARY 1, 2003.
- 28 (D) (1) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION, THE BOARD
29 MAY WAIVE ANY REQUIREMENT OF THIS SUBTITLE FOR AN APPLICANT WHO IS
30 REGISTERED, CERTIFIED, OR LICENSED TO PRACTICE ENERGY THERAPY IN
31 ANOTHER STATE.
- 32 (2) THE BOARD MAY GRANT A WAIVER UNDER THIS SUBSECTION ONLY
33 IF THE APPLICANT:

- 1 (I) PAYS THE APPLICATION FEE SET BY THE BOARD; AND
- 2 (II) PROVIDES ADEQUATE EVIDENCE THAT THE APPLICANT:
- 3 1. HAS COMPLETED EDUCATIONAL REQUIREMENTS THAT
- 4 THE BOARD DETERMINES TO BE EQUIVALENT TO THE BOARD-APPROVED
- 5 EDUCATIONAL REQUIREMENTS IN THIS STATE; AND
- 6 2. IS OF GOOD MORAL CHARACTER.
- 7 (E) TO APPLY FOR REGISTRATION, AN APPLICANT SHALL:
- 8 (1) SUBMIT TO THE BOARD AN APPLICATION ON THE FORM THAT THE
- 9 BOARD REQUIRES;
- 10 (2) SUBMIT TO THE BOARD EVIDENCE OF COMPLIANCE WITH THE
- 11 REQUIREMENTS OF THIS SECTION; AND
- 12 (3) PAY THE APPLICATION FEE SET BY THE BOARD.
- 13 (F) (1) A REGISTRATION EXPIRES ON THE DATE SET BY THE BOARD, UNLESS
- 14 THE REGISTRATION IS RENEWED FOR A 1-YEAR TERM AS PROVIDED IN THIS
- 15 SECTION.
- 16 (2) AT LEAST 1 MONTH BEFORE THE REGISTRATION EXPIRES, THE
- 17 BOARD SHALL SEND TO THE REGISTRATION HOLDER, BY FIRST CLASS MAIL TO THE
- 18 LAST KNOWN ADDRESS OF THE REGISTRATION HOLDER, A RENEWAL NOTICE THAT
- 19 STATES:
- 20 (I) THE DATE ON WHICH THE CURRENT REGISTRATION EXPIRES;
- 21 (II) THE DATE BY WHICH THE RENEWAL APPLICATION MUST BE
- 22 RECEIVED BY THE BOARD FOR THE RENEWAL TO BE ISSUED AND MAILED BEFORE
- 23 THE REGISTRATION EXPIRES; AND
- 24 (III) THE AMOUNT OF THE RENEWAL FEE.
- 25 (3) BEFORE A REGISTRATION EXPIRES, THE REGISTRATION HOLDER
- 26 PERIODICALLY MAY RENEW IT FOR AN ADDITIONAL TERM, IF THE REGISTRATION
- 27 HOLDER:
- 28 (I) OTHERWISE IS ENTITLED TO BE REGISTERED;
- 29 (II) SUBMITS TO THE BOARD A RENEWAL APPLICATION ON THE
- 30 FORM THAT THE BOARD REQUIRES; AND
- 31 (III) PAYS TO THE BOARD A RENEWAL FEE SET BY THE BOARD.
- 32 (G) (1) EACH REGISTRATION HOLDER SHALL NOTIFY THE BOARD IN
- 33 WRITING OF ANY CHANGE IN THE NAME OR ADDRESS OF THE REGISTRATION
- 34 HOLDER WITHIN 60 DAYS AFTER THE CHANGE OCCURRED.

1 (2) IF A REGISTRATION HOLDER FAILS TO NOTIFY THE BOARD WITHIN
2 THE TIME REQUIRED UNDER THIS SUBSECTION, SUBJECT TO THE HEARING
3 PROVISIONS OF § 3-315 OF THIS TITLE, THE BOARD MAY IMPOSE AN ADMINISTRATIVE
4 PENALTY OF \$100.

5 (H) THE BOARD SHALL RENEW THE REGISTRATION OF EACH REGISTRATION
6 HOLDER WHO MEETS THE REQUIREMENTS OF SUBSECTION (G) OF THIS SECTION.

7 3-5B-06.

8 (A) SUBJECT TO THE HEARING PROVISIONS OF § 3-315 OF THIS TITLE, THE
9 BOARD MAY DENY A REGISTRATION TO ANY APPLICANT, REPRIMAND ANY
10 REGISTRATION HOLDER, PLACE ANY REGISTRATION HOLDER ON PROBATION, OR
11 SUSPEND OR REVOKE THE REGISTRATION OF A REGISTRATION HOLDER IF THE
12 APPLICANT OR REGISTRATION HOLDER:

13 (1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO
14 OBTAIN A REGISTRATION FOR THE APPLICANT OR FOR ANOTHER;

15 (2) FRAUDULENTLY OR DECEPTIVELY USES A REGISTRATION;

16 (3) IS DISCIPLINED BY A LICENSING, CERTIFYING, OR DISCIPLINARY
17 AUTHORITY OF ANY OTHER STATE OR COUNTRY OR CONVICTED OR DISCIPLINED BY
18 A COURT OF ANY STATE OR COUNTRY FOR AN ACT THAT WOULD BE GROUNDS FOR
19 DISCIPLINARY ACTION UNDER THIS SECTION;

20 (4) IS CONVICTED OF OR PLEADS GUILTY OR NOLO CONTENDERE TO A
21 FELONY OR TO A CRIME INVOLVING MORAL TURPITUDE WHETHER OR NOT ANY
22 APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA
23 SET ASIDE;

24 (5) WILLFULLY AND KNOWINGLY:

25 (I) FILES A FALSE REPORT OR RECORD OF AN INDIVIDUAL UNDER
26 THE CARE OF THE REGISTRATION HOLDER; OR

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

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

32 (7) PROVIDES PROFESSIONAL SERVICES WHILE:

33 (I) UNDER THE INFLUENCE OF ALCOHOL; OR

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

1 (8) DOES AN ACT THAT IS INCONSISTENT WITH GENERALLY ACCEPTED
2 PROFESSIONAL STANDARDS IN THE PRACTICE OF ENERGY THERAPY;

3 (9) IS NEGLIGENT IN THE PRACTICE OF ENERGY THERAPY;

4 (10) IS PROFESSIONALLY INCOMPETENT;

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

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

7 (13) IS PHYSICALLY OR MENTALLY INCOMPETENT;

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

10 (15) REFUSES, WITHHOLDS FROM, DENIES, OR DISCRIMINATES AGAINST
11 AN INDIVIDUAL WITH REGARD TO THE PROVISION OF PROFESSIONAL SERVICES FOR
12 WHICH THE REGISTRATION HOLDER IS QUALIFIED TO RENDER BECAUSE THE
13 INDIVIDUAL IS HIV POSITIVE;

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

17 (17) IS HABITUALLY INTOXICATED;

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

20 (19) FAILS TO COOPERATE WITH A LAWFUL INVESTIGATION CONDUCTED
21 BY THE BOARD;

22 (20) ENGAGES IN CONDUCT THAT VIOLATES THE PROFESSIONAL CODE
23 OF CONDUCT OR THE CODE OF ETHICS; OR

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

26 (B) IF, AFTER A HEARING UNDER § 3-315 OF THIS TITLE, THE BOARD FINDS
27 THAT THERE ARE GROUNDS UNDER SUBSECTION (A) OF THIS SECTION TO SUSPEND
28 OR REVOKE REGISTRATION TO PRACTICE ENERGY THERAPY, TO REPRIMAND A
29 REGISTRATION HOLDER, OR PLACE A REGISTRATION HOLDER ON PROBATION, THE
30 BOARD MAY IMPOSE A PENALTY NOT EXCEEDING \$5,000 IN LIEU OF OR IN ADDITION
31 TO SUSPENDING OR REVOKING THE REGISTRATION, REPRIMANDING THE
32 REGISTRATION HOLDER, OR PLACING THE REGISTRATION HOLDER ON PROBATION.

33 (C) (1) AN INDIVIDUAL WHOSE REGISTRATION HAS BEEN SUSPENDED OR
34 REVOKED BY THE BOARD SHALL RETURN THE REGISTRATION TO THE BOARD.

1 (2) IF THE SUSPENDED OR REVOKED REGISTRATION HAS BEEN LOST,
2 THE INDIVIDUAL SHALL FILE WITH THE BOARD A VERIFIED STATEMENT TO THAT
3 EFFECT.

4 (D) THE BOARD SHALL FILE A NOTICE FOR PUBLICATION IN THE EARLIEST
5 PUBLICATION OF THE MARYLAND REGISTER OF EACH REVOCATION OR SUSPENSION
6 OF REGISTRATION UNDER THIS SECTION WITHIN 24 HOURS OF THE REVOCATION OR
7 SUSPENSION.

8 3-5B-07.

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

12 3-5B-08.

13 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN INDIVIDUAL
14 MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE ENERGY
15 THERAPY IN THIS STATE UNLESS REGISTERED BY THE BOARD.

16 (B) AN INDIVIDUAL WHO IS NOT REGISTERED AS A ENERGY PRACTITIONER
17 UNDER THIS SUBTITLE MAY NOT ADVERTISE OR CLAIM BY TITLE, ABBREVIATION,
18 SIGN, CARD, OR ANY OTHER REPRESENTATION THAT THE INDIVIDUAL PRACTICES
19 ENERGY THERAPY.

20 (C) AN INDIVIDUAL WHO IS A REGISTERED ENERGY PRACTITIONER UNDER
21 THIS SUBTITLE OR A BUSINESS ENTITY THAT EMPLOYS REGISTERED ENERGY
22 PRACTITIONERS UNDER THIS SUBTITLE MAY NOT ADVERTISE TO THE PUBLIC THAT
23 THE INDIVIDUAL OR BUSINESS ENTITY PROVIDES HEALTH-RELATED THERAPEUTIC
24 SERVICES.

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

28 3-5B-09.

29 NOTWITHSTANDING THE FACT THAT ENERGY THERAPY SERVICES ARE
30 PROVIDED WITHIN THE SCOPE OF THE PRACTICE OF REGISTERED ENERGY
31 PRACTITIONERS, NOTHING IN THIS SUBTITLE REQUIRES A NONPROFIT HEALTH
32 SERVICE PLAN, INSURER, HEALTH MAINTENANCE ORGANIZATION, OR PERSON
33 ACTING AS A THIRD PARTY ADMINISTRATOR TO REIMBURSE A REGISTERED ENERGY
34 PRACTITIONER FOR ANY ENERGY THERAPY SERVICES RENDERED.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 June 1, 2001.