

Maryland State Board of Massage Therapy Examiners
Regulations Effective December 25, 2023

10.65.01 General Regulations

Authority: General Provisions Article, §4-333(c); Health Occupations Article, §§6-101, 6-102, 6-201—6-206, 6-301—6-306, and 6-504; Annotated Code of Maryland

.04 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) "Custodian of records" means an individual designated by the Board who:

(a) Is responsible for the security, storage, dissemination, and destruction of records; and

(b) Complies with:

(i) General Provisions Article, Title 4, Annotated Code of Maryland;

(ii) Health Occupations Article, Title 6, Annotated Code of Maryland; and

(iii) This subtitle.

[(2)] (3)—[(3)] (4) (text unchanged)

[(4)] (5) "Licensed massage therapist (*LMT*)" means an individual who is licensed by the Board to practice massage therapy.

[(5)] "State Board of Massage Therapy Examiners Jurisprudence Examination" means the test developed by the Board to assess an applicant's knowledge of the statute and regulations governing massage therapy in the State.]

(6) "Licensee" means, unless the context requires otherwise, a licensed massage therapist or a registered massage practitioner authorized by the Board to practice massage therapy.

[(6)] (7) Massage Therapy.

(a) "Massage therapy" means the use of manual techniques on soft tissues of the human body including [effleurage (stroking), petrissage (kneading), tapotement (tapping),] *stroking, kneading, tapping*, stretching, compression, vibration, and friction.

(b) (text unchanged)

(c) "Massage therapy" does not include the:

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

(ii) (text unchanged)

(iii) Laying on of hands, consisting of pressure or movement, with the exception of such techniques described in [§B(6)(a)] §B(7)(a) of this regulation on a fully clothed individual to specifically affect the electromagnetic energy or energetic field of the human body.

[(7)] (8)—[(8)] (9) (text unchanged)

[(9)] (10) "Registered massage practitioner (*RMP*) or registrant" means an individual who is registered by the Board to practice massage therapy in a setting that is not a health care setting.

[(10)] (11) (text unchanged)

(12) "Research" means a curriculum component that systematically investigates and validates massage therapy techniques based on sources and data to provide successful outcomes for clients.

(13) "State Board of Massage Therapy Examiners Jurisprudence Examination" means the test developed by the Board to assess an applicant's knowledge of the statute and regulations governing massage therapy in the State.

.05 Licensure or Registration Required; Exceptions.

An individual shall be licensed by the Board in order to practice massage therapy, and shall be registered by the Board in order to practice massage therapy in a setting that is not a health care setting, except for the following:

A. (text unchanged)

B. An individual who:

(1) Practices massage therapy in a [Board-approved,] recognized jurisdiction with an active license or registration in good standing;

(2) (text unchanged)

(3) Submits a timely request for approval to participate in an event by application at least 10 days prior to the event in accordance with Board procedures;

C.—F. (text unchanged)

.06 Application for Licensure or Registration.

A. An applicant for a license to practice massage therapy shall:

(1)—(2) (text unchanged)

(3) Submit [two] one recent 2 inch by 2 inch passport type [photographs] *photograph* on a solid white background of the applicant;

(4)—(7) (text unchanged)

(8) Have copies of official transcripts sent directly to the Board by [the school from] *an institution of postsecondary education, as defined in Education Article, §10-101, Annotated Code of Maryland, and approved by the Maryland Higher*

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Education Commission, from which the applicant graduated that documents completion of a program of at least [600 classroom] 750 contact hours [in] of massage therapy education in a curriculum that is:

- (a) Approved by the Board [and the:
 - (i) Maryland Higher Education Commission (MHEC); or
 - (ii) Higher education commission, or comparable authority, of the state or country in which the applicant's school is located; and
- (b) Either:
 - (i) Accredited by the Commission on Massage Therapy Accreditation (COMTA); or
 - (ii) Approved or accredited by an accrediting agency recognized by the United States Department of Education, with the instructors teaching massage related curriculum who are licensed or registered in the instructors' state of residence;
- (b) *Endorsed by:*
 - (i) *The Commission on Massage Therapy Accreditation (COMTA); or*
 - (ii) *An equivalent entity that accredits both institutions of postsecondary education and programs offering instruction in massage therapy; and*
 - (c) *Accredited by an institutional accreditation agency recognized by the United States Department of Education;*
- (9) Provide documentation of having satisfactorily completed the requirements listed in [§§B and C of this regulation.] *Regulation .07 of this chapter;*
- (10) Provide documentation of current certification of *qualification* in CPR, at a *minimum at* the Basic Life Support (BLS) level; and
- (11) (text unchanged)

[B. To comply with §A(9) of this regulation, an applicant for a license to practice massage therapy shall provide documentation of having graduated with at least 600 hours of education in a Board-approved program for the study of massage therapy that includes the following areas of content:

- (1) Anatomy, physiology, and kinesiology;
- (2) Massage theory, techniques, and practice;
- (3) Contraindications to massage therapy;
- (4) Professional ethics;
- (5) Pathology; and
- (6) Research.

C. In addition to §B of this regulation, an applicant for a license to practice massage therapy shall provide documentation of having graduated with at least:

- (1) 60 credit hours of education at an institution of higher education as defined in Education Article, §10–101, Annotated Code of Maryland, and as approved by the Board and MHEC of which a minimum of 24 credit hours shall have been in basic and applied science courses related to health care; or
- (2) For the purpose of a status change:
 - (a) 60 credit hours of education at an institution of higher education as defined in the Education Article, §10–101, Annotated Code of Maryland, and as approved by MHEC; and
 - (b) An additional 24 credit hours or 360 contact hours of advanced massage therapy continuing education as pre-approved by the Board in basic and applied science courses related to health care, which may include, but not be limited to, the following areas of study:
 - (i) Massage techniques, including advanced Swedish massage and advanced deep tissue massage;
 - (ii) Anatomy and physiology of the human body;
 - (iii) Kinesiology;
 - (iv) Advanced pathology or pathophysiology;
 - (v) Orthopedic assessment and massage;
 - (vi) Neuromuscular therapy;
 - (vii) Manual lymph drainage;
 - (viii) Oncology;
 - (ix) Special populations;
 - (x) End stage of life;
 - (xi) Gross anatomy; or
 - (xii) Other Board pre-approved upper level AP courses.]

[D.] B. [To] *On or before September 30, 2024, to* be a registered massage practitioner, an applicant shall:

- (1)—(2) (text unchanged)
- (3) Submit [two] *one* recent 2 inch by 2 inch passport type [photographs] *photograph* on a solid white background of the applicant;
- (4)—(7) (text unchanged)
- (8) Have copies of official transcripts sent directly to the Board by the school from which the applicant graduated that documents completion of a program of at least 600 classroom hours in massage therapy education that is:
 - (a) Approved by the Board [and the:
 - (i) Maryland Higher Education Commission (MHEC); or

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(ii) Higher education commission, or comparable authority, of the state or country in which the applicant's school is located; and

(b) Either:

(i) Accredited by the Commission on Massage Therapy Accreditation (COMTA); or

(ii) Approved or accredited by an accrediting agency recognized by the United States Department of Education, with the instructors teaching massage related curriculum who are licensed or registered in the instructors' state of residence];

(b) Endorsed by:

(i) The Commission on Massage Therapy Accreditation (COMTA); or

(ii) An equivalent entity that accredits both institutions of postsecondary education and programs offering instruction in massage therapy; and

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

(9) Provide documentation of having satisfactorily completed the requirements listed in [§D] Regulation .07 of this [regulation.] chapter;

(10) Provide documentation of current certification of qualification in [basic] CPR, at a minimum at the Basic Life Support (BLS) level; and

(11) (text unchanged)

[E. To comply with §D(9) of this regulation, an applicant for a registration to practice massage therapy shall provide documentation of graduation from a Board-approved program of at least 600 hours for the study of massage therapy that includes the following areas of content:

(1) Anatomy, physiology, and kinesiology;

(2) Massage theory, techniques, and practice;

(3) Contraindications to massage therapy;

(4) Professional ethics;

(5) Pathology; and

(6) Research.]

[F.] C. (text unchanged)

D. On or after October 1, 2024, the Board may not issue an initial registration to practice as a registered massage practitioner.

E. On or before October 31, 2026, on a request made on an application approved by the Board, the Board shall convert the registration of an individual registered by the Board as a registered massage practitioner to a license to practice massage therapy if the individual complies with regulations under this subtitle.

F. Conversion. In order for an individual to convert from a registered massage practitioner to a licensed massage therapist, a minimum of one of the following shall be met by the applicant:

(1) Has held a registration continuously in good standing for a minimum of 10 years preceding the conversion request;

(2) Attest to the accumulation of 1,000 hours of hands-on experience over the previous 2 years between work hours and continuing education hours; or

(3) Provide documentation verifying a total of 750 hours which include program hours and continuing education hours.

.07 Required Massage Therapy Education and Training.

[A. Classroom Training.

(1) Of the minimum 600 hours classroom training required in Regulation .06A(9), B, C, and D(8) of this chapter:

(a) At least 100 hours shall consist of:

(i) Anatomy;

(ii) Physiology;

(iii) Pathology; and

(iv) Kinesiology; and

(b) The remaining 500 hours shall include a majority of hours in:

(i) Massage therapy theory;

(ii) Technique;

(iii) Supervised practice;

(iv) Professional ethics;

(v) Professional standards;

(vi) Business practices;

(vii) Health and hygiene;

(viii) Contraindications of massage; and

(ix) Research.]

A. Classroom Training: LMTs.

(1) An applicant for a license to practice massage therapy shall provide documentation of having graduated with at least 750 hours of education in a Board-approved program for the study of massage therapy that includes the following areas of content:

(a) 100 hours in anatomy, physiology, and kinesiology;

(b) 200 hours in massage therapy theory;

(c) 50 hours in contraindications to massage therapy and pathology;

(d) 30 hours in professional ethics;

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- (e) 5 hours in health and hygiene;
- (f) 5 hours in research;
- (g) 175 hours in supervised hands-on techniques;
- (h) 50 hours in clinical assessment and documentation;
- (i) 35 hours in professional standards and business practices; and
- (j) 100 hours in supervised clinical experience/practicum.

(2) Cardiopulmonary resuscitation (CPR) shall be included but [do] *does* not count [toward] *towards* the [600-hour] 750-hour minimum.

(3) An applicant may attend more than one training institution, if the applicant graduates from a school requiring satisfactory completion of a minimum of [600] 750 classroom hours in massage therapy education.

[(4) Correspondence courses are not recognized by the Board.]

B. Classroom Training: RMPs.

(1) *An applicant for a registration to practice massage therapy shall provide documentation of graduation from a Board-approved program of at least 600 hours for the study of massage therapy that includes the following areas of content:*

- (a) *Anatomy, physiology, and kinesiology;*
- (b) *Massage therapy theory;*
- (c) *Contraindications and pathology;*
- (d) *Professional ethics;*
- (e) *Health and hygiene;*
- (f) *Research;*
- (g) *Supervised hands-on techniques; and*
- (h) *Clinical assessment and documentation.*

(2) *Cardiopulmonary resuscitation (CPR) shall be included but does not count towards the 600-hour minimum.*

(3) *An applicant may attend more than one training institution, if the applicant graduates from a school requiring satisfactory completion of a minimum of 600 classroom hours in massage therapy education.*

[B.] C. Education and Training in a Foreign Country.

(1) The Board may grant a license or registration to practice massage therapy to an applicant who completed an educational program in a foreign country if the applicant:

(a) Can demonstrate through a Board-approved certifying agency that the applicant's education and training were substantially equivalent to the requirements of [Regulation .04A(7) of this chapter and] §A of this regulation through a Board-approved certifying agency; and

(b) (text unchanged)

(2)—(3) (text unchanged)

.08 Licensure.

A. (text unchanged)

B. The [license holder] *licensee* shall notify the Board of any change in the *legal* name or address of the [license holder] *licensee*, in writing, within 60 days after the change occurs.

C. The Board may not issue a license [or registration] if the criminal history records information required under Health Occupations Article, §6–303(b), Annotated Code of Maryland, has not been received.

D. Display of License. A [license holder] *licensee* shall display the license and any current renewal license conspicuously in the space where the [license holder] *licensee* is engaged in practice, including in any temporary space or in any exhibit location.

.09 Registration.

A. The Board shall:

(1) Issue [a] *an initial registration until September 30, 2024*, to an approved applicant that:

(a)—(b) (text unchanged)

(2) (text unchanged)

B. The [registration holder] *registrant* shall notify the Board, in writing, of any change in the *legal* name or address of the [registration holder] *registrant* within 60 days after the change occurs.

C. The Board may not issue a [license or] registration if the criminal history records information required under Health Occupations Article, §3–302.1, Annotated Code of Maryland, has not been received.

D. Display of Registration. A [registration holder] *registrant* shall display the registration and any current renewal registration conspicuously in the space where the [registration holder] *registrant* is engaged in practice, including in any temporary space or in any exhibit location.

.10 Renewals.

A. The Board shall send each [license and registration holder] *licensee* a renewal notice that states the:

(1) Date on which the current license or [current] registration expires;

(2) Latest date by which the renewal application and documentation can be received by the Board in order for the renewal license or [current] registration to be issued before the current license or registration expires; and

(3) (text unchanged)

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B. At least 30 days before the current license or [current] registration expires, the Board shall send the renewal notice by *electronic means* or first-class mail to the last known *electronic or physical* address of the [license or registration holder, as updated pursuant to Regulations .06B and .07B of this chapter] *licensee*.

[C. The license or registration holder shall notify the Board of non-receipt of a renewal notice at least 15 days before the expiration date of the license or registration.]

C. *Late Renewal. A late fee in addition to a renewal fee shall be applied as specified in COMAR 10.65.07, if the request is received by the Board within 30 days of the expiration date of the license or registration.*

D. *Licensees shall satisfactorily complete the minimum continuing education requirements set forth under COMAR 10.65.05.*

.11 Reinstatement.

A. The Board shall reinstate an individual whose license or registration has expired if the individual [meets]:

(1) *Meets the renewal requirements of this chapter [and pays the:] and Health Occupations Article, §6-306, Annotated Code of Maryland;*

[(1) Late fee in addition to the renewal fee as specified in COMAR 10.65.07, if the request is received by the Board within 30 days of the expiration date of the license or registration; or]

(2) [Late] *Pays the late and reinstatement fees as specified in COMAR 10.65.07, if the request is received by the Board more than 30 days after the expiration date of the license or registration[.]; and*

(3) *Satisfactorily completes the minimum continuing education requirements set forth under COMAR 10.65.05.*

B. [The] *A licensed massage therapist who fails to apply for licensure [renewal] reinstatement within [2] 5 years after the expiration date of the license shall meet the requirements in effect at the time of the request in order to be licensed to practice massage therapy.*

C. [The] *Except as otherwise provided in this chapter, a registered massage practitioner who fails to apply for registration [renewal] reinstatement within [2] 5 years after the expiration date of the registration shall meet the requirements in effect at the time of the request in order to be registered to practice massage therapy in a setting that is not a health care setting.*

.12 Inactive Status.

[A. The Board shall place a license or registration holder on inactive status if the license or registration holder submits to the Board the:

(1) Completed application for inactive status on the form provided by the Board; and

(2) Biennial fee for inactive status as specified in COMAR 10.65.07.

B. The license or registration holder on inactive status may reactivate the license or registration at any time if the license or registration holder pays the reactivation fee as specified in COMAR 10.65.07.]

A. *In accordance with Health Occupations Article, §6-306, Annotated Code of Maryland, a request by an active licensee or registrant to transfer a license or registration to inactive status shall be granted upon receipt of the:*

(1) *Completed Board-approved inactive status application; and*

(2) *Payment of the required, non-refundable, biennial inactive status fee set forth in COMAR 10.65.07.*

B. *An individual:*

(1) *May apply for inactive status only if the individual's license or registration is still active at the time the inactive status application request is made;*

(2) *Shall renew and pay the biennial inactive status fee during each renewal period; and*

(3) *On inactive status is not authorized to and may not practice massage therapy.*

C. *Within 5 calendar years after being placed on inactive status, an individual seeking to be reactivated shall be required, as a condition of reactivation, to submit:*

(1) *Proof of having completed the required CEUs of which shall have been obtained within the 2-year period immediately preceding the application for reactivation; and*

(2) *Documentation of current CPR requirements at the designated level.*

D. *If an individual on inactive status seeks to be reactivated beyond the required 5-year period and conditions set forth under §C of this regulation, the individual shall be required to:*

(1) *Submit a new application;*

(2) *Pay the non-refundable fee set forth in COMAR 10.65.07;*

(3) *Submit to a criminal history records check in accordance with Health Occupations Article, §6-303, Annotated Code of Maryland;*

(4) *Pass the Jurisprudence Examination required by the Board with a score of at least 75 percent; and*

(5) *Possess documentation of current certification of qualification in CPR, at a minimum at the Basic Life Support (BLS) level.*

.13 Duplicate Licenses and Registrations.

A. The Board shall issue a duplicate license or registration to [the license or registration holder] *a licensee* if:

[A.] (1) The [license or registration holder] *licensee* has a change of name, loses or damages the original, *or* practices in multiple locations; and

[(1)] (a)—[(4)] (d) (text unchanged)

[B.] (2) The Board, as a result of its error, issues an incorrect license or registration and the [license or registration holder] *licensee*:

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[(1)] (a)—[(2)] (b) (text unchanged)

[C.] (3) The [license or registration holder] *licensee* does not receive the license or registration within 2 weeks of issuance and the [license or registration holder] *licensee* provides a notarized statement to the Board attesting to the [nonreceipt] *non-receipt* of the license or registration within 30 days of the date the license or registration was issued by the Board.

B. *The requirements in §A of this regulation do not apply if the non-receipt was due to the licensee's failure to change the licensee's address of record with the Board.*

.14 Penalties.

If a [license or registration holder] *licensee* fails to notify the Board of a change of name or address within the time required in Regulations [.06B and .07B] *.08B and .09B* of this chapter, subject to the hearing provisions of Health Occupations Article, §6-309, Annotated Code of Maryland, the Board may impose an administrative penalty of \$100.

.15 Compelling Public Purpose Disclosure.

A. The *custodian of records for the Board* may find that a compelling public purpose warrants disclosure of information in an application, certification, licensing, or investigative file, regardless of whether there has been a request for the information, if the information concerns:

(1)—(3) (text unchanged)

B. Other Disclosures. This regulation does not prohibit or limit the [Board's] ability *of the custodian of records for the Board* to disclose:

(1)—(2) (text unchanged)

10.65.07 Fees

Authority: Health Occupations Article, §§6-206 and 6-207, Annotated Code of Maryland

.01 Scope.

This chapter governs [those who are licensed and registered] *licensees* or *those* who are applying for licensure or registration by the Board.

.02 Fees for Massage Therapy Licensure and Registration.

The following fees are established by the Board *and are non-refundable*:

A.—E. (text unchanged)

F. *Conversion to license fee* . . . \$100

[F.] G. (text unchanged)

[G.] H. *Reinstatement fee (after 31 days of expiration of license or registration, [in addition to renewal and late fees] inclusive of a reinstatement fee, renewal fee, and late fee)* . . . [\$200] \$475;

[H.] I. (text unchanged)

[I.] J. *Reactivation fee (inclusive of a reactivation fee and renewal fee)* . . . [\$100] \$350;

[J.] K.—[K.] L. (text unchanged)

[L.] M. *Verification fee* . . . [\$35] \$50;

[M.] N.—[N.] O. (text unchanged)

[O.] P. *Penalty for failure to maintain correct name or address with the Board* . . . \$100;

[P.] Q. *Continuing Education Course processing fee per submission* . . . [\$25] \$40;

[Q.] R. *Paper copy of laws and regulations* . . . [\$25] \$40.

10.65.11 Curriculum Approval

Health Occupations Article, §6-302(b)(3)(i) and (c)(3)(i), Annotated Code of Maryland

.01 Definitions.

A. *In this chapter, the following terms have the meanings indicated.*

B. *Terms Defined.*

(1) *“Approval” means the status granted to a massage therapy education program that is in compliance with the regulations of the Board.*

(2) *“Board-recognized massage therapy accreditation agency (BRMTA)” means an institutional accreditation agency recognized by the United States Department of Education (USDOE).*

(3) *“Clinical faculty” means a clinical faculty member of a program who is licensed or registered to practice massage therapy in the State of Maryland.*

(4) *Clinical Learning Experience.*

(a) *“Clinical learning experience” means faculty planned and guided learning activities designed to assist students to:*

(i) *Meet course objectives; and*

(ii) *Apply massage therapy knowledge and skills in the direct care of clients.*

(b) *“Clinical learning experience” includes:*

(i) *Direct care of clients within the relevant practice setting; and*

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- (ii) *Clinical support activities such as student clinics.*
- (5) *“Conditional approval” means a limited-time status that:*
 - (a) *Is imposed by the Board if the Board finds evidence that the curriculum has failed to meet or maintain the regulations or requirements, or both, set by the Board; and*
 - (b) *Allows the curriculum to continue to operate subject to the curriculum conforming to the Board’s requirements and recommendations within a time period set by the Board.*
- (6) *“Controlling institution” means an organization that offers a massage therapy education curriculum.*
- (7) *“Cooperating clinical entity” means an entity that provides the facilities and clinical resources for clinical learning experiences in massage therapy, with the massage therapy faculty or the clinical massage therapy faculty of the program responsible for the planning, implementation, and evaluation of these experiences.*
- (8) *“Endorsement” means having a curriculum approved by:*
 - (a) *COMTA; or*
 - (b) *An equivalent entity that accredits both institutions of higher education and programs offering instruction in massage therapy.*
- (9) *“Initial approval” means the approval period from the first admission of massage therapy students to the program through the first full implementation of the curriculum and graduation.*
- (10) *“Licensed massage therapist” means an individual who is licensed by the Board to practice massage therapy.*
- (11) *“Massage therapy faculty” means an individual who is employed to teach the practice of massage therapy full-time or part-time in a massage therapy education program.*
- (12) *“MBLEx” means the Massage and Bodywork Licensing Examination, a national entry-level licensure exam, governed and administered by the Federation of State Massage Therapy Boards (FSMTB).*
- (13) *“MHEC” means Maryland Higher Education Commission.*
- (14) *Program.*
 - (a) *“Program” means a massage therapy educational program.*
 - (b) *“Program” includes:*
 - (i) *A college; or*
 - (ii) *A school.*
- (15) *“Regional massage therapy education accrediting agency” means an accrediting agency that operates in a specific geographic region of the United States and accredits post-secondary institutions and primary and secondary schools.*
- (16) *“Registered massage practitioner” means an individual who is registered by the Board to practice massage therapy in a setting that is not a health care setting.*
- (17) *“USDOE” means the United States Department of Education.*

.02 Approval of Curriculum Accredited by a Board-Recognized Massage Therapy Accreditation Agency.

- A. *The Board shall approve any massage therapy education curriculum in Maryland whose program has been granted accreditation by a BRMTA, provided the curriculum meets all requirements of this chapter.*
- B. *A program that has been accredited by a BRMTA shall submit to the Board within 30 days of that accreditation:*
 - (1) *Evidence of current accreditation and endorsement status;*
 - (2) *Accreditation reports; and*
 - (3) *Any correspondence related to the status of the curriculum’s accreditation and endorsement.*
- C. *The Board shall continue to grant approval to curricula in Maryland provided that there is evidence of continuing accreditation by a BRMTA, and endorsement, and that those curricula continue to meet all requirements of this chapter.*
- D. *The Board shall be notified in writing within 10 business days of any change in accreditation or endorsement status by the massage therapy program.*
- E. *Withdrawal of accreditation or endorsement, accreditation or endorsement with warning, or failure to meet the requirements of this chapter or the standard for performance on the licensing examination shall be cause for Board review of the curriculum in accordance with Regulations .07B and C and .08 of this chapter.*
- F. *A curriculum on which the Board has taken action under Regulations .07B and C and .08 of this chapter shall be reported to MHEC.*

.03 Massage Therapy Faculty and Clinical Massage Therapy Faculty.

- A. *Qualifications of Massage Therapy Faculty.*
 - (1) *Unless otherwise provided in this chapter, massage therapy faculty shall:*
 - (a) *Be currently licensed or registered to practice massage therapy in Maryland;*
 - (b) *Be academically and professionally qualified;*
 - (c) *Maintain expertise appropriate to their teaching responsibilities;*
 - (d) *Have a minimum of 5 years of clinical experience as a licensed massage therapist or registered massage practitioner;*
 - and*
 - (e) *Have an unencumbered license or registration for the past 5 years.*
 - (2) *Non-massage therapy faculty or a licensed massage therapist or a registered massage practitioner not meeting the requirements for massage therapy faculty may teach selected portions of the curriculum that:*
 - (a) *Are unrelated to the practice of massage therapy; and*
 - (b) *Relate to their areas of expertise.*

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B. Waiver.

(1) A program experiencing a faculty shortage or a demonstrable difficulty in hiring appropriate faculty may petition the Board for a waiver of any provision of this regulation in massage therapy.

(2) The petition for a waiver of any requirement in massage therapy faculty qualification shall include documentation that the institution has made good faith attempts to hire massage therapy faculty.

C. Qualifications of Clinical Massage Therapy Faculty. Unless otherwise provided in this chapter, a clinical massage therapy faculty member shall:

(1) Be currently licensed or registered to practice massage therapy in Maryland;

(2) Have a minimum of 5 years of clinical experience practicing massage therapy;

(3) Have the clinical experience necessary to function effectively and safely in the clinical massage therapy area of responsibility; and

(4) Have an unencumbered license or registration for the past 5 years.

.04 Resources, Facilities, and Services.

A. All facilities used for clinical learning experiences shall comply with all applicable federal, state, and local requirements.

B. Cooperating clinical entities shall have:

(1) Clinical massage therapy faculty on-site and physically available for consultation with massage therapy student; and

(2) A dedicated student area for training demonstrations.

C. Students participating in clinical learning experiences shall be clearly identified as students.

.05 Curriculum.

A. The curriculum shall meet criteria as stated under COMAR 10.65.01.07.

B. Changes in course offerings that will alter the curriculum, objectives, outcomes, competencies, or conceptual framework of the program shall:

(1) Be reported to the Board in the annual report; and

(2) Include the following information:

(a) The rationale for changes; and

(b) The methods of evaluation to be used to determine the effect of the change.

C. Clinical learning experiences shall be sufficient in quantity and quality to provide opportunities for students to achieve the stated objectives, outcomes, or competencies.

D. Students shall have sufficient opportunities to develop the knowledge, skills, and abilities essential for a safe and effective massage therapy practice.

E. Evaluation methods and tools used for measuring students' knowledge, skills, and abilities shall be developed and implemented in order to ensure satisfactory progression of students.

.06 Curriculum Evaluation.

A. The program shall develop and implement a Board-approved evaluation plan for evaluating the total massage therapy education program not less than every 5 years for curricula that are accredited by a BRMTA.

B. The evaluation plan shall include:

(1) All components of the curriculum;

(2) Evaluation time intervals;

(3) Student, graduate, faculty, cooperating clinical entities, and administration participation;

(4) Instruments or methods used; and

(5) Evidence that prior recommendations from the Board have been acted upon.

C. The evaluation process shall provide evidence that the program is meeting its objectives or outcomes as well as the changing needs of massage therapy and society.

D. The outcome of evaluation includes:

(1) Recommendations for necessary curriculum revisions; and

(2) Direction for future action.

.07 Annual Review.

A. A program shall submit the following to the Board no later than July 1 of each year:

(1) An annual report detailing the program;

(2) A program catalog;

(3) Any annual reports to the BRMTA;

(4) Any correspondence related to the status of the program's accreditation;

(5) A summary of practices followed in safeguarding the health and well-being of students;

(6) Accurate and complete data including, but not limited to, number of enrollments, admissions, graduates, and faculty; and

(7) A report detailing:

(a) Annual pass rates for first-time candidates who have taken the MBLEx exam; and

(b) Student retention and program completion rates.

B. Annually the Board shall:

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(1) Review each program's annual report, supporting documentation, and the licensure examination performance of first-time candidates from each program; and

(2) If necessary, conduct a survey or site visit, issue recommendations, place a program on conditional approval, or issue a formal notice of violation and withdraw approval in accordance with Regulation .08 of this chapter.

C. Approval may be reduced to conditional status for the following reasons:

(1) Noncompliance with this chapter;

(2) Failure to hire faculty who meet the qualifications as stated in Regulation .03 of this chapter;

(3) Failure to submit records and reports to the Board in a timely manner;

(4) Failure to implement the approved curriculum;

(5) In accordance with §D of this regulation, failure to maintain the required passing rate on the licensing examination by first-time candidates;

(6) Failure to annually document that all faculty have current licenses; and

(7) Other activities or situations, as determined by the Board, that indicate a program is in jeopardy of violating statutory and regulatory requirements and standards.

D. Below Standard Performance on Licensure Examination.

(1) A program shall maintain a minimum pass rate of 65 percent for first-time candidates.

(2) The Board shall issue a warning to a program when the pass rate of first-time candidates is below 65 percent.

(3) For the first year a program does not meet the 65 percent pass rate requirements of §D(1) of this regulation and following the warning in §D(2) of this regulation, the program shall, within 30 calendar days, provide to the Board:

(a) A report that identifies the factors believed to have contributed to the below standard performance; and

(b) An action plan to be approved by the Board.

(4) Second Successive Year Not in Compliance.

(a) For the second successive year that a program is not in compliance with §D(1) of this regulation, the program shall:

(i) Be placed on conditional approval; and

(ii) Provide the Board with a report analyzing all aspects of the educational program and identifying areas that may be contributing to the below standard performance.

(b) The Board's professional staff may conduct a survey visit to the school and provide a report to the Board.

(5) If compliance with the minimum licensure examination performance standard for first-time candidates is not made by the program within 1 examination year from the date of conditional approval, approval may be withdrawn.

.08 Withdrawal of Curriculum Approval.

A. At least 30 days before issuing a formal notice of violation of regulations to a program, the Board shall notify the chief administrator of:

(1) The controlling institution, if applicable; and

(2) The massage therapy education program that the Board is considering issuing a formal notice of violation.

B. During the 30-day period, the Board shall provide the chief administrator of the controlling institution, if applicable, and the massage therapy education program with an opportunity to meet with representatives of the Board to discuss the Board's proposed action against the program.

C. The program shall notify the Board within the 30-day period if it is interested in meeting with the Board. If the program requests a meeting, the Board shall make the arrangements.

D. At the meeting, the program shall submit to the Board a plan with a proposed timeframe for correcting the violations.

E. The Board shall:

(1) Evaluate the plan;

(2) Approve or modify the plan; and

(3) Have discretion to make changes to the timeframes for correcting violations or other components of the plan.

F. The program shall correct the violations within the timeframes approved by the Board.

G. Approval may be withdrawn for the following reasons:

(1) Noncompliance with any of the regulations in this chapter;

(2) Failure to:

(a) Hire faculty who meet the qualifications as stated in Regulation .03 of this chapter;

(b) Submit records and reports to the Board in a timely manner;

(c) Implement the approved curriculum;

(d) Comply with the Board's requirements within the specified timeframes;

(e) Maintain the required passing rate on the MBLEx exam by first-time candidates; and

(f) Annually document that all faculty have current licenses; and

(3) Other activities or situations, as determined by the Board, that indicate a program is not meeting statutory and regulatory requirements and standards.

H. Withdrawal of Approval. If the program does not correct the violations within the approved timeframes, the Board shall begin proceedings to remove the program from its list of institutions that offer approved massage therapy education programs in Maryland pursuant to Health Occupations Article, §§6-308—6-310, Annotated Code of Maryland.

.09 New Programs and Continuing Approval Requirements.

A. New Program Requirements. The Board shall cooperate with MHEC when approving and reviewing curricula.

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B. Approval.

- (1) *Upon review of an application for curriculum approval, the Board may:*
 - (a) *Grant approval;*
 - (b) *Place the curriculum on provisional approval;*
 - (c) *Request revisions of the curriculum to align with the Board's statute and regulations; or*
 - (d) *Deny the application.*
- (2) *Approval:*
 - (a) *Is required before the admission of students; and*
 - (b) *Requires concurrence of the Maryland Higher Education Commission.*

C. Provisional Approval. A program seeking accreditation or endorsement may be granted provisional approval to graduate students if the program submits:

- (1) *Proof of application status for accreditation or endorsement;*
- (2) *An application for provisional curriculum approval; and*
- (3) *Otherwise meets the requirements of this regulation.*

D. A program may not operate under provisional status for longer than 2 years.

.10 Closure of Programs.

- A. Upon request, the Board shall provide consultation concerning closing of a program.*
- B. Upon the decision by a program to close, and at least 90 days before closing, the program shall notify the Board of its intent, giving the following information:*
 - (1) *Date and reason for closing;*
 - (2) *Plans for phasing out the program, including a teach-out program;*
 - (3) *Disposition of the records of students, graduates, and faculty; and*
 - (4) *Title of the position of the individual to be responsible for the records and the name of the agency in which the records will be located.*

LAURA HERRERA SCOTT
Secretary of Health