

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 492
Finance

(Senator Beidle)

Health Occupations - Massage Therapy - Advertising

This bill specifies that an advertisement for massage therapy services must include the full name and license or registration number of the licensed massage therapist or registered massage practitioner providing services, with specified exception. A licensed massage therapist, registered massage practitioner, or a third party may not advertise for massage therapy services (1) stating that prostitution, escort, or sexual services are available; (2) on a website known for advertising prostitution, escort, or sexual services; or (3) indicating or implying that sexual activity is part of the massage therapy service. Regulations adopted by the State Board of Massage Therapy Examiners must define specific prohibited language and content for advertising and establish procedures for reporting violations by a licensed massage therapist, registered massage practitioner or member of the public.

Fiscal Summary

State Effect: The State Board of Massage Therapy Examiners can adopt regulations using existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: For an online advertisement, each day on which an advertisement that violates the bill's restrictions is visible to the public constitutes a separate violation. Failure to remove a physical sign or billboard placed in public view that violates the bill's

restrictions constitutes a violation as well. Violations are subject to existing penalty provisions.

Current Law: The board must adopt regulations to establish standards for advertising and soliciting by licensed massage therapists or registered massage practitioners. Mailing notices to patients to inform them of appointment times is not considered advertising or soliciting.

Under Maryland regulations (COMAR 10.65.04.03), an advertisement must state, at a minimum, (1) the licensee or registrant's practice or business name; (2) the licensee or registrant's name; (3) the licensee or registrant's status as a licensee or registrant; and (4) the practice or business address and phone number. An advertisement may not include statements that misrepresent facts, professional qualifications, education, experience, or affiliation, or make representations or implications that the licensee or registrant is willing to provide services that are illegal. A violation of these regulations may result in disciplinary action against the licensee or registrant.

Subject to hearing provisions, the board may deny a license or registration to an applicant, reprimand a licensee or registration holder, place a licensee or registration holder on probation, or suspend or revoke a license or registration if the licensee or registration holder violates any provision of the Maryland Massage Therapy Act (Title 6 of the Health Occupations Article).

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 975 (Delegate Guzzone) - Health.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 8, 2026
caw/jc

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