

HOUSE BILL 1369
EMERGENCY BILL

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2002 Regular Session
2lr2796

By: Charles County Delegation

Introduced and read first time: February 21, 2002

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Charles County - Massage Therapists and Massage Practitioners**

3 FOR the purpose of providing that it is a misdemeanor for a person to provide a
4 massage or offer to provide a massage to an another person for compensation in
5 Charles County unless the person providing the massage is a certified massage
6 therapist or a registered massage practitioner; authorizing the Board of County
7 Commissioners of Charles County to adopt certain regulations relating to
8 massage establishments and the practice of massage therapists and
9 practitioners in Charles County; requiring the Board of County Commissioners
10 to provide for the director of the Charles County Health Department and the
11 Office of Sheriff for Charles County to enforce certain regulations or ordinances;
12 making this Act an emergency measure; and generally relating to massage
13 therapists and massage practitioners in Charles County.

14 BY repealing and reenacting, with amendments,
15 Article - Health Occupations
16 Section 3-5A-11
17 Annotated Code of Maryland
18 (2000 Replacement Volume and 2001 Supplement)

19 BY adding to
20 Article - Health Occupations
21 Section 3-5A-14
22 Annotated Code of Maryland
23 (2000 Replacement Volume and 2001 Supplement)

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

1

Article - Health Occupations

2 3-5A-11.

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

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

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

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

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

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

26 3-5A-14.

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

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

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
36 measure, is necessary for the immediate preservation of the public health or safety,
37 has been passed by a ye and nay vote supported by three-fifths of all the members
38 elected to each of the two Houses of the General Assembly, and shall take effect from
39 the date it is enacted.

