

**Department of Legislative Services**  
 Maryland General Assembly  
 2001 Session

**FISCAL NOTE**  
**Revised**

Senate Bill 194 (Senators Pinsky and Hafer)

Economic and Environmental Affairs

Environmental Matters

**Massage Therapists - Exemption**

This bill exempts from the definition of massage therapy the practice of techniques that are performed with the recipient fully clothed and are specifically intended to affect the electromagnetic energy or energetic field of the human body.

**Fiscal Summary**

**State Effect:** Board of Chiropractic Examiner special fund revenues could decrease by as much as \$46,600 in FY 2002. Future year reductions reflect biennial certification renewals and a constant number of renewals. No effect on expenditures.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
SF Revenue	(\$46,600)	\$0	(\$46,600)	\$0	(\$46,600)
Expenditure	\$0	\$0	\$0	\$0	\$0
Net Effect	(\$46,600)	\$0	(\$46,600)	\$0	(\$46,600)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** Potential minimal. Small business practitioners that practice one of the alternative therapies exempted by the bill would not be required to seek certification or registration from the Board of Chiropractic Examiners.

**Analysis**

**Current Law:** Massage therapy means the use of manual techniques on soft tissues of the human body including effleurage, petrissage, tapotement, stretching, compression,

vibration, and friction, with or without the aid of heat, 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. Massage therapy does not include the diagnosis or treatment of illness, disease, or injury; nor the adjustment, manipulation, or mobilization of any of the articulations of the osseous structures of the body or spine.

**State Fiscal Effect:** The Board of Chiropractic Examiners currently certifies or registers approximately 1,600 massage therapists and nontherapeutic massage practitioners. The board estimates that of the therapies exempted by the bill, 200-300 certified individuals practice shiatsu and 30-50 certified individuals practice reflexology and would no longer require certification or registration to practice in their respective fields. The Department of Legislative Services advises that many individuals who practice shiatsu and reflexology may also practice therapies that would continue to fall within the practice of massage therapy and therefore would continue to require certification or registration.

Assuming that two-thirds of the upper range (300 and 50) of those practicing shiatsu or reflexology do not also practice massage therapy, up to 200 individuals who practice shiatsu and 33 individuals who practice reflexology would no longer apply for certification (\$200 biennial fee). Accordingly, special fund revenues would decrease by as much as \$46,600 in fiscal 2002. Future year estimates reflect biennial certification renewal.

Removing the specified alternative therapies from the definition of massage therapy could increase the number of complaints to the board of the illegal practice of massage therapy. Any additional complaints are assumed to be minimal and could be handled with existing board resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene (Boards and Commissions), Department of Legislative Services

**Fiscal Note History:** First Reader – February 19, 2001  
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