

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 256

(Chair, Health and Government Operations
Committee)(By Request - Departmental - Health)

Health and Government Operations

Finance

Health Occupations Boards - Membership Alteration and Sunset Extensions

This departmental bill extends the termination dates for the State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists and the State Board of Massage Therapy Examiners by five years to July 1, 2031, subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act (MPEA). The termination date for the State Board of Pharmacy is extended by five years to July 1, 2030, and the termination date for the State Board of Professional Counselors and Therapists (including the Behavior Analyst Advisory Committee) is extended by two years to July 1, 2028, both subject to MPEA. The bill also increases the membership of the State Board of Massage Therapy Examiners from seven to nine members, adding one additional licensed massage therapist and one additional consumer. **The bill takes effect June 1, 2025.**

Fiscal Summary

State Effect: No effect in FY 2025. Special fund revenues and expenditures are maintained through FY 2028 for the State Board of Professional Counselors and Therapists; through FY 2030 for the State Board of Pharmacy; and through FY 2031 for the State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists and the State Board of Massage Therapy Examiners. Beginning in FY 2026, special fund expenditures for the State Board of Massage Therapy Examiners increase by \$3,500 annually for additional board member per diems.

Local Effect: None.

Small Business Effect: The Maryland Department of Health (MDH) has determined that this bill has minimal or no impact on small business (attached). The Department of

Legislative Services (DLS) concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

Analysis

Current Law/Background:

State Board of Massage Therapy Examiners

The State Board of Massage Therapy Examiners is responsible for maintaining a roster of licensed massage therapists and assisting in prosecutions and investigations related to massage therapy, among other duties. The board currently consists of seven members – five licensed massage therapists and two consumer members.

State Board of Professional Counselors and Therapists

The State Board of Professional Counselors and Therapists licenses and certifies professional counselors, alcohol and drug counselors, marriage and family therapists, professional art therapists, and behavior analysts; receives and resolves complaints; and sets standards for the practice of counseling and therapy.

The Behavior Analyst Advisory Committee is charged with developing and recommending to the board regulations, a code of ethics, requirements for licensure as a behavior analyst, and continuing education requirements for license renewal, as well as providing the board with recommendations concerning the practice of behavior analysis.

State Board of Pharmacy

The State Board of Pharmacy regulates the practice of pharmacy by licensing pharmacists, registering pharmacy technicians, issuing permits to individuals to establish or operate pharmacies in the State, setting pharmacy practice standards, and developing and enforcing laws and regulations to protect the public.

State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists

The State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists is responsible for licensing individuals who provide hearing aid services, practice audiology, practice speech-language pathology, or practice music therapy in Maryland.

Maryland Program Evaluation Act

The State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists; the State Board of Professional Counselors and Therapists (and the Behavior Analyst Advisory Committee); the State Board of Massage Therapy Examiners; and the State Board of Pharmacy are 5 of approximately 60 regulatory entities and activities subject to termination unless reauthorized periodically through statute. Under MPEA, these entities may also be subject to an evaluation by the Office of Program Evaluation and Government Accountability (OPEGA) within DLS prior to their termination. However, OPEGA may conduct an evaluation only if directed by specified entities or by legislation.

The State Board of Pharmacy is scheduled to terminate July 1, 2025, while the other three boards and the advisory committee are scheduled to terminate July 1, 2026. OPEGA was not asked to conduct an evaluation prior to their termination. Accordingly, MDH has requested reauthorizing legislation.

Additional Information

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

Designated Cross File: SB 217 (Chair, Finance Committee)(By Request - Departmental - Health) - Finance.

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

Fiscal Note History: First Reader - January 13, 2025
km/jc Third Reader - March 13, 2025
Revised - Amendment(s) - March 13, 2025

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Health Occupations Boards - Membership Alterations and Sunset Extensions

BILL NUMBER: HB 256

PREPARED BY: Office of Governmental Affairs

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposal has no economic impact.