

BY: Senator Middleton

AMENDMENTS TO HOUSE BILL NO. 230

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Palm Readers, Fortune Tellers, and Soothsayers” and substitute “Occupations”; in line 3, after “Licensing” insert “, Certification, and Registration”; in line 5, after “County;” insert “providing that it is a misdemeanor for a person to provide a massage or offer to provide a massage to an another person for compensation in Charles County unless the person providing the massage is a certified massage therapist or a registered massage practitioner; authorizing the Board of County Commissioners of Charles County to adopt certain regulations relating to massage establishments and the practice of massage therapists and practitioners in Charles County; requiring the Board of County Commissioners to provide for the director of the Charles County Health Department and the Office of Sheriff for Charles County to enforce certain regulations or ordinances;”; in line 6, strike “the” and substitute “provisions concerning”; strike beginning with “of” in line 6 down through “soothsayers” in line 7 and substitute “and certification of certain occupations”; and after line 12, insert:

“BY repealing and reenacting, with amendments,

Article - Health Occupations

Section 3-5A-11

Annotated Code of Maryland

(2000 Replacement Volume and 2001 Supplement)

BY adding to

Article - Health Occupations

Section 3-5A-14

Annotated Code of Maryland

(2000 Replacement Volume and 2001 Supplement)”.

AMENDMENT NO. 2

(Over)

On page 2, after line 2 insert:

“Article - Health Occupations

3-5A-11.

(a) Except as otherwise provided in this subtitle, an individual may not practice, attempt to practice, or offer to practice massage therapy, massage, myotherapy, or any synonym or derivation of these terms in this State unless certified by the Board.

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

(c) An individual who is a registered massage practitioner under this subtitle or a business entity that employs registered massage practitioners under this subtitle may not advertise to the public that the individual or business entity provides health-related therapeutic massage services.

(d) (1) IN CHARLES COUNTY, AN INDIVIDUAL MAY NOT PERFORM A MASSAGE OR OFFER TO PERFORM A MASSAGE ON ANOTHER PERSON FOR COMPENSATION UNLESS THE INDIVIDUAL WHO PERFORMS THE MASSAGE OR OFFERS TO PERFORM A MASSAGE IS A CERTIFIED MASSAGE THERAPIST OR REGISTERED MASSAGE PRACTITIONER.

(2) A LAW ENFORCEMENT OFFICER IN CHARLES COUNTY MAY DEMAND PROOF OF CERTIFICATION OR REGISTRATION.

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

3-5A-14.

(A) IN CHARLES COUNTY, THE COUNTY COMMISSIONERS MAY ADOPT ORDINANCES OR REGULATIONS RELATING TO MASSAGE ESTABLISHMENTS AND THE PRACTICES OF MASSAGE THERAPISTS, MASSAGE PRACTITIONERS, AND ANY OTHER INDIVIDUALS WHO PROVIDE MASSAGE FOR COMPENSATION.

(B) THE COUNTY COMMISSIONERS SHALL PROVIDE THAT THE DIRECTOR OF THE CHARLES COUNTY HEALTH DEPARTMENT AND THE OFFICE OF THE SHERIFF FOR CHARLES COUNTY HAS THE AUTHORITY TO CARRY OUT THE PROVISIONS OF THE ORDINANCES OR REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS SECTION.”.