

# HOUSE BILL 1598

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8lr2847

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By: **Delegate Krebs**

Introduced and read first time: February 9, 2018

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Massage Therapists – Licenses and Registrations – Education and Display**  
3 **Requirements**

4 FOR the purpose of altering the exemption from certain licensure and registration  
5 requirements for certain students enrolled in an approved education program who  
6 practice massage therapy; altering the educational requirements to qualify for a  
7 license to practice massage therapy; altering the educational requirements to qualify  
8 to be registered to practice massage therapy; requiring each holder of a license or  
9 registration to practice massage therapy to display the license or registration and a  
10 certain renewal certificate in a certain location; defining certain terms; and generally  
11 relating to the licensure and registration of massage therapists.

12 BY repealing and reenacting, with amendments,  
13 Article – Health Occupations  
14 Section 6–301 and 6–302  
15 Annotated Code of Maryland  
16 (2014 Replacement Volume and 2017 Supplement)

17 BY adding to  
18 Article – Health Occupations  
19 Section 6–306.1  
20 Annotated Code of Maryland  
21 (2014 Replacement Volume and 2017 Supplement)

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

24 **Article – Health Occupations**

25 6–301.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) Except as otherwise provided in this title, an individual shall be:

(1) Licensed by the Board before the individual may practice massage therapy in the State; or

(2) Registered by the Board before the individual may practice massage therapy in a setting that is not a health care setting in the State.

(b) This section does not apply to:

(1) A student **OF MASSAGE THERAPY** enrolled in an approved education program [as determined by the Board while practicing massage therapy in the State] **FOR MASSAGE THERAPY WHO PRACTICES MASSAGE THERAPY, WITHOUT COMPENSATION, TIPS, OR BARTERING, AS A REQUIRED COMPONENT OF THE COURSE OF STUDY;**

(2) An individual permitted to practice massage therapy under regulations adopted by the Board, if the individual otherwise has qualified to practice massage therapy in any other state or country that has substantially similar requirements for authorization to practice massage therapy and the individual is in the State for no more than 7 days;

(3) A family member practicing massage therapy on another family member;

(4) An athletic trainer while functioning in the course of the athletic trainer's professional capacity;

(5) An individual employed by the federal government to practice massage therapy while practicing within the scope of the individual's employment; or

(6) An individual working in a beauty salon:

(i) For which the person who operates the beauty salon has obtained a permit from the State Board of Cosmetology as required under § 5-501 of the Business Occupations and Professions Article; and

(ii) In which the individual is providing cosmetology and esthetic services, including the application and removal of skin or skin care products.

6-302.

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "CONTACT HOUR" MEANS A SINGLE PERIOD OF 50 MINUTES DURING WHICH A STUDENT RECEIVES DIRECT OR SUPERVISED FACULTY INSTRUCTION IN AN ACADEMIC COURSE OR THROUGH OTHER EDUCATIONAL**

1 **ACTIVITIES, INCLUDING LABORATORY WORK OR PRACTICUM.**

2 **(3) "CREDIT HOUR" MEANS CREDIT AWARDED BY AN INSTITUTION OF**  
3 **HIGHER EDUCATION FOR THE SUCCESSFUL COMPLETION OF AT LEAST 15 CONTACT**  
4 **HOURS PER SEMESTER OF COURSEWORK OR OTHER EDUCATIONAL ACTIVITIES.**

5 **[(a)] (B)** To qualify for a license, an applicant shall be an individual who:

6 (1) Is of good moral character;

7 (2) Is at least 18 years old;

8 (3) Has [satisfactorily completed]:

9 (i) [At least 60 credit hours of education at] **BEEN AWARDED AN**  
10 **ASSOCIATE OF APPLIED SCIENCE IN MASSAGE THERAPY FROM** an institution of  
11 higher education, as defined in § 10–101 of the Education Article, [and] as approved by the  
12 Board and the Maryland Higher Education Commission, [of which a minimum of 24 credit  
13 hours shall have been in basic and applied science courses related to health care] **AND**  
14 **ACCREDITED BY AN ACCREDITING AGENCY OR ORGANIZATION THAT ACCREDITS**  
15 **BOTH INSTITUTIONS OF HIGHER EDUCATION AND PROGRAMS OFFERING**  
16 **INSTRUCTION IN MASSAGE THERAPY AND BODYWORK, THAT INCLUDES AT LEAST**  
17 **750 CONTACT HOURS OF CLASSROOM INSTRUCTION; or**

18 (ii) **SUCCESSFULLY COMPLETED:**

19 1. At least 60 credit hours of education at an institution of  
20 higher education, as defined in § 10–101 of the Education Article, and as approved by the  
21 Maryland Higher Education Commission; and

22 2. 24 **CREDIT** hours **OR 360 CONTACT HOURS** of advanced  
23 massage therapy continuing education as approved by the Board in basic and applied  
24 science courses related to health care, **INCLUDING AT LEAST 25 HOURS OF SUPERVISED**  
25 **CLINICAL EXPERIENCE IN A HEALTH CARE FACILITY;**

26 (4) Has completed [600] **750 CONTACT** hours of education in a  
27 Board–approved program for the study of massage therapy that includes the following  
28 areas of content:

29 (i) Anatomy, physiology, and kinesiology;

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

31 (iii) Contraindications to massage therapy; [and]

1 (iv) Professional ethics; AND

2 (v) **PATHOLOGY AND RESEARCH;**

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

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

6 **[(b)] (C)** To qualify to be registered, an applicant shall be an individual who:

7 (1) Is of good moral character;

8 (2) Is at least 18 years old;

9 (3) Has **SUCCESSFULLY** completed **A PROGRAM FOR THE STUDY OF**  
10 **MASSAGE THERAPY:**

11 (i) **THAT HAS BEEN APPROVED BY THE MARYLAND HIGHER**  
12 **EDUCATION COMMISSION AND ACCREDITED BY AN ACCREDITING AGENCY OR**  
13 **ORGANIZATION THAT ACCREDITS BOTH INSTITUTIONS OF HIGHER EDUCATION AND**  
14 **PROGRAMS OFFERING INSTRUCTION IN MASSAGE THERAPY AND BODYWORK; OR**

15 (ii) **THAT HAS BEEN APPROVED BY THE BOARD AND THE**  
16 **MARYLAND HIGHER EDUCATION COMMISSION AND THAT REQUIRES AT LEAST 600**  
17 **CONTACT** hours of [education in a Board–approved program for the study of massage  
18 therapy] **CLASSROOM INSTRUCTION** that includes the following areas of content:

19 [(i)] 1. Anatomy, physiology, and kinesiology;

20 [(ii)] 2. Massage theory, techniques, and practice;

21 [(iii)] 3. Contraindications to massage therapy; and

22 [(iv)] 4. Professional ethics;

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

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

26 **[(c)] (D)** (1) Subject to paragraph (2) of this subsection, the Board may waive  
27 any requirement of this subtitle for an applicant who is licensed, certified, or registered to  
28 practice massage therapy in another state.

1                   (2)     The Board may grant a waiver under paragraph (1) of this subsection  
2 only if the applicant:

3                   (i)     Pays the application fee set by the Board; and

4                   (ii)    Provides adequate evidence that the applicant:

5                           1.     Has completed educational requirements that the Board  
6 determines to be equivalent to the Board–approved educational requirements in this State;

7                           2.     At the time the applicant became licensed, certified, or  
8 registered in the other state, passed in that state or any other state an examination that  
9 the Board determines to be equivalent to the examination required in this State; and

10                           3.     Is of good moral character.

11 **6–306.1.**

12                   **EACH HOLDER OF A LICENSE OR REGISTRATION TO PRACTICE MASSAGE**  
13 **THERAPY SHALL DISPLAY THE LICENSE OR REGISTRATION AND ANY CURRENT**  
14 **RENEWAL CERTIFICATE CONSPICUOUSLY IN THE OFFICE WHERE THE HOLDER IS**  
15 **ENGAGED IN PRACTICE, INCLUDING ANY TEMPORARY PRACTICE LOCATION.**

16                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2018.