

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 330

H.P. 255

House of Representatives, January 24, 2019

An Act To Define Licensed Massage Therapists as Health Care Practitioners

Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DeCHANT of Bath.
Cosponsored by Representatives: HUBBELL of Bar Harbor, WARREN of Hallowell.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §14301, sub-§3**, as amended by PL 1997, c. 681, §1, is further
3 amended to read:

4 **3. Massage therapist or massage practitioner.** "Massage therapist" or "massage
5 practitioner" means a person who is a health care practitioner as defined in Title 24,
6 section 2502, subsection 1-A and who provides or offers to provide massage therapy for a
7 fee, monetary or otherwise.

8 **Sec. 2. 32 MRSA §14301, sub-§4**, as amended by PL 1991, c. 548, Pt. E, is
9 further amended to read:

10 **4. Massage therapy.** "Massage therapy" means a health care practice that uses
11 scientific or skillful manipulation of soft tissue for therapeutic or remedial purposes,
12 specifically for improving muscle tone and circulation and promoting health and physical
13 well-being. The term includes, but is not limited to, manual and mechanical procedures
14 for the purpose of treating soft tissue only, the use of supplementary aids such as rubbing
15 alcohol, liniments, oils, antiseptics, powders, herbal preparations, creams or lotions,
16 procedures such as oil rubs, salt glows and hot or cold packs or other similar procedures
17 or preparations commonly used in this practice. This term specifically excludes
18 manipulation of the spine or articulations and excludes sexual contact as defined in Title
19 17-A, section 251, subsection 1, paragraph D.

20 **Sec. 3. 32 MRSA §14306-C, sub-§1**, as enacted by PL 1997, c. 681, §7, is
21 amended to read:

22 **1. License required.** ~~Beginning on the effective date of this section, a~~ A person may
23 not, unless licensed in accordance with or specifically exempted by this chapter, claim to
24 be a massage therapist or a massage practitioner ~~unless licensed in accordance with this~~
25 ~~chapter or claim to provide any procedure that is described by any of the following~~
26 words: "massage," "bodywork," "body therapy," "manual therapy," "neuromuscular
27 therapy," "touch therapy" or "myotherapy" or related terms.

28 **SUMMARY**

29 This bill clarifies that massage therapists and massage practitioners are health care
30 practitioners and that massage therapy is a health care practice. It prohibits unlicensed
31 persons from claiming to provide procedures that are described as "massage,"
32 "bodywork," "body therapy," "manual therapy," "neuromuscular therapy," "touch
33 therapy" or "myotherapy" or related terms.