

# SENATE BILL 554

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By: **Senator Pinsky**

Introduced and read first time: February 4, 2019

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Massage Therapy Examiners – Massage Therapists – Authority to**  
3 **Regulate**

4 FOR the purpose of authorizing county executives and governing bodies of counties, after  
5 consultation with the State Board of Massage Therapy Examiners, to adopt certain  
6 ordinances or regulations; repealing the authority of certain county commissioners  
7 to adopt certain ordinances or regulations; authorizing certain health officers and  
8 local law enforcement to carry out certain provisions of law; altering the scope of a  
9 prohibition against the performance or offer of performance of a massage for  
10 compensation except under certain circumstances; authorizing law enforcement  
11 officers to demand proof of licensure or registration; and generally relating to the  
12 practice of massage therapy.

13 BY repealing and reenacting, with amendments,  
14 Article – Health Occupations  
15 Section 6–405 and 6–502  
16 Annotated Code of Maryland  
17 (2014 Replacement Volume and 2018 Supplement)

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

20 **Article – Health Occupations**

21 6–405.

22 (a) [(1) In Charles County and Washington County, the county commissioners]  
23 **AFTER CONSULTATION WITH THE BOARD, THE COUNTY EXECUTIVE OR ANY**  
24 **GOVERNING BODY OF A COUNTY** may adopt ordinances or regulations relating to  
25 massage establishments and [the practices of massage therapists, massage practitioners,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 and any other individuals who provide massage for compensation.

2 (2) In Anne Arundel County and Howard County, after consultation with  
3 the Board, the governing body may adopt ordinances or regulations relating to] verification,  
4 inspection, and display of licenses issued under this subtitle.

5 [(b) (1) The Charles County Commissioners shall provide that the Director of  
6 the Charles County Health Department and the Office of the Sheriff for Charles County  
7 have the authority to carry out the provisions of the ordinances or regulations adopted  
8 under subsection (a) of this section.

9 (2) The Washington County Commissioners shall provide that the  
10 Washington County Health Officer and the Office of the Sheriff for Washington County  
11 have the authority to carry out the provisions of the ordinances or regulations adopted  
12 under subsection (a) of this section.

13 (3) The governing body of Howard County shall provide that the Howard  
14 County Health Officer and the Howard County Police Department have the authority to  
15 carry out the provisions of the ordinances or regulations adopted under subsection (a) of  
16 this section.

17 (4) The governing body of Anne Arundel County shall provide that the  
18 Anne Arundel County Health Officer and the Anne Arundel County Police Department  
19 have the authority to carry out the provisions of the ordinances or regulations adopted  
20 under subsection (a) of this section.]

21 **(B) LOCAL HEALTH OFFICERS AND LOCAL LAW ENFORCEMENT HAVE THE**  
22 **AUTHORITY TO CARRY OUT THE PROVISIONS OF THE ORDINANCES OR REGULATIONS**  
23 **ADOPTED UNDER SUBSECTION (A) OF THIS SECTION.**

24 6-502.

25 (a) An individual who is not a licensed massage therapist or registered massage  
26 practitioner under this title may not advertise or claim by title, abbreviation, sign, card, or  
27 any other representation that the individual practices massage, massage therapy,  
28 myotherapy, or any synonym or derivation of these terms.

29 (b) An individual who is a registered massage practitioner under this title, or a  
30 business entity that employs an individual who is a registered massage practitioner under  
31 this title, may not advertise to the public that the individual or business entity provides  
32 health-related therapeutic massage services.

33 (c) Unless authorized to practice under this title, a person may not use the title  
34 "massage therapist", "MT", "licensed massage therapist", "LMT", "massage practitioner",  
35 "MP", "registered massage practitioner", or "RMP", or any other term or title with the intent  
36 to represent that the person practices massage therapy.

1           (d)   (1)   [In Charles County and Washington County, an] **AN** individual may  
2 not perform a massage or offer to perform a massage on another individual for  
3 compensation unless the individual who performs the massage or offers to perform a  
4 massage is a licensed massage therapist or registered massage practitioner.

5                   (2)   A law enforcement officer [in Charles County or Washington County]  
6 may demand proof of licensure or registration.

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
8 1, 2019.