

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE
Revised

House Bill 289 (Delegate Hubbard)

Environmental Matters

Economic and Environmental Affairs

Health Occupations - Massage Therapists and Non-Therapeutic Massage
Practitioners

This bill repeals one circumstance in which an individual who practices massage therapy or non-therapeutic massage is exempt from certification or registration requirements. An individual who works in a health club must now be certified or registered to practice massage therapy or non-therapeutic massage. The bill clarifies the current exemption for an individual working in a beauty salon, specifying that only an individual who provides cosmetology and esthetic services, including the application and removal of skin or skin care products, is exempt from certification and registration requirements.

Fiscal Summary

State Effect: Potential special fund revenue increase beginning in FY 2002 for the Board of Chiropractors due to increased certification and registration fees. No effect on expenditures.

Local Effect: None.

Small Business Effect: Potential minimal. Small business health clubs or beauty salons would be required to ensure that employees practicing massage therapy or non-therapeutic massage in their business establishments be appropriately certified or registered.

Analysis

Current Law: An individual must be: (1) certified by the Board of Chiropractors to practice massage therapy; or (2) registered by the board to practice non-therapeutic

massage (in a setting that is not a health care facility as required by regulation). The certification and registration requirements do not apply to an individual if the individual is: (1) a student in an approved educational program; (2) otherwise qualified to practice massage therapy in another state and has applied for State certification; (3) a family member practicing massage therapy on another family member; (4) an athletic trainer; (5) employed by the federal government while practicing massage therapy; (6) working for a health club service; or (7) working in a beauty salon.

State Effect: The Board of Chiropractic Examiners currently certifies or registers 1,600 massage therapists and non-therapeutic massage practitioners.

The repeal of the health club exemption could increase board special fund revenues in fiscal 2002 because individuals who work in health clubs would be required to apply for certification or registration and pay the \$200 fee. It is unknown at this time how many individuals may apply for certification or registration. Any increase is assumed to be minimal.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene (Board of Chiropractic Examiners), Department of Legislative Services

Fiscal Note History: First Reader – February 5, 2001
mld/jr Revised – House Third Reader – March 26, 2001
Revised – Enrolled Bill – May 3, 2001

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