

Chapter 329

(House Bill 242)

AN ACT concerning

Massage Therapy – Definition, Registration, and Reimbursement

FOR the purpose of altering the definition of “massage therapy”; altering the date after which the option to be registered by the State Board of Massage Therapy Examiners to practice massage therapy in a setting that is not a health care setting will no longer be available; repealing a provision of law that provides that certain provisions of law do not require a nonprofit health insurance plan, an insurer, a health maintenance organization, or a person acting as a third party administrator to reimburse a licensed massage therapist or registered massage practitioner for any services rendered; and generally relating to the regulation of massage therapists and massage practitioners.

BY repealing and reenacting, without amendments,
 Article – Health Occupations
 Section 6–101(a) and 6–301(a)
 Annotated Code of Maryland
 (2021 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 6–101(f)(3) and 6–302(c) and (e)
 Annotated Code of Maryland
 (2021 Replacement Volume and 2022 Supplement)

BY repealing
 Article – Health Occupations
 Section 6–403
 Annotated Code of Maryland
 (2021 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Chapter 705 of the Acts of the General Assembly of 2022
Section 2 and 3

BY repealing and reenacting, with amendments,
Chapter 706 of the Acts of the General Assembly of 2022
Section 2 and 3

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

Article – Health Occupations

6–101.

(a) In this title the following words have the meanings indicated.

(f) (3) “Massage therapy” does not include:

(i) The diagnosis [or treatment] of illness, disease, or injury;

(ii) The adjustment, manipulation, or mobilization of any of the articulations of the osseous structures of the human body or spine; or

(iii) Except as provided in paragraph (2) of this subsection, the laying on of hands, consisting of pressure or movement on an individual who is fully clothed, except for footwear, to specifically affect the electromagnetic energy or energetic field of the human body.

6–301.

(a) Except as otherwise provided in this title, before an individual may practice massage therapy in the State, the individual shall be:

(1) On or before October 31, 2026:

(i) Licensed by the Board; or

(ii) Registered by the Board to practice massage therapy in a setting that is not a health care setting; or

(2) On or after November 1, 2026, licensed by the Board.

6–302.

(c) On or before September 30, [2023] 2024, to qualify to be registered, an applicant shall be an individual who:

(1) Is of good moral character;

(2) Is at least 18 years old;

(3) Has graduated from a program for the study of massage therapy with a curriculum:

(i) Approved by the Board;

(ii) Endorsed by:

1. The Commission on Massage Therapy Accreditation; or
2. An equivalent entity that is an accrediting agency or organization that accredits both institutions of higher education and programs offering instruction in massage therapy;

(iii) Accredited by an institutional accreditation agency recognized by the United States Department of Education; and

(iv) That requires at least 600 contact hours of classroom instruction that includes the following areas of content:

1. Anatomy, physiology, and kinesiology;
2. Massage therapy theory;
3. Contraindications and pathology;
4. Professional ethics;
5. Health and hygiene;
6. Research;
7. Supervised hands-on techniques; and
8. Clinical assessment and documentation;

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

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

(e) On or after October 1, [2023] 2024, the Board may not issue an initial registration to practice as a registered massage practitioner.

[6-403.

This subtitle does not require a nonprofit health service plan, an insurer, a health maintenance organization, or a person acting as a third party administrator to reimburse a licensed massage therapist or registered massage practitioner for any services rendered even though the services are within the scope of practice of the licensed massage therapist or registered massage practitioner.]

Chapter 705 of the Acts of 2022

SECTION 2. AND BE IT FURTHER ENACTED, That an individual registered by the State Board of Massage Therapy Examiners on October 1, [2023] 2024, shall be considered, in all respects, registered as a registered massage practitioner by the Board and, subject to the provisions of this Act, for the remainder of the term of the individual's registration.

SECTION 3. AND BE IT FURTHER ENACTED, That the State Board of Massage Therapy Examiners shall adopt regulations necessary to implement the provisions of Section 1 of this Act on or before October 1, [2023] 2024.

Chapter 706 of the Acts of 2022

SECTION 2. AND BE IT FURTHER ENACTED, That an individual registered by the State Board of Massage Therapy Examiners on October 1, [2023] 2024, shall be considered, in all respects, registered as a registered massage practitioner by the Board and, subject to the provisions of this Act, for the remainder of the term of the individual's registration.

SECTION 3. AND BE IT FURTHER ENACTED, That the State Board of Massage Therapy Examiners shall adopt regulations necessary to implement the provisions of Section 1 of this Act on or before October 1, [2023] 2024.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.

Approved by the Governor, May 3, 2023.