

Chapter 22

(Senate Bill 492)

AN ACT concerning

Health Occupations – Massage Therapy – Advertising

FOR the purpose of prohibiting licensed massage therapists, registered massage practitioners, and third parties directed by licensed massage therapists or registered massage practitioners from placing, publishing, or distributing certain advertisements; requiring certain advertisements for massage therapy to include certain information; and generally relating to massage therapy advertising.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 6–308(a)(11)
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 6–401
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)

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

Article – Health Occupations

6–308.

(a) Subject to the hearing provisions of § 6–309 of this subtitle, the Board may deny a license or registration to an applicant, reprimand a licensee or registration holder, place any licensee or registration holder on probation, or suspend or revoke the license of a licensee or the registration of a registration holder if the applicant, licensee, or registration holder:

(11) Has violated any provision of this title;

6–401.

(a) The Board shall adopt regulations to **[establish]**:

(1) ESTABLISH standards for advertising or soliciting by licensed massage therapists or registered massage practitioners;

(2) DEFINE SPECIFIC LANGUAGE AND CONTENT PROHIBITED UNDER THIS SECTION; AND

(3) ESTABLISH PROCEDURES FOR REPORTING VIOLATIONS OF THIS SECTION BY A LICENSED MASSAGE THERAPIST, REGISTERED MASSAGE PRACTITIONER, OR MEMBER OF THE PUBLIC.

(b) For purposes of this section, the mailing of notices to patients to inform them of times for periodic appointments is not advertising or soliciting.

~~(c) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN ADVERTISEMENT FOR MASSAGE THERAPY SERVICES SHALL INCLUDE THE FULL NAME, AS STATED ON THE LICENSE OR REGISTRATION APPLICATION SUBMITTED TO THE BOARD, AND LICENSE NUMBER OR REGISTRATION NUMBER OF THE LICENSED MASSAGE THERAPIST OR REGISTERED MASSAGE PRACTITIONER PROVIDING THE MASSAGE THERAPY SERVICES ADVERTISED.~~

~~(2) AN ADVERTISEMENT FOR MASSAGE THERAPY SERVICES PLACED, PUBLISHED, OR DISTRIBUTED BY A BUSINESS THAT EMPLOYS OR CONTRACTS WITH MULTIPLE LICENSED MASSAGE THERAPISTS OR REGISTERED MASSAGE PRACTITIONERS IS NOT REQUIRED TO INCLUDE THE NAMES AND LICENSE OR REGISTRATION NUMBERS OF EACH LICENSED MASSAGE THERAPIST OR REGISTERED MASSAGE PRACTITIONER EMPLOYED OR CONTRACTED WITH~~ IF AN ADVERTISEMENT FOR MASSAGE THERAPY SERVICES LISTS THE NAME OF A LICENSED MASSAGE THERAPIST OR A REGISTERED MASSAGE PRACTITIONER, THE NAME DISPLAYED ON THE ADVERTISEMENT MUST BE CONSISTENT WITH THE NAME OF THE INDIVIDUAL THAT IS ON THE LICENSE OR REGISTRATION ISSUED BY THE BOARD.

~~(c)~~ (D) [A] SUBJECT TO SUBSECTION (C) OF THIS SECTION, A licensed massage therapist or registered massage practitioner may use a trade name in connection with the practice of massage therapy provided that:

(1) The use of the trade name is not deceptive or misleading;

(2) The advertisement in which the trade name appears includes the name of the licensed massage therapist or registered massage practitioner or the name of the business entity providing the massage therapy services being advertised, as long as the advertisement includes the name of a licensed massage therapist or registered massage practitioner;

(3) The name of the licensed massage therapist or registered massage practitioner providing massage therapy services appears on the billing invoices, stationery, and any receipt given to a patient; and

(4) Treatment records are maintained that clearly identify the licensed massage therapist or registered massage practitioner who has performed the massage therapy service for the patient.

(E) (1) A LICENSED MASSAGE THERAPIST, REGISTERED MASSAGE PRACTITIONER, OR A THIRD PARTY ACTING ON BEHALF OF A LICENSED MASSAGE THERAPIST OR REGISTERED MASSAGE PRACTITIONER MAY NOT PLACE, PUBLISH, OR DISTRIBUTE, OR CAUSE TO BE PLACED, PUBLISHED, OR DISTRIBUTED, AN ADVERTISEMENT FOR MASSAGE THERAPY SERVICES:

(I) THAT STATES PROSTITUTION SERVICES, ESCORT SERVICES, OR SEXUAL SERVICES ARE AVAILABLE;

(II) ON A WEBSITE KNOWN FOR ADVERTISING PROSTITUTION SERVICES, ESCORT SERVICES, OR SEXUAL SERVICES; OR

(III) THAT INDICATES OR IMPLIES, THROUGH LANGUAGE OR OTHER CONTENT, THAT SEXUAL ACTIVITY IS PART OF THE MASSAGE THERAPY SERVICE.

(2) FOR AN ONLINE ADVERTISEMENT, EACH DAY ON WHICH AN ADVERTISEMENT THAT VIOLATES PARAGRAPH (1) OF THIS SUBSECTION IS VISIBLE TO THE PUBLIC CONSTITUTES A SEPARATE VIOLATION OF THIS SECTION.

(3) FAILURE TO REMOVE A PHYSICAL SIGN OR BILLBOARD PLACED IN PUBLIC VIEW THAT VIOLATES PARAGRAPH (1) OF THIS SUBSECTION CONSTITUTES A VIOLATION OF THIS SECTION.

~~**(F) ALL ADVERTISEMENTS FOR LICENSED MASSAGE THERAPISTS OR REGISTERED MASSAGE PRACTITIONERS SHALL INCLUDE THE FULL NAME AS LICENSED AND LICENSE NUMBER OF THE LICENSED MASSAGE THERAPIST OR REGISTERED MASSAGE PRACTITIONER PROVIDING THE ADVERTISED MASSAGE THERAPY SERVICES.**~~

SECTION 2. AND BE IT FURTHER ENACTED, That if, on the effective date of this Act, a physical sign or billboard that is in violation of § 6-401(e)(1) of the Health Occupations Article, as enacted by Section 1 of this Act, remains visible to the public, the licensed massage therapist, registered massage practitioner, or third party acting on behalf of a licensed massage therapist or registered massage practitioner that placed or caused

the physical sign or billboard to be placed shall remove the physical sign or billboard or cause the physical sign or billboard to be removed before May 1, 2027.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, April 14, 2026.