

ENROLLED BILL

-- Education, Health, and Environmental Affairs/Health and Government Operations --

Introduced by **Senator Middleton**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Massage 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

1 Section 3-5A-05(b) ~~and (e)~~
2 Annotated Code of Maryland
3 (2000 Replacement Volume and 2004 Supplement)

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

6 **Article - Health Occupations**

7 3-5A-01.

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

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

10 (c) "Certificate" means, unless the context requires otherwise, a certificate
11 issued by the Board to practice massage therapy.

12 (d) "Certified massage therapist" means an individual who is certified by the
13 Board to practice massage therapy.

14 (e) "Health care facility" has the meaning stated in § 19-114(d) of the Health
15 - General Article.

16 (f) "Massage Therapy Advisory Committee" means the Committee established
17 under § 3-5A-04 of this subtitle.

18 (g) (1) "Massage therapy" means the use of manual techniques on soft
19 tissues of the human body including effleurage (stroking), petrissage (kneading),
20 tapotement (tapping), stretching, compression, vibration, and friction, with or
21 without the aid of heat limited to hot packs and heating pads, cold water, or
22 nonlegend topical applications, for the purpose of improving circulation, enhancing
23 muscle relaxation, relieving muscular pain, reducing stress, or promoting health and
24 well-being.

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

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

27 (ii) The adjustment, manipulation, or mobilization of any of the
28 articulations of the osseous structures of the body or spine; or

29 (iii) The laying on of hands, consisting of pressure or movement on a
30 fully clothed individual, to specifically affect the electromagnetic energy or energetic
31 field of the human body.

32 (3) In paragraph (2)(iii) of this subsection, "fully clothed" does not
33 require the wearing of footwear.

1 (4) The provisions of paragraph (2) of this subsection do not preclude the
 2 application of the modalities described in paragraph (1) of this subsection to an
 3 individual who has an injury.

4 (h) "Practice massage therapy" means to engage professionally and for
 5 compensation in massage therapy.

6 (i) "Practice non-therapeutic massage" means to engage professionally and
 7 for compensation in massage therapy in a setting that is not a health care facility.

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

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

12 3-5A-05.

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

14 (1) Is of good moral character;

15 (2) Is at least 18 years old;

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

19 ~~(4)~~ ~~{as} AS~~ approved by the Board and the Maryland Higher
 20 Education Commission; OR

21 (II) ~~AS APPROVED BY THE STATE BOARD OF EDUCATION~~
 22 ~~ACCREDITING AGENCY IN THE STATE IN WHICH THE INSTITUTION IS LOCATED ON~~
 23 ~~OR AFTER MARCH 1, 2004, ENROLLED IN A SCHOOL APPROVED BY THE BOARD AT THE~~
 24 ~~TIME OF ENROLLMENT AND GRADUATED FROM THAT SCHOOL NO LATER THAN~~
 25 ~~DECEMBER 31, 2004;~~

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

30 (i) Anatomy and physiology;

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

32 (iii) Contraindications to massage therapy; and

33 (iv) Professional ethics; and

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

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

2 (1) Is of good moral character;

3 (2) Is at least 18 years old;

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

8 (i) Anatomy and physiology;

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

10 (iii) Contraindications to massage therapy; and

11 (iv) Professional ethics; and

12 (4) Has passed an examination approved by the Board.

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