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Position: FAV



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

Board of Massage Therapy Examiners
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**2021 SESSION
POSITION PAPER**

BILL NO: SB 745
COMMITTEE: Education, Health, and Environmental Affairs
POSITION: Support

TITLE: Health Occupations – State Board of Massage Therapy Examiners – Revisions

BILL ANALYSIS: This bill requires applicants for a massage license or registration by the State Board of Massage Therapy Examiners (the “Board”) to complete a massage therapy curriculum endorsed by the Commission on Massage Therapy (“COMTA”) or an equivalent entity; reduces the number of sets of fingerprints an applicant for licensure or registration by the Board is required to submit to the Criminal Justice Information System Central Repository to obtain a criminal history records check; requires the Central Repository to provide the Board with supplemental statements when additional information is reported after the date of the initial criminal history records checks for applicants for licensure or registration by the Board (referred to as “RAP Back”); requires the Board to place license and registration on inactive status and to reactivate said license and registration under certain circumstances; altering a ground for disciplinary action; repeals the law that allows insurance provider and other third parties to deny payments to a licensed massage therapist or registered massage practitioner for services rendered; and clarifies language in the definition of massage therapy.

POSITION AND RATIONALE: The State Board of Massage Therapy Examiners supports SB 745. This bill ensures the protection of the public by establishing a uniform minimum teaching standard for all Massage Therapy Education programs in the State. The COMTA endorsed curriculum ensures active Licensed Massage Therapists or Registered Massage Practitioners teaching those programs meet minimum experience and educational qualifications to be instructors. In so doing, disparities between training programs offered to students are significantly reduced.

Current statute does not provide a pathway for Licensed Massage Therapists or Registered Massage Practitioners who have spent some time away from the profession to return without having to start over and meet licensing requirements. One mission of the Board is to protect the public against therapists and practitioners with questionable character. Presently, licensees and registrants need only report their criminal history at initial application and during the biennial renewal cycle. RAP Back requires that the Board to be notified of any infraction of the law any

time after an individual is initially licensed or registered. Within the past five years, forty-five individuals self-reported during the renewal cycle. Between 2018 and the present, the Board became aware of five cases involving prostitution, sexual misconduct and assault through law enforcement or the news media. With the availability of the RAP Back program, the Board would be in a better position to initiate investigations and take appropriate disciplinary actions to protect the public with timely information of these violations of the Massage Act.

Finally, the Board strongly supports educating the public about massage. Using simple, clarifying language in the definition of “massage therapy” eliminates confusion and perception on what massage is or is not.

For these reasons, the Maryland Board of Massage Therapy Examiners requests a favorable report on SB 745. If you would like to discuss this further, please contact Caitlin Thompson, Board Chair, at 410-370-2789, caitlin.thompson@maryland.gov. In addition, the Board’s Executive Director, Ms. Sharon Oliver, may be reached at 410-764-5985, sharon.oliver@maryland.gov.

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

SB745_SenElfreth_FAV.pdf

Uploaded by: Elfreth, Sarah

Position: FAV

SENATOR SARAH ELFRETH
Legislative District 30
Anne Arundel County

Budget and Taxation Committee

Subcommittees

Education, Business and Administration

Chair, Pensions

Senate Chair

Joint Committee on Administrative,
Executive, and Legislative Review

Joint Committee on the Chesapeake and
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 2, 2021

Testimony in Favor of SB745
Health Occupations - State Board of Massage Therapy Examiners - Revisions

Chairman Pinsky, Vice-Chair Kagan, and members of the Education, Health, and Environmental Affairs Committee:

I respectfully request a favorable report of Senate Bill 745 to update Maryland law to:

1. Standardize the curriculum for massage students across the State;
2. Modernize the criminal background check process;
3. Remove outdated terms such as: effleurage, petrissage, tapotement, laying of hands - and replaces these terms with clear language: stroking, kneading, tapping, and hands on application, respectively;
4. Replace the CDC guidelines on universal precautions with the correctly named CDC guidelines on standard precautions;
5. Eliminate unnecessary language regarding insurance coverage.

The two biggest changes this legislation will make, as requested by the State Board of Massage Therapy Examiners, are on the curriculum and criminal background check process, numbers 1 and 2 above.

Standardizing the curriculum to the Commission on Massage Therapy Accreditation (COMTA) endorsed curriculum will bring a higher level and more consistent standards to all massage therapy training courses. This curriculum, or very similar guidelines, are already being used by most community colleges and will ensure that students are adequately prepared for their future career and the Maryland Board is assured that their education has properly prepared them.

Modernizing the criminal background check process by adding the Board of Massage Therapy Examiners to the Criminal Justice Information System Central Repository will match what the Health Occupation Boards for audiology, speech language pathologists, occupational therapists and many more have already done. Additionally it will give the Board of Massage Therapy Examiners the tools they need to more appropriately investigate and take action on criminal activity.

Today you will hear directly from the Board as well as from the Maryland Chapter of the American Massage Therapy Association. Once again I respectfully request a favorable report of Senate Bill 745.=

SB745_AmericanMassageTherapyAssociation.pdf

Uploaded by: Mitchell, Amelia

Position: FAV



February 26, 2021

Maryland Senate Education, Health, and Environmental Affairs Committee

Dear Senator Pinsky and Committee Members,

As a representative of the American Massage Therapy Association, Maryland Chapter, we are asking for your support of **SB745 Health Occupations – State Board of Massage Therapy Examiners – Revisions**.

The Maryland Department of Health has licensed or registered those who practice massage therapy for over 20 years with over 4000 professionals currently in in practice. During that time, language, technology, and information access has shifted dramatically.

This legislation is an update to the massage therapy practice act. It modernizes the criminal background check process, standardizes higher education massage curriculum standards statewide, and gives the board authority to create an ‘inactive status,’ making it easier for massage therapists to return to practice after time away from the profession.

The bill makes several technical changes including a variety of language updates to bring the massage therapy practice act in line with modern-day practices and education. These changes:

- Remove outdated terms (effleurage, petrissage, tapotement, laying of hands) and replaces them with clear language (stroking, kneading, tapping, hands on application).
- Eliminates unnecessary language regarding insurance coverage, and
- For communicable disease precautions it replaces the CDC’s guidelines on universal precautions with the correct and current CDC guidelines on standard precautions.

This bill makes two major changes.

First, it creates a standard for massage education curriculums throughout the state, with the Commission on Massage Therapy Accreditation (COMTA) endorsed curriculum. COMTA is nationally recognized as the organization qualified to create this specialized national standard for Massage Therapy education programs. Requiring COMTA Endorsed Curriculum of all Massage Schools will bring a higher level and more consistent standards to all the Massage Therapy training programs. Future massage students will be assured of a more consistent education that adequately prepares them for their new career, while the Maryland Board knows that their education has met their requirements for the safety of the public. Most community colleges already use COMTA or similar guidelines for their curriculum standards to ensure students are prepared to pass their licensing exams and enter practice.

Second, it modernizes the criminal background check process for massage therapists.

Many Maryland health occupations boards use the Criminal Justice Information System Central Repository to receive information about changes criminal history. This legislation adds the Maryland Board of Massage Therapy Examiners (MBMTE) to the system. Today, licensed massage therapists and registered massage practitioners update their licensure every two years. During the bi-annual update, they're required to self-report criminal activity. Criminal activity can also be reported by a third party. By adding the MBMTE to the Central Repository, the licensing board for the massage therapists will be notified more frequently than every two years, and as a result will be able to investigate and take action.

The health occupations boards for audiology, speech language pathologists, nursing administrators, chiropractic, nursing, occupational therapists, physicians, professional counselors, and social workers have already made this change.

Although there is an impact to about half of the LMTs and RMPs, who would be required to get new fingerprints to comply with the law, the American Massage Therapy Association, Maryland Chapter supports the change. The burden of time and expense that is reasonable in relation to the benefits of the new system for the State Board and their responsibility to protect the public.

Thank you for your time and attention to this legislation. We would appreciate your support of SB745.

Kind regards,

A handwritten signature in black ink, appearing to read 'Amelia Mitchell', with a stylized, cursive script.

Amelia Mitchell, LMT, LLCC, BCTMB
Board Member and Government Relations Chair,
American Massage Therapy Association, Maryland Chapter
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