

(B) FOR PURPOSES OF THIS SECTION, NOTICES MAILED TO PATIENTS TO INFORM THEM OF TIMES FOR PERIODIC APPOINTMENTS ARE NOT ADVERTISING OR SOLICITING.

(C) A LICENSED MASSAGE THERAPIST OR A REGISTERED MASSAGE PRACTITIONER MAY USE A TRADE NAME IN CONNECTION WITH THE PRACTICE OF MASSAGE THERAPY PROVIDED THAT:

(1) THE USE OF THE TRADE NAME IS NOT DECEPTIVE OR MISLEADING;

(2) THE ADVERTISEMENT IN WHICH THE TRADE NAME APPEARS INCLUDES THE NAME OF THE LICENSED MASSAGE THERAPIST OR REGISTERED MASSAGE PRACTITIONER OR THE NAME OF THE BUSINESS ENTITY PROVIDING THE MASSAGE THERAPY SERVICES BEING ADVERTISED, AS LONG AS THE ADVERTISEMENT INCLUDES THE NAME OF A LICENSED MASSAGE THERAPIST OR REGISTERED MASSAGE PRACTITIONER;

(3) THE NAME OF THE LICENSED MASSAGE THERAPIST OR REGISTERED MASSAGE PRACTITIONER PROVIDING MASSAGE THERAPY SERVICES APPEARS ON THE BILLING INVOICES, STATIONERY, AND ON ANY RECEIPT GIVEN TO A PATIENT;

(4) TREATMENT RECORDS ARE MAINTAINED THAT CLEARLY IDENTIFY THE LICENSED MASSAGE THERAPIST OR REGISTERED MASSAGE PRACTITIONER WHO HAS PERFORMED THE MASSAGE THERAPY SERVICE FOR THE PATIENT; AND

(5) THE USE OF A TRADE NAME IS PREAPPROVED BY THE BOARD BEFORE USE.

[3-5A-12.] 3-5A-14.

A health care provider licensed or certified under this article may not refer patients to a person who is not a [certified] LICENSED massage therapist.

[3-5A-13.] 3-5A-15.

Notwithstanding the fact that these services are provided within the scope of their [certified] LICENSED practice, nothing in this subtitle requires a nonprofit health service plan, insurer, health maintenance organization, or person acting as a third party administrator to reimburse a [certified] LICENSED massage therapist or registered massage practitioner for any services rendered.