

SENATE BILL 217

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(PRE-FILED)

5lr0267
CF HB 256

By: **Chair, Finance Committee (By Request – Departmental – Health)**

Requested: October 6, 2024

Introduced and read first time: January 8, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations Boards – Membership Alteration and Sunset Extensions**

3 FOR the purpose of continuing the State Board of Examiners for Audiologists, Hearing Aid
4 Dispensers, Speech–Language Pathologists, and Music Therapists, the State Board
5 of Massage Therapy Examiners, the State Board of Pharmacy, the State Board of
6 Professional Counselors and Therapists, and the Behavior Analyst Advisory
7 Committee within the State Board of Professional Counselors and Therapists in
8 accordance with the provisions of the Maryland Program Evaluation Act (sunset law)
9 by extending to a certain date the termination provisions relating to the statutory
10 and regulatory authority of the boards and Committee; altering the membership of
11 the State Board of Massage Therapy Examiners; and generally relating to the health
12 occupations boards.

13 BY repealing and reenacting, without amendments,
14 Article – Health Occupations
15 Section 2–201, 6–201, 6–202(b), 12–201, 17–201, and 17–6A–05
16 Annotated Code of Maryland
17 (2021 Replacement Volume and 2024 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Health Occupations
20 Section 2–502, 6–202(a), 6–602, 12–802, 17–6A–31, and 17–702
21 Annotated Code of Maryland
22 (2021 Replacement Volume and 2024 Supplement)

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

25 **Article – Health Occupations**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2–201.

2 There is a State Board of Examiners for Audiologists, Hearing Aid Dispensers,
3 Speech–Language Pathologists, and Music Therapists in the Department.

4 2–502.

5 Subject to the evaluation and reestablishment provisions of the Maryland Program
6 Evaluation Act, this title and all rules and regulations adopted under this title shall
7 terminate and be of no effect after July 1, [2026] **2031**.

8 6–201.

9 There is a State Board of Massage Therapy Examiners in the Department.

10 6–202.

11 (a) (1) The Board consists of [seven] **NINE** members.

12 (2) Of the [seven] **NINE** Board members:

13 (i) [Five] **SIX** shall be licensed massage therapists; and

14 (ii) [Two] **THREE** shall be consumer members.

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

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

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

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

26 (b) (1) Each licensed massage therapist member shall be:

27 (i) A resident of the State;

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

(iii) A graduate of a Board–approved program 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.

6–602.

Subject to the evaluation and reestablishment provisions of the Maryland Program
Evaluation Act, this title and all regulations adopted under this title shall terminate and
be of no effect after July 1, [2026] **2031**.

12–201.

There is a State Board of Pharmacy in the Department.

12–802.

Subject to the evaluation and reestablishment provisions of the **MARYLAND**
Program Evaluation Act, this title and all rules and regulations adopted under this title
shall terminate and be of no effect after July 1, [2025] **2030**.

17–201.

There is a State Board of Professional Counselors and Therapists.

17–6A–05.

There is a Behavior Analyst Advisory Committee within the Board.

17–6A–31.

Subject to the evaluation and reestablishment provisions of the Maryland Program
Evaluation Act, this subtitle and all rules and regulations adopted under this subtitle shall
terminate and be of no effect after July 1, [2026] **2031**.

17–702.

1 Subject to the evaluation and reestablishment provisions of the Maryland Program
2 Evaluation Act, this title and all rules or regulations adopted under this title shall
3 terminate and be of no effect after July 1, ~~[2026]~~ **2031**.

4 SECTION 2. AND BE IT FURTHER ENACTED, That notwithstanding § 6–202(f)(1)
5 of the Health Occupations Article, the initial terms of the additional members of the State
6 Board of Massage Therapy Examiners appointed under § 6–202(a) of the Health
7 Occupations Article, as enacted by Section 1 of this Act, shall expire in 2030.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
9 1, 2025.