

HOUSE BILL 242

J2, J5, J4

(3lr0364)

ENROLLED BILL

— Health and Government Operations/Finance —

Introduced by **Delegate Bagnall**

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.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Massage Therapy – Definition, Registration, and Reimbursement**

3 FOR the purpose of altering the definition of “massage therapy”; *altering the date after*
4 *which the option to be registered by the State Board of Massage Therapy Examiners*
5 *to practice massage therapy in a setting that is not a health care setting will no longer*
6 *be available*; repealing a provision of law that provides that certain provisions of law
7 do not require a nonprofit health insurance plan, an insurer, a health maintenance
8 organization, or a person acting as a third party administrator to reimburse a
9 licensed massage therapist or registered massage practitioner for any services
10 rendered; and generally relating to the regulation of massage therapists and
11 massage practitioners.

12 BY repealing and reenacting, without amendments,

13 Article – Health Occupations

14 Section 6–101(a) *and 6–301(a)*

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
2 (2021 Replacement Volume and 2022 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Health Occupations
5 Section 6–101(f)(3) *and 6–302(c) and (e)*
6 Annotated Code of Maryland
7 (2021 Replacement Volume and 2022 Supplement)

8 BY repealing
9 Article – Health Occupations
10 Section 6–403
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2022 Supplement)

13 BY repealing and reenacting, with amendments,
14 Chapter 705 of the Acts of the General Assembly of 2022
15 Section 2 and 3

16 BY repealing and reenacting, with amendments,
17 Chapter 706 of the Acts of the General Assembly of 2022
18 Section 2 and 3

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

21 **Article – Health Occupations**

22 6–101.

23 (a) In this title the following words have the meanings indicated.

24 (f) (3) “Massage therapy” does not include:

25 (i) The diagnosis [or treatment] of illness, disease, or injury;

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

28 (iii) Except as provided in paragraph (2) of this subsection, the laying
29 on of hands, consisting of pressure or movement on an individual who is fully clothed,
30 except for footwear, to specifically affect the electromagnetic energy or energetic field of the
31 human body.

32 6–301.

1 (a) Except as otherwise provided in this title, before an individual may practice
2 massage therapy in the State, the individual shall be:

3 (1) On or before October 31, 2026:

4 (i) Licensed by the Board; or

5 (ii) Registered by the Board to practice massage therapy in a setting
6 that is not a health care setting; or

7 (2) On or after November 1, 2026, licensed by the Board.

8 6-302.

9 (c) On or before September 30, [2023] 2024, to qualify to be registered, an
10 applicant shall be an individual who:

11 (1) Is of good moral character;

12 (2) Is at least 18 years old;

13 (3) Has graduated from a program for the study of massage therapy with a
14 curriculum:

15 (i) Approved by the Board;

16 (ii) Endorsed by:

17 1. The Commission on Massage Therapy Accreditation; or

18 2. An equivalent entity that is an accrediting agency or
19 organization that accredits both institutions of higher education and programs offering
20 instruction in massage therapy;

21 (iii) Accredited by an institutional accreditation agency recognized by
22 the United States Department of Education; and

23 (iv) That requires at least 600 contact hours of classroom instruction
24 that includes the following areas of content:

25 1. Anatomy, physiology, and kinesiology;

26 2. Massage therapy theory;

27 3. Contraindications and pathology;

28 4. Professional ethics;

1 5. Health and hygiene;

2 6. Research;

3 7. Supervised hands-on techniques; and

4 8. Clinical assessment and documentation;

5 (4) Has passed an examination approved by the Board; and

6 (5) Submits to a criminal history records check in accordance with § 6-303
7 of this subtitle.

8 (e) On or after October 1, [2023] 2024, the Board may not issue an initial
9 registration to practice as a registered massage practitioner.

10 [6-403.

11 This subtitle does not require a nonprofit health service plan, an insurer, a health
12 maintenance organization, or a person acting as a third party administrator to reimburse
13 a licensed massage therapist or registered massage practitioner for any services rendered
14 even though the services are within the scope of practice of the licensed massage therapist
15 or registered massage practitioner.]

16 **Chapter 705 of the Acts of 2022**

17 SECTION 2. AND BE IT FURTHER ENACTED, That an individual registered by
18 the State Board of Massage Therapy Examiners on October 1, [2023] 2024, shall be
19 considered, in all respects, registered as a registered massage practitioner by the Board and,
20 subject to the provisions of this Act, for the remainder of the term of the individual's
21 registration.

22 SECTION 3. AND BE IT FURTHER ENACTED, That the State Board of Massage
23 Therapy Examiners shall adopt regulations necessary to implement the provisions of Section
24 1 of this Act on or before October 1, [2023] 2024.

25 **Chapter 706 of the Acts of 2022**

26 SECTION 2. AND BE IT FURTHER ENACTED, That an individual registered by
27 the State Board of Massage Therapy Examiners on October 1, [2023] 2024, shall be
28 considered, in all respects, registered as a registered massage practitioner by the Board and,
29 subject to the provisions of this Act, for the remainder of the term of the individual's
30 registration.

1 SECTION 3. AND BE IT FURTHER ENACTED, That the State Board of Massage
2 Therapy Examiners shall adopt regulations necessary to implement the provisions of Section
3 1 of this Act on or before October 1, [2023] 2024.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.