

(5) CONSIDER COMPLAINTS BROUGHT TO THE BOARD INVOLVING ~~LICENSED CERTIFIED~~ MASSAGE THERAPISTS AND RECOMMEND TO THE BOARD THE APPROPRIATE DISCIPLINARY ACTION;

(6) EVALUATE EDUCATION PROGRAMS IN MASSAGE THERAPY FOR APPROVAL BY THE BOARD;

(7) KEEP A RECORD OF ITS PROCEEDINGS; AND

(8) SUBMIT AN ANNUAL REPORT TO THE BOARD.

~~8-7A-05. 3-5A-05.~~

(A) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, AN INDIVIDUAL SHALL BE ~~LICENSED CERTIFIED~~ BY THE BOARD BEFORE THE INDIVIDUAL MAY PRACTICE MASSAGE THERAPY IN THIS STATE.

(2) THIS SECTION DOES NOT APPLY TO:

(I) A STUDENT ENROLLED IN AN APPROVED EDUCATION PROGRAM AS DETERMINED BY THE BOARD WHILE PRACTICING MASSAGE THERAPY IN THAT PROGRAM; ~~OR~~

(II) AN INDIVIDUAL PERMITTED TO PRACTICE MASSAGE THERAPY UNDER REGULATIONS ADOPTED BY THE BOARD, IF THE INDIVIDUAL:

1. OTHERWISE HAS QUALIFIED TO PRACTICE MASSAGE THERAPY IN ANY OTHER STATE OR COUNTRY ~~AND~~ THAT HAS SUBSTANTIALLY SIMILAR REQUIREMENTS FOR AUTHORIZATION TO PRACTICE MASSAGE THERAPY AND THE INDIVIDUAL IS IN THIS STATE FOR NO MORE THAN 7 DAYS; OR

2. HAS AN APPLICATION FOR A LICENSE CERTIFICATE PENDING BEFORE THE BOARD BUT HAS NOT TAKEN THE EXAMINATION REQUIRED UNDER THIS SECTION OR HAS TAKEN AN EXAMINATION UNDER THIS SECTION, BUT THE RESULTS OF THE EXAMINATION ARE NOT YET KNOWN;

(III) A FAMILY MEMBER PRACTICING MASSAGE THERAPY ON ANOTHER FAMILY MEMBER;

(IV) AN ATHLETIC TRAINER WHILE FUNCTIONING IN THE COURSE OF THE ATHLETIC TRAINER'S PROFESSIONAL CAPACITY;

(V) AN INDIVIDUAL EMPLOYED BY THE FEDERAL GOVERNMENT TO PRACTICE MASSAGE THERAPY WHILE PRACTICING WITHIN THE SCOPE OF THE INDIVIDUAL'S EMPLOYMENT;

(VI) AN INDIVIDUAL WHO IS WORKING IN A FACILITY THAT PROVIDES HEALTH CLUB SERVICES FOR WHICH THE SELLER OF THE SERVICES HAS REGISTERED WITH THE CONSUMER PROTECTION DIVISION OF THE OFFICE OF THE ATTORNEY GENERAL AS REQUIRED UNDER § 14-12B-02 OF THE COMMERCIAL LAW ARTICLE; OR