

**NAME OF BOARD/COMMISSION:** Maryland State Board of Massage Therapy Examiners

**MEMBERSHIP COMPOSITION:**

TOTAL NUMBER: 7

PROFESSIONAL: 5 Massage Therapy Licensees

CONSUMER: 2 Consumers

**REGULAR BOARD MEETINGS:**

DAY: WEDNESDAYS (4<sup>TH</sup> of the month)

TIME: 10:00 a.m. – 4:00 p.m.

LOCATION: Metro Executive Bldg., 4201 Patterson Ave., Ste. 301, Baltimore, 21215

FREQUENCY: Monthly

**COMMITTEE MEETINGS including frequency**

Board members will be appointed to at least one of these following committees:

- Licensing Committee
- Discipline Committee
- Regulations and Statute Committee
- On-going ad-hoc committees (i.e., Bylaws Committee or Strategic Planning Committee)

Meetings will be held monthly or as needed

**DETAIL OF MONTHLY TIME COMMITMENT:**

Board members must attend Board meetings and committee meetings. They must review all Board materials prior to the Board meeting.

Approximate time: 6-8 hours

**FUNCTION OF BOARD/COMMISSION: (Brief Description)**

1. Issuing licenses and registrations to Licensed Massage Therapists and Registered Massage Practitioners while insuring competency through educational credentials and mandated continuing program requirements.
2. Receiving and resolving complaints from the public regarding licensed massage therapists or registered massage practitioners who may have violated the law with regard to the Massage Therapy Practice Act;
3. Setting standards for the practice of massage therapy that reflect new and emergent developments through regulations and legislation.

**OTHER DUTIES OF MEMBERS: (Types of Committees, Exams, etc.)**

Board members will develop processes, procedures and policies for the Board.

Board members may represent the Maryland Board at state or national conferences and committees.

Board members may be tasked with helping to write new regulations that adequately reflect the statute.

**Information Form for Boards and Commissions**  
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**BOARD MEMBER COMPENSATION: (Stipend/Travel/Other)**

\$150.00 for Board meetings plus travel allowance

**For additional information on the Board, please visit our website at:**

<https://health.maryland.gov/message/Pages/home.aspx>

If you have other questions, please contact Sharon Oliver, Ex. Director at [Sharon.Oliver@maryland.gov](mailto:Sharon.Oliver@maryland.gov) or 410-764-5985.

**Date: August 2020**



# MARYLAND Department of Health

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

August 31, 2020

Laura Embleton  
Director of Government Relations  
Associated Bodywork and Massage Professionals  
25188 Genesee Trail Road, Suite 200  
Golden, CO 80401

Dear Ms. Embleton:

The terms for two professional members of the Maryland State Board of Massage Therapy Examiners will expire on September 30, 2021. The incumbents, David Cox and Kirsten Bodnarchuk, are both eligible for reappointment consideration. The Maryland Department of Health (MDH) is accepting nominees as noted in the Annotated Code of Maryland, Health Occupations §6-202.

**To ensure that the appointment process is completed in time for submission to the Senate during the 2021 legislative session, the MDH is requesting that the Associated Bodywork and Massage Professionals (ABMP) submit a list of nominees by October 30, 2020.** The Governor's Appointments Office (GAO) requires all nominees to submit their application documents using link on the GAO website at <http://govappointments.maryland.gov/instructions-for-filling-out-the-general-application-form/>.

Please review the enclosed copy of the Board's statute closely to ensure that your nominees meet all the requirements for membership on the Board.

During the application process, the nominee will be asked to upload their resume and complete an Appointee Exemption Disclosure (AED) form.

The State Ethics Commission has rendered an advisory opinion #87-1, which addresses the issue of whether members of health regulatory boards may serve as elected officials or directors of professional associations whose members are under the Board's authority. This opinion would be presumed to be a restriction on the nature of an individual's activities with the Association after they are appointed to a regulatory board. Any officer or Board member of a professional association who accepts nomination for appointment to a regulatory board shall give consideration to resigning from the position with the association prior to accepting appointment.

If the nominee does not wish to resign, their position with the Association must be clearly stated with the submission of the nominee's name, to the Secretary of Health and subsequently on the appropriate Appointee Exemption Disclosure (AED) Form filed through the GAO website. A determination of eligibility will then be made by the appointment authority.

Please keep in mind, when nominating individuals to serve on the Board, that we need individuals who are energetic and enthusiastic. The Department and the Governor are committed to creating geographic, ethnic and gender diversity on each Board. This helps ensure that decisions reached more adequately reflect the

Laura Embleton  
August 31, 2020  
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viewpoints of all populations being served and profoundly contributed to advancing the groups' mission. We request your assistance in this effort and ask that you address this concern when identifying the most talented individuals to submit as nominees.

Thank you for assisting us in the nomination process. The Department looks forward to hearing from ABMP on or before October 31, 2020. If you have any questions, please contact me at 410-or 409-0417 or [Kim.Bennardi@Maryland.gov](mailto:Kim.Bennardi@Maryland.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Bennardi". The signature is fluid and cursive, with a large loop at the end.

Kim Bennardi, Administrator  
Office of Appointments and Executive Nominations

cc: Sharon Oliver, Board executive director

Attachments: 2



# MARYLAND Department of Health

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

August 31, 2020

David Madon, President  
American Massage Therapy Association, Maryland Chapter  
Via email to Mr. Madon @ [president.amta.maryland@gmail.com](mailto:president.amta.maryland@gmail.com)

Dear Mr. Madon:

The terms for two professional members of the Maryland State Board of Massage Therapy Examiners will expire on September 30, 2021. The incumbents, David Cox and Kirsten Bodnarchuk, are both eligible for reappointment consideration. The Maryland Department of Health (MDH) is accepting nominees as noted in The Annotated Code of Maryland, Health Occupations §6-202.

**To ensure that the appointment process is completed in time for submission to the Senate during the 2021 legislative session, the MDH is requesting that the American Massage Therapy Association, Maryland Chapter (AMTA) submit a list of nominees by October 30, 2020.** The Governor's Appointments Office (GAO) requires all nominees to submit their application documents using link on the GAO website at <http://govappointments.maryland.gov/instructions-for-filling-out-the-general-application-form/>.

Please review the enclosed copy of the Board's statute closely to ensure that your nominees meet all the requirements for membership on the Board.

During the application process, the nominee will be asked to upload their resume and complete an Appointee Exemption Disclosure (AED) form.

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If the nominee does not wish to resign, their position with the Association must be clearly stated with the submission of the nominee's name, to the Secretary of Health and subsequently on the appropriate Appointee Exemption Disclosure (AED) Form filed through the GAO website. A determination of eligibility will then be made by the appointment authority.

Please keep in mind, when nominating individuals to serve on the Board, that we need individuals who are energetic and enthusiastic. The Department and the Governor are committed to creating geographic, ethnic and gender diversity on each Board. This helps ensure that decisions reached more adequately reflect the

David Madon, President  
AMTA, MD Chapter  
August 31, 2020  
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viewpoints of all populations being served and profoundly contributed to advancing the groups' mission. We request your assistance in this effort and ask that you address this concern when identifying the most talented individuals to submit as nominees.

Thank you for assisting us in the nomination process. The Department looks forward to hearing from AMTA on or before October 30, 2020. If you have any questions, please contact me at 410-409-0417 or [Kim.Bennardi@Maryland.gov](mailto:Kim.Bennardi@Maryland.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Kim Bennardi".

Kim Bennardi, Administrator  
Office of Appointments and Executive Nominations

cc: Sharon Oliver, Board executive director  
Amelia Mitchell, AMTA- MD Chapter

Attachments: 2

Md. HEALTH OCCUPATIONS Code Ann. § 6-202 (2016)

§ 6-202. Membership.

(a) Composition; appointment of members. --

(1) The Board consists of seven members.

(2) Of the seven Board members:

(i) Five shall be licensed massage therapists; and

(ii) Two shall be consumer members.

(3) (i) The Governor shall appoint the licensed massage therapist members with the advice of the Secretary, and the advice and consent of the Senate of Maryland, from a list of names of qualified individuals submitted to the Secretary and the Governor by an association that represents at least 250 licensed massage therapists in the State.

(ii) The number of names on the list shall be five times the number of vacancies.

(iii) The list shall include the name of the incumbent member unless the incumbent member declines renomination.

(4) The Governor shall appoint the consumer members with the advice of the Secretary and the advice and consent of the Senate of Maryland.

(b) **Qualifications -- Massage therapist members.** --

(1) Each licensed massage therapist member shall be:

(i) A resident of the State;

(ii) A licensed massage therapist of integrity and ability who is in active practice;

(iii) A graduate of a Board-approved course in massage therapy; and

(iv) An individual who has practiced massage therapy in the State for at least 5 consecutive years before appointment.

(2) (i) In this paragraph, "good standing" means that the Board has not reprimanded the licensed massage therapist, suspended or revoked the license of the licensed massage therapist, or placed the licensed massage therapist on probation within 5 years before or after confirmation to the Board.

(ii) In addition to the requirements of paragraph (1) of this subsection, each licensed massage therapy member of the Board shall be in good standing with the Board.

(c) **Qualifications -- Consumer members.** -- Each consumer member of the Board:

(1) Shall be a member of the general public;

(2) May not be or ever have been a massage therapist or massage practitioner or in training to become a massage therapist or massage practitioner;

(3) May not have a household member who is a massage therapist or massage practitioner or in training to become a massage therapist or massage practitioner;

(4) May not participate or ever have participated in a commercial or professional field related to massage therapy;

(5) May not have a household member who participates in a commercial or professional field related to massage therapy; and

(6) May not have had within 2 years before appointment a substantial financial interest in a person regulated by the Board.

(d) Restrictions as to consumer members. -- While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

(e) Oath. -- Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(f) Tenure; vacancies. --

(1) **The term of a member is 4 years.**

(2) The terms of members are staggered as required by the terms provided for members of the Board on October 1, 2016.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days after the date of the vacancy.

(6) A member may not serve more than 2 consecutive full terms.

(g) Removal. --

(1) The Governor may remove a member for incompetence or misconduct.

(2) On the recommendation of the Secretary, the Governor may remove a member whom the Secretary finds to have been absent from two successive Board meetings without adequate reason.

§ 6-203. Officers.

(a) In general. -- From among its members, the Board annually shall elect a chair, vice chair, and secretary-treasurer.

(b) Manner of election; duties. -- The Board shall determine:

(1) The manner of election of the officers; and

(2) The duties of each officer.