



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: HB 1039
COMMITTEE: Health and Government Operations
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 HB 1039. 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 HB 1039. 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.