
By: **Delegate Levy**

Introduced and read first time: February 3, 2005

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2005

CHAPTER _____

1 AN ACT concerning

2 **Message Therapists - Certification and Registration - ~~Out of State~~**
 3 **~~Institutions~~ Educational Qualifications**

4 FOR the purpose of altering the qualifications for a certificate or registration to
 5 practice massage therapy to include ~~certain hours of education completed at~~
 6 ~~certain institutions~~ enrollment and graduation from certain schools on or before
 7 a certain date; and generally relating to the certification and registration of
 8 massage therapists.

9 BY repealing and reenacting, without amendments,
 10 Article - Health Occupations
 11 Section 3-5A-01 and 3-5A-05(c)
 12 Annotated Code of Maryland
 13 (2000 Replacement Volume and 2004 Supplement)

14 BY repealing and reenacting, with amendments,
 15 Article - Health Occupations
 16 Section 3-5A-05(b) ~~and (e)~~
 17 Annotated Code of Maryland
 18 (2000 Replacement Volume and 2004 Supplement)

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

1

Article - Health Occupations

2 3-5A-01.

3 (a) In this subtitle the following words have the meanings indicated.

4 (b) "Board" means the State Board of Chiropractic Examiners.

5 (c) "Certificate" means, unless the context requires otherwise, a certificate
6 issued by the Board to practice massage therapy.7 (d) "Certified massage therapist" means an individual who is certified by the
8 Board to practice massage therapy.9 (e) "Health care facility" has the meaning stated in § 19-114(d) of the Health
10 - General Article.11 (f) "Massage Therapy Advisory Committee" means the Committee established
12 under § 3-5A-04 of this subtitle.13 (g) (1) "Massage therapy" means the use of manual techniques on soft
14 tissues of the human body including effleurage (stroking), petrissage (kneading),
15 tapotement (tapping), stretching, compression, vibration, and friction, with or
16 without the aid of heat limited to hot packs and heating pads, cold water, or
17 nonlegend topical applications, for the purpose of improving circulation, enhancing
18 muscle relaxation, relieving muscular pain, reducing stress, or promoting health and
19 well-being.

20 (2) "Massage therapy" does not include:

21 (i) The diagnosis or treatment of illness, disease, or injury;

22 (ii) The adjustment, manipulation, or mobilization of any of the
23 articulations of the osseous structures of the body or spine; or24 (iii) The laying on of hands, consisting of pressure or movement on a
25 fully clothed individual, to specifically affect the electromagnetic energy or energetic
26 field of the human body.27 (3) In paragraph (2)(iii) of this subsection, "fully clothed" does not
28 require the wearing of footwear.29 (4) The provisions of paragraph (2) of this subsection do not preclude the
30 application of the modalities described in paragraph (1) of this subsection to an
31 individual who has an injury.32 (h) "Practice massage therapy" means to engage professionally and for
33 compensation in massage therapy.34 (i) "Practice non-therapeutic massage" means to engage professionally and
35 for compensation in massage therapy in a setting that is not a health care facility.

1 (j) "Registration" means, unless the context requires otherwise, a registration
2 issued by the Board to practice non-therapeutic massage.

3 (k) "Registered massage practitioner" means an individual who is registered
4 by the Board to practice non-therapeutic massage.

5 3-5A-05.

6 (b) To qualify for a certificate, an applicant shall be an individual who:

7 (1) Is of good moral character;

8 (2) Is at least 18 years old;

9 (3) (I) After January 1, 2002, has satisfactorily completed at least 60
10 credit hours of education at an institution of higher education as defined in § 10-101
11 of the Education Article and:

12 (A) ~~As~~ approved by the Board and the Maryland Higher
13 Education Commission; OR

14 (II) ~~AS APPROVED BY THE STATE BOARD OF EDUCATION IN THE~~
15 ~~STATE IN WHICH THE INSTITUTION IS LOCATED ON OR AFTER MARCH 1, 2004,~~
16 ~~ENROLLED IN A SCHOOL APPROVED BY THE BOARD AT THE TIME OF ENROLLMENT~~
17 ~~AND GRADUATED FROM THAT SCHOOL NO LATER THAN DECEMBER 31, 2004;~~

18 (4) Has completed 500 hours of education in a Board approved program
19 ~~OR IN A PROGRAM APPROVED BY THE STATE BOARD OF EDUCATION IN THE STATE IN~~
20 ~~WHICH THE INSTITUTION IS LOCATED~~ for the study of massage therapy that includes
21 the following areas of content:

22 (i) Anatomy and physiology;

23 (ii) Massage theory, techniques, and practice;

24 (iii) Contraindications to massage therapy; and

25 (iv) Professional ethics; and

26 (5) Has passed an examination approved by the Board.

27 (c) To qualify for registration, an applicant shall be an individual who:

28 (1) Is of good moral character;

29 (2) Is at least 18 years old;

30 (3) Has completed 500 hours of education in a Board approved program
31 ~~OR IN A PROGRAM APPROVED BY THE STATE BOARD OF EDUCATION IN THE STATE IN~~
32 ~~WHICH THE INSTITUTION IS LOCATED~~ for the study of massage therapy that includes
33 the following areas of content:

- 1 (i) Anatomy and physiology;
- 2 (ii) Massage theory, techniques, and practice;
- 3 (iii) Contraindications to massage therapy; and
- 4 (iv) Professional ethics; and
- 5 (4) Has passed an examination approved by the Board.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2005.