

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

Senate Bill 915 (Senator Klausmeier)
Education, Health, and Environmental Affairs

Health Occupations - Massage Therapy - Authority to Practice

This bill alters the educational requirements for licensure as a massage therapist by the State Board of Chiropractic and Massage Therapy Examiners. The bill also clarifies terminology by repealing references to the practice of “non-therapeutic massage” and replacing them with the practice of *massage therapy in a setting that is not a health care setting*.

Fiscal Summary

State Effect: None likely. The bill primarily clarifies current law.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: “Health care setting” means the office of a health care provider regulated under the Health Occupations Article or a health care facility. The definition of “registered massage practitioner” is altered to mean an individual who is registered by the board to practice *massage therapy in a setting that is not a health care setting*, and “registration” is altered to mean a registration issued by the board to practice *massage therapy in a setting that is not a health care setting*.

To qualify for a license as a massage therapist, an applicant must complete 600 hours of education in a board-approved program for the study of massage therapy. This program of study must include content in kinesiology.

Current Law: To qualify for a license to practice massage therapy, an applicant must be of good moral character, be 18 or older, complete at least 60 credit hours of education at an institution of higher education, complete 500 hours of education in a board-approved program for the study of massage therapy, and pass an examination approved by the board. A massage therapy program must include the following areas of content: (1) anatomy and physiology; (2) massage theory, techniques, and practice; (3) contraindications to massage therapy; and (4) professional ethics.

To qualify for a registration to practice non-therapeutic massage, an applicant must be of good moral character, be 18 or older, complete 500 hours of education in a board-approved program for the study of massage therapy, and pass an examination approved by the board. A massage therapy program must include the following areas of content: (1) anatomy and physiology; (2) massage theory, techniques, and practice; (3) contraindications to massage therapy; and (4) professional ethics.

Background: Prior to 2008, the board *certified* massage therapists and registered massage practitioners. However, Chapters 242 and 243 of 2008 (SB 960/HB 1563) required massage therapists to be licensed rather than certified.

The regulation of massage therapy in Maryland is differentiated by the setting in which it is practiced. If outside of a health care facility, it is deemed to be non-therapeutic massage, and the individual practicing must be a registered massage practitioner (RMP). Otherwise, a practitioner must be a licensed massage therapist (LMT). RMPs may not practice massage in a health care facility nor may health care providers refer patients to RMPs. Because a massage therapy license offers more flexibility than a registration, most massage therapy practitioners are LMTs. According to the board, as of February 2013, there are 2,721 LMTs and 981 RMPs in Maryland.

The board notes that nearly all accredited massage therapy programs either currently require or will soon require 600 hours of education.

Kinesiology is an academic discipline which involves the study of physical activity and its impact on health, society, and quality of life. At least one of the major examinations used for licensure (the National Certification Examination for Therapeutic Massage & Bodywork) includes content areas in anatomy, physiology, *and kinesiology*.

Additional Comments: The bill does not address how increasing the number of hours required in a massage therapy program may impact LMTs seeking to *renew* their license. Current law specifies that a license may be renewed if the licensee *otherwise is entitled to be licensed*. Thus, a licensee who attended a 500-hour massage therapy program, or a program which did not include kinesiology content, may not technically qualify for renewal.

Additional Information

Prior Introductions: None.

Cross File: HB 818 (Delegate Hubbard) - Health and Government Operations.

Information Source(s): American Kinesiology Association, National Certification Board for Therapeutic Massage & Bodywork, Department of Health and Mental Hygiene, Department of Legislative Services

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