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By: **Senator Middleton**

Introduced and read first time: February 4, 2005

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 2005

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **Massage Therapists - Certification and Registration - Out-of-State**  
3                                   **Institutions**

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; and generally relating to the certification and registration  
7 of massage therapists.

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

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

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

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

12 (I) [as] AS approved by the Board and the Maryland Higher  
13 Education Commission; OR

14 (II) AS APPROVED BY THE STATE ~~BOARD OF EDUCATION~~  
15 ACCREDITING AGENCY IN THE STATE IN WHICH THE INSTITUTION IS LOCATED;

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

20 (i) Anatomy and physiology;

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

22 (iii) Contraindications to massage therapy; and

23 (iv) Professional ethics; and

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

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

26 (1) Is of good moral character;

27 (2) Is at least 18 years old;

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

32 (i) Anatomy and physiology;

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(ii) Massage theory, techniques, and practice;

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(iii) Contraindications to massage therapy; and

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(iv) Professional ethics; and

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

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SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

6 October 1, 2005.