

**SB 492 FAV MDHTTF + TA.pdf**

Uploaded by: Amanda Rodriguez

Position: FAV



**BILL NUMBER:** SB 492

**TITLE:** Health Occupations - Massage Therapy - Advertising

**COMMITTEE:** Finance

**HEARING DATE:** 2/24/2026

**POSITION:** FAV

TurnAround, Inc. is the designated rape crisis center for Baltimore City and Baltimore County and a comprehensive domestic violence service provider, offering crisis response, survivor-centered advocacy, legal referrals, trauma-informed therapy, and community education. TurnAround also serves as the Regional Navigator for Baltimore County and Howard County, providing specialized services to survivors of human trafficking, and is a member of the Maryland Coalition Against Sexual Assault (MCASA), the Maryland Network Against Domestic Violence (MNADV), and the Maryland Human Trafficking Task Force (MDHTTF).

The Maryland Human Trafficking Task Force Legislative Subcommittee brings together federal, state, and local law enforcement, government agencies, and nongovernmental organizations to identify and support survivors and hold traffickers accountable. Its Legislative Subcommittee—comprised of representatives from law enforcement, victim advocacy organizations, service providers, government entities, and faith-based partners—works to strengthen Maryland’s human trafficking laws, collaborate with legislators, and provide testimony on key legislation each session. On behalf of TurnAround, Inc. and the Maryland Human Trafficking Task Force Legislative Subcommittee, we respectfully submit this testimony in support of Senate Bill 492.

SB 492 strengthens Maryland’s regulatory response to harmful advertising in the massage therapy industry by (1) requiring clear identifying information in massage therapy advertisements and (2) prohibiting licensees and those acting on their behalf from using advertising channels or content that promote or imply prostitution or sexual services. These reforms support survivor safety, assist law enforcement and regulators in distinguishing legitimate providers from fronts for trafficking, and reduce the opportunities for traffickers to exploit loopholes in current law.

SB 492 amends the Health Occupations Article to direct the State Board of Massage Therapy Examiners to adopt regulations that establish standards for advertising or soliciting by licensed massage therapists and registered massage practitioners, define specific prohibited language and content, and create procedures for reporting violations by licensees or members of the public. The

bill requires that, with limited exceptions for multi-practitioner businesses, advertisements for massage therapy services include the full name and license or registration number of the practitioner providing the services. It also prohibits licensed massage therapists, registered massage practitioners, and third parties acting on their behalf from placing or maintaining advertisements that state prostitution, escort, or sexual services are available, that appear on websites known for such advertising, or that otherwise indicate or imply that sexual activity is part of the massage service. Each day that an unlawful online advertisement remains visible constitutes a separate violation, and failure to remove a noncompliant physical sign or billboard also constitutes a violation.

From our direct service experience, we know that traffickers and exploiters routinely use vague or coded “massage” advertisements to market commercial sex, recruit buyers, and conceal the exploitation of both adults and minors. Survivors of human trafficking frequently report that online classifieds and storefront signs promising “full body massage,” “happy endings,” or other sexualized services were used to normalize their exploitation, target vulnerable individuals, and mislead community members into viewing trafficking venues as legitimate businesses. When licensed massage professionals are permitted to advertise in ways that mirror these tactics, or when their advertising cannot be easily linked to an identifiable, accountable practitioner, it becomes harder for survivors to be believed, harder for communities to distinguish legitimate businesses from trafficking operations, and easier for offenders to hide in plain sight.

SB 492 helps close these gaps by requiring transparency and prohibiting explicit and coded sexual advertising within the licensed massage profession. Requiring full names and license or registration numbers in advertisements promotes accountability, facilitates complaints and investigations, and makes it more difficult for bad actors to cycle through aliases or anonymous postings. Prohibiting placement of massage therapy ads on websites known for prostitution and sexual services, and banning language or content that indicates sexual activity is part of the service, directly disrupts a common pathway for trafficking recruitment and buyer solicitation. Clear reporting procedures for licensees and members of the public further empower survivors, neighbors, and ethical practitioners to raise concerns when they see advertising that may be linked to exploitation.

For these reasons, TurnAround, Inc. and the Maryland Human Trafficking Task Force Legislative Subcommittee respectfully urge the Finance Committee to issue a Favorable report on Senate Bill 492.

For further inquiries, please contact Amanda Rodriguez, Esq., Chief Executive Officer, TurnAround, Inc., and Chair, MDHTTF Legislative Subcommittee, at [arodriguez@turnaroundinc.org](mailto:arodriguez@turnaroundinc.org).

**Support of SB0492 HB0975 AMTA MD written.pdf**

Uploaded by: Chelsea Adams-Cook

Position: FAV

**American Massage Therapy Association  
Maryland Chapter**

**Re: SB 492/HB 975 Health Occupations – Massage Therapy – Advertising**

**Position: FAVORABLE**

Dear Chair, Vice Chair, and members of the Committee:

I am a licensed massage therapist in Maryland and currently serve as President of the American Massage Therapy Association – Maryland Chapter, representing professional massage therapists across our state. I am here today in strong support of SB 492 / HB 975.

As licensed massage therapists, we are healthcare professionals dedicated to providing safe and quality care to the public. We complete extensive education, pass national examinations, undergo background checks, and adhere to strict ethical standards. Maintaining the trust of our clients and our communities is foundational to our profession.

Unfortunately, the current statute does not include provisions that protect against the misuse of the word “massage” in the advertisement of prostitution or sexual services. Without clear language in statute, consumers are not protected from harmful advertisements of illicit businesses that aim to undermine the integrity of our profession.

SB 492 / HB 975 establishes clear and enforceable standards for advertising. By prohibiting advertisements that state or imply that prostitution, escort services, sexual services, or sexual activity are part of a massage, this bill provides clarity to the public and law enforcement alike. It draws a firm and necessary line between legitimate massage professions and illicit activity.

Additionally, the requirement that all advertisements include the full licensed name of the massage therapist or registered massage practitioner is a critical transparency measure. This allows consumers to easily verify a practitioner’s credentials through the Maryland State Board of Massage Therapy Examiners’ license lookup system. This simple safeguard empowers the public to confirm they are seeking care from a licensed professional and guards practitioners from inappropriate advances. SB 492 / HB 975 makes it significantly more difficult for unlicensed or illegal operators to conceal their activities.

The AMTA – MD Chapter supports strong, consistent protections to address illicit practices that put practitioners and the public at risk and erode professional credibility. SB 492 / HB 975 is a practical, reasonable, and enforceable step to ensure public safety.

For these reasons, I respectfully urge a favorable report on this bill. Thank you for your time and consideration.

Respectfully submitted,

Chelsea Adams-Cook

**MD SB 492 Comment.pdf**

Uploaded by: Elise Baine

Position: FAV



February 20, 2026

Senator Pamela Beidle, Chair  
Senate Finance Committee  
East Miller Senate Building, Room 3  
Annapolis, MD

**RE: Comment on Senate Bill 492 – Advertising**

Dear Chair Beidle and the members of the Senate Finance Committee,

The Federation of State Massage Therapy Boards (FSMTB®) is a not-for-profit organization with membership comprised of 47 massage therapy licensing boards and agencies in the United States and its territories. Our mission is to support our member boards in their work to ensure that the practice of massage therapy is provided to the public safely and competently. We do this by promoting and supporting public protection and regulatory excellence by providing education, best practices, and sharing the collective wisdom of massage therapy regulators from across the country. **The Maryland Board of Massage Therapy Examiners (Board) is a member of the FSMTB.**

The FSMTB supports the purpose and goals of Senate Bill 492 and urges the Committee to favorably report on this bill.

Prohibiting massage therapists from advertising prostitution, escort, or sexual services would be a beneficial and reasonable requirement mitigating illicit businesses within the massage therapy industry. The provision that would prohibit massage therapy advertisements on websites known for advertising topics of prurient interest, combined with mandating the licensee's full name and license number on advertisements for massage therapy services work together to deter advertising for sexual services and the illicit massage businesses. Such a restriction would also help the consuming public distinguish between illicit sexual services and legitimate massage therapy services.

One proposed amendment or clarification pertains to Sections (E)(2) and (E)(3). Section (E)(2) outlines that each day an **online** advertisement is visible to the public constitutes a separate violation. Section (E)(3) further states that failure to remove non-compliant **physical signs** or billboards is also a violation. However, the daily, separate violation only applies to online advertisements and not physical signage. The legislature may wish to consider an amendment or clarification to make these violations comparable. Different standards for online and physical advertisements may cause confusion and inequitable enforcement without clarification.

Once again, we support efforts to create an inhospitable environment for illicit massage businesses and urge the Committee to support Senate Bill 492.

February 13, 2026

RE: SB 492

Page 2

Thank you for the opportunity to offer comments. Should you have any questions or concerns please feel free to contact the undersigned at [mlpetrine@fsmtb.org](mailto:mlpetrine@fsmtb.org) or 913-681-0380.

Sincerely,

A handwritten signature in blue ink that reads "Mai Lin Petrine". The signature is written in a cursive style.

Mai Lin Petrine, JD

Director of Legal and Regulatory Affairs

**AMTA SB 0492 HB 0975 Support.pdf**

Uploaded by: Jada Thompson

Position: FAV

Dear Chair, Vice Chair, and members of the Committee,

Thank you for the opportunity to express our support of SB 0492/ HB 0975, legislation that strengthens regulatory oversight of provocatively suggestive language in massage therapy advertisements.

We are writing on behalf of the American Massage Therapy Association (AMTA), which represents more than 108,000 members nationwide. AMTA is dedicated to advancing consistent professional licensing standards across all fifty states, promoting public education on the efficacy of massage therapy, upholding professional ethics and standards, and supports the advancement of clinical massage therapy research.

Massage therapy is an integral component of the U.S. health care system and is widely recognized as an effective, non-pharmacological approach to pain management. A substantial body of clinical research supports its efficacy, with endorsements from institutions such as the National Institutes of Health (NIH), the American College of Physicians, the American Academy of Family Medicine, and The Joint Commission. Leading healthcare organizations, including Mayo Clinic, MD Anderson Cancer Center, Duke Integrative Medicine, the Cleveland Clinic, and Memorial Sloan Kettering Cancer Center—have integrated massage therapy into patient care for a range of medical conditions.

Maryland massage therapists are recognized as health care professionals, requiring the advancement of standards that protect both practitioners and the public. The current statute does not include provisions that protect against the misuse of the word “massage” in advertisement of prostitution or sexual services. This gap creates a loophole that enables illicit businesses to misuse the title of licensed health care providers without accountability, putting public safety at risk.


SB 0492/ HB 0975 aims to eliminate that loophole by establishing a system for violation reports and strengthening identification requirements. This bill affirms a clear distinction between legitimate massage professionals and illicit business. Requiring the inclusion of license or registration numbers on advertisements is a crucial transparency measure that reinforces public trust and supports informed consumer decision-making.

Massage therapy advertising laws have been enacted in 18 other states, including Delaware, New Jersey, North Carolina, Florida, and the District of Columbia. By supporting SB 0492/ HB 0975,

### **AMTA Board of Directors**

**President** Cindy E. Farrar | **President-Elect** Rick Greely | **Immediate-Past President** Kimberly Kane-Santos

**Directors** Jaime Bernardo Jr., Heber J. Blackner, Matthew Fecteau, Donald Goodale, Robert C. Jantsch, Jane Horton Johnson, Deb Kilty, Cheryl L. Siniakin, Ph.D., Lee Stang



Maryland aligns with other states committed to strengthening safeguards for massage therapy practitioners and the public.

AMTA remains committed to advancing accountability, professional standards, and public trust within the massage therapy profession. We respectfully urge your support of SB 0492/ HB 0975 to ensure Maryland massage therapists and the public maintain trust in the systems that protect the profession.

Sincerely,



James Specker  
AMTA Senior Director, Government & Industry Relations  
[jspecker@amtamassage.org](mailto:jspecker@amtamassage.org)

# **Letter of Support Massage Therapy--Advertising.pdf**

Uploaded by: Jodi Finkelstein

Position: FAV



**MONTGOMERY COUNTY  
HUMAN TRAFFICKING PREVENTION COMMITTEE**

February 20, 2026

Finance Chair Pamela Beidle and members of the Finance Committee  
3 East Miller Senate Office Building  
Annapolis, MD 21401

RE: SB 492-Health Occupations—Massage Therapy-Advertising

Dear Finance Chair Beidle and members of the Finance Committee,

On behalf of the Montgomery County Human Trafficking Prevention Committee (HTPC), I am writing in strong support of SB 492 Health Occupations—Massage Therapy-Advertising

The mission of the HTPC is to increase understanding of human trafficking and to develop effective strategies for prevention and response. While SB 492 is a straightforward bill, its passage would have significant and far-reaching implications for continuing the professionalization of the massage therapist industry. The bill requires massage therapy ads to clearly list the provider's full name and license or registration number, with limited exceptions. It bans ads that promote or suggest prostitution, escorting, or sexual services, including ads placed on websites known for that content. The bill also requires the State Board of Massage Therapy Examiners to spell out prohibited advertising language and set up a clear process for the public and licensees to report violations.

Illicit massage businesses frequently rely on vague, misleading, or sexually suggestive advertising to mask criminal activity, including labor and sex trafficking. By requiring advertisements to clearly identify the licensed or registered individual providing services—and by prohibiting advertising that references or implies sexual services or appears on websites known for such content—this bill removes a key tool used by traffickers to exploit individuals behind a façade of legitimacy.

Equally important, this legislation reinforces the professionalization of massage therapy. Licensed massage therapists and registered massage practitioners are trained healthcare professionals who adhere to ethical standards and scope-of-practice requirements. Clear advertising rules protect these professionals by distinguishing legitimate, licensed practice from illegal operations that undermine public trust and devalue the profession. Transparency in advertising helps consumers make informed decisions and ensures that legitimate providers are not unfairly associated with criminal enterprises.

The bill's direction to the State Board of Massage Therapy Examiners to define prohibited language and establish reporting procedures further strengthens enforcement while providing clarity and consistency for practitioners and the public alike. This balanced approach supports compliance, accountability, and public safety.



**MONTGOMERY COUNTY  
HUMAN TRAFFICKING PREVENTION COMMITTEE**

**Montgomery County** recently launched the *Look Before You Book* campaign to educate the public about the difference between legally operating and illegal massage and acupuncture businesses. Recent police inspections revealed numerous establishments using sexually suggestive advertising while falsely claiming to employ licensed massage and bodywork professionals.

Passage of SB 492 would put an end to these deceptive practices, strengthening oversight and better protecting the health and safety of both workers and consumers. This bill sends a clear message: massage therapy is a legitimate, regulated profession, and Maryland will not tolerate the misuse of professional credentials to facilitate exploitation. I urge the committee to support its passage.

Sincerely,  
Jodi Finkelstein, MSW  
Executive Director  
Montgomery County Human Trafficking Prevention Committee

# **SB 492 Testimony.pdf**

Uploaded by: Pamela Beidle

Position: FAV

PAMELA G. BEIDLE  
Legislative District 32  
Anne Arundel County

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Chair, Finance Committee

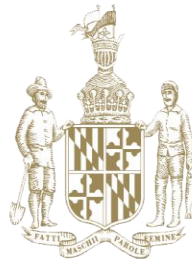
Executive Nominations Committee

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Joint Committee on Gaming Oversight

Joint Committee on Management  
of Public Funds

Spending Affordability Committee



Miller Senate Office Building  
11 Bladen Street, Suite 3 East  
Annapolis, Maryland 21401  
410-841-3593  
800-492-7122 Ext. 3593  
Pamela.Beidle@senate.maryland.gov

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

February 24, 2026

**SB 492**  
**Health Occupations – Massage Therapy – Advertising**

Good afternoon, Vice Chair Hayes and Members of the Committee,

Thank you for the opportunity to present Senate Bill 492, Health Occupations – Massage Therapy - Advertising. SB 492 strengthens state standards for advertisement by licensed massage therapists and registered massage practitioners. It also clarifies the State Board of Massage Therapy Examiners' authority to enforce those standards. This bill aims to address sexually explicit and misleading advertising that undermines legitimate practitioners, confuses the public, and can hide prostitution and human trafficking behind the word "massage."

Under current law, the Board must set standards for advertising and solicitation. However, the statute does not explicitly prohibit ads that offer or imply sexual services as part of massage therapy. This bill amends Health Occupations § 6-401 so that a licensed massage therapist or registered massage practitioner, or any third party acting at their direction, may not place, publish, or distribute an advertisement that states or implies that prostitution, escort, or sexual services are available, or that sexual activity is part of the massage service. Additionally, SB 492 authorizes the Board to adopt regulations and guidance to further define prohibited language and content, establish procedures for licensees, registrants, and the public to report violations, and establish appropriate disciplinary actions. Importantly, the Board will be able to identify and investigate potential violations on its own and communicate enforcement timelines and expectations.

SB 492 addresses all types of advertising media, including print, broadcast, signs, and websites. It also covers both new advertisements and existing advertisements that remain posted after the effective date so that non-compliant ads do not continue to mislead the public. Legitimate massage therapists and practitioners support clear standards that protect health and safety. This bill will further protect the public and the profession, helping to ensure that consumers can readily identify qualified professionals providing lawful massage therapy services.

I respectfully request a "Favorable Report" on SB 492.

**SB 492 FAV MDHTTF + TA.pdf**

Uploaded by: Rachel Sye

Position: FAV



**BILL NUMBER:** SB 492

**TITLE:** Health Occupations - Massage Therapy - Advertising

**COMMITTEE:** Finance

**HEARING DATE:** 2/24/2026

**POSITION:** FAV

TurnAround, Inc. is the designated rape crisis center for Baltimore City and Baltimore County and a comprehensive domestic violence service provider, offering crisis response, survivor-centered advocacy, legal referrals, trauma-informed therapy, and community education. TurnAround also serves as the Regional Navigator for Baltimore County and Howard County, providing specialized services to survivors of human trafficking, and is a member of the Maryland Coalition Against Sexual Assault (MCASA), the Maryland Network Against Domestic Violence (MNADV), and the Maryland Human Trafficking Task Force (MDHTTF).

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SB 492 strengthens Maryland’s regulatory response to harmful advertising in the massage therapy industry by (1) requiring clear identifying information in massage therapy advertisements and (2) prohibiting licensees and those acting on their behalf from using advertising channels or content that promote or imply prostitution or sexual services. These reforms support survivor safety, assist law enforcement and regulators in distinguishing legitimate providers from fronts for trafficking, and reduce the opportunities for traffickers to exploit loopholes in current law.

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bill requires that, with limited exceptions for multi-practitioner businesses, advertisements for massage therapy services include the full name and license or registration number of the practitioner providing the services. It also prohibits licensed massage therapists, registered massage practitioners, and third parties acting on their behalf from placing or maintaining advertisements that state prostitution, escort, or sexual services are available, that appear on websites known for such advertising, or that otherwise indicate or imply that sexual activity is part of the massage service. Each day that an unlawful online advertisement remains visible constitutes a separate violation, and failure to remove a noncompliant physical sign or billboard also constitutes a violation.

From our direct service experience, we know that traffickers and exploiters routinely use vague or coded “massage” advertisements to market commercial sex, recruit buyers, and conceal the exploitation of both adults and minors. Survivors of human trafficking frequently report that online classifieds and storefront signs promising “full body massage,” “happy endings,” or other sexualized services were used to normalize their exploitation, target vulnerable individuals, and mislead community members into viewing trafficking venues as legitimate businesses. When licensed massage professionals are permitted to advertise in ways that mirror these tactics, or when their advertising cannot be easily linked to an identifiable, accountable practitioner, it becomes harder for survivors to be believed, harder for communities to distinguish legitimate businesses from trafficking operations, and easier for offenders to hide in plain sight.

SB 492 helps close these gaps by requiring transparency and prohibiting explicit and coded sexual advertising within the licensed massage profession. Requiring full names and license or registration numbers in advertisements promotes accountability, facilitates complaints and investigations, and makes it more difficult for bad actors to cycle through aliases or anonymous postings. Prohibiting placement of massage therapy ads on websites known for prostitution and sexual services, and banning language or content that indicates sexual activity is part of the service, directly disrupts a common pathway for trafficking recruitment and buyer solicitation. Clear reporting procedures for licensees and members of the public further empower survivors, neighbors, and ethical practitioners to raise concerns when they see advertising that may be linked to exploitation.

For these reasons, TurnAround, Inc. and the Maryland Human Trafficking Task Force Legislative Subcommittee respectfully urge the Finance Committee to issue a Favorable report on Senate Bill 492.

For further inquiries, please contact Amanda Rodriguez, Esq., Chief Executive Officer, TurnAround, Inc., and Chair, MDHTTF Legislative Subcommittee, at [arodriguez@turnaroundinc.org](mailto:arodriguez@turnaroundinc.org).

**SB492 - FIN - BMTE - SWA.docx (1).pdf**

Uploaded by: State of Maryland (MD)

Position: FWA



## DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary

Maryland Board of Massage Therapy Examiners  
4201 Patterson Avenue, Suite 301  
Baltimore, MD 21215

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### 2026 SESSION POSITION PAPER

**BILL NO:** SB 492  
**COMMITTEE:** Finance  
**POSITION:** Support With Amendments

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**TITLE:** Health Occupations - Massage Therapy Examiners - Advertising

**BILL ANALYSIS:** When enacted, this bill will prohibit licensed massage therapists and registered massage practitioners from placing, publishing, or distributing advertisements suggesting the availability of sexual services during or as a part of massage therapy services provided. Additionally, the bill requires licensed massage therapists and registered massage practitioners to include their full names in the advertisement.

**POSITION AND RATIONALE:** The Maryland Board of Massage Therapy Examiners (the “Board”) supports SB 492 with amendments.

SB 492 advances the Board’s core mission to protect the citizens of Maryland by promoting transparency, accountability, and public safety in the practice of massage therapy. The bill prohibits individuals, including licensed massage therapists and registered massage practitioners, from advertising the availability of sexual services in connection with massage therapy and requires that advertisements include the practitioner’s full name. These provisions provide important protection for consumers of massage therapy services.

First, the bill helps educate the public and distinguish legitimate, regulated massage therapy practices from illicit businesses that misrepresent services. Establishments offering sexual services under the guise of massage therapy frequently employ individuals who are not properly trained or licensed, placing consumers at risk of physical harm. Clear advertising standards will help consumers identify lawful practitioners and make informed decisions.

Second, illicit businesses undermine legitimate licensees and registrants by diverting clients and failing to comply with state tax and regulatory requirements. Strengthening advertising requirements supports ethical practitioners who comply with Maryland law and professional standards.

Finally, requiring the inclusion of a practitioner’s full name in advertising will significantly enhance the Board’s investigative and enforcement efforts. The Board periodically receives complaints but is unable to identify the responsible individual because of the use of aliases or names that do not match those on file with the Board. This creates unnecessary delays in investigations and impedes the timely resolution of complaints. Requiring the use of the name under which the license or registration was issued will promote accountability and improve the efficiency of enforcement actions. That said, the bill's formulation of the name inclusion requirement is arbitrary, as it appears to exempt “businesses” that employ others while imposing this requirement on solo practitioners.

To provide statutory clarity, the Board respectfully requests the following friendly amendments:

1. **Strike lines 15–26 on Page 2** and replace with language clarifying that if an advertisement lists the name of a licensed massage therapist or registered massage practitioner, the name displayed must be consistent with the name under which the Board issued the license or registration.
2. **Strike subsection (F) on Page 3** to eliminate a duplicative provision in the bill.

For the stated reasons, the Maryland Board of Massage Therapy Examiners respectfully requests a favorable report on SB 492, with the proposed amendments.

For more information, please contact Sharon J. Oliver, Executive Director at 410-764-5985 or [Sharon.oliver@maryland.gov](mailto:Sharon.oliver@maryland.gov), or Lillian Reese, the legislative liaison for the boards at [443-794-4757](tel:443-794-4757) or at [lillian.reese@maryland.gov](mailto:lillian.reese@maryland.gov).

*The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.*

**message-advertising-bill-Tom-Swiss.pdf**

Uploaded by: Tom Swiss

Position: UNF

# Testimony in opposition to HB0975/SB0492

**EarthTouch Shiatsu**

Asian Bodywork and Massage Therapy  
for body, mind, and spirit

Tom Swiss, Dipl. ABT (NCCAOM), CP (AOBTA), LMT  
2119 Arlonne Dr, Catonsville MD 21228  
tms@EarthTouchShiatsu.com  
443-803-9621 (voice or text)



[www.EarthTouchShiatsu.com](http://www.EarthTouchShiatsu.com)

Tom Swiss, Dipl. ABT (NCBAHM), CP (AOBTA), LMT  
2119 Arlonne Drive  
Catonsville, MD, 21228

Dear Senators and Delegates:

**HB0975 / SB0492** proposes to change the statutes regulating massage therapy advertising. While this bill seems well-intended to prevent sex workers from conflating their work with massage – something every Licensed Massage Therapist (LMT) supports! – it raises serious **privacy and safety concerns** for independent massage therapists, as well as **First Amendment** issues.

LMTs on social media have pointed out how enforcing this bill would require public disclosure of personal information that would actually **enable stalkers**, an important concern for a profession where the majority of practitioners are women. The buffer of a brand name rather than one's own can be an **important personal safety practice**.

It unfairly **discriminates against the micro-businesses of individual practitioners** by putting **differing rules** in place for larger businesses that hire or contract with multiple LMTs.

And it places **unnecessary burdens** on therapists, interfering with their rights to inform the public of the nature of their practice by selecting a name reflective of their values and intent. A hypothetical name like **“Champion Sports Massage” informs potential clients in a way that “John Smith, LMT” does not**. And how many “John Smith, LMT”s are there going to be in Maryland? A small business relies on building a unique brand.

**In today's internet-centric world**, advertising often takes the form of **short bits of text linked to a website**. When placing an ad on Google, a business has only a few words to capture the eye. Making **independent LMTs – but not bigger businesses** – use that space for one's personal name and license number is burdensome and unfair.

**My ads link to my website**. My website uses the **practice name** “EarthTouch Shiatsu and Massage” which was **registered** with the Board of Chiropractic Examiners, the predecessor of the massage therapy board, back when I started practice. Should there be an issue with an ad by “EarthTouch”, the state has the records to link that name with my own name and license number. **There is no need for any name appear in the ad, or for my own name to appear on my website**, when a registered practice name appears on the website linked by the ad.

In my case, as a male LMT in my 50s who is unlikely to be stalked, **I do put my name prominently on my website**. **But my case is not the case of**, for example, a young woman LMT seeking to avoid an abusive ex-partner.

And it would be irrational to put my name in Google text ads where it would **waste limited space I need to communicate to the public** about my services.

This bill also raises **serious First Amendment concerns** by prohibiting LMTs from advertising “on a website known for advertising prostitution services, escort services, or sexual services”.

The only way to administer such a law would be to have the Board of Massage Therapy Examiners start classifying websites. Is Google “a website known for advertising...sexual services”? Is Facebook? Craigslist?

Under Amendment I as applied to the states by Amendment XIV, no state agency can divide websites into “good” and “bad” like that. Even if this were permitted, the Board of Massage Therapy Examiners has neither the training nor qualifications to do such sorting.

For these reasons I urge you to **oppose** this bill.

Thank you for your consideration. I will be happy to answer any questions you may have.

Tom Swiss, Dipl. ABT (NCBAHM), CP (AOBTA), LMT  
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Catonsville, MD, 21228  
tms@EarthTouchShiatsu  
443-803-9621