IMPORTANT NOTICE FOR LICENSED MASSAGE THERAPISTS AND REGISTERED MASSAGE PRACTITIONERS

On May 19, 2020 Secretary Neall issued an Amended Directive and Order Regarding Various Healthcare Matters. The order permits licensed massage therapists (“LMTs”) to perform massages in health care settings. Per the Massage Therapy Act and order, a health care setting means: “the office of a health care provider regulated under this article or a health care facility as defined in § 19-114 of the Health--General Article.” Md. Code Ann., Health Occ. § 6-101(c). Under the two-tiered massage licensing and registration system, LMT's can work in health care settings. Registered Massage Practitioners (RMP's) cannot practice in a health care setting. The Amended Order explicitly permits LMT's to return to work in a healthcare setting, but not RMP's (because RMP’s are not licensed and cannot work in a health care setting). Under the Amended Order, all licensed healthcare providers, including LMT’s (but not including RMP’s) may, resume elective and non-urgent medical procedures if certain conditions are met. Those conditions are contained in Secretary Neall’s May 19, 2020 Order, excerpts of which are referenced below.

The Amended Order requires licensed healthcare providers to exercise their professional judgment and common sense to determine what procedures are appropriate to perform, which appointments should occur, and which patients to see in light of widespread COVID-19 community transmission. Additionally, the Order has several measures that need to be in place, including required use of personal protective equipment (PPE), social distancing requirements, screening for COVID-19, and implementation of infection control measures. All healthcare providers’ practices that are unable to comply with these additional requirements, and in particular the PPE requirements, may not resume elective and non-urgent massage therapy procedures. All LMTs must plan for and implement enhanced workplace infection control measures in accordance with the most current CDC guidelines. [https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control.html](https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control.html) This includes massage therapists and staff wearing face coverings and patients should wear face coverings when possible. [See Governor Hogan’s most Executive Order:https://governor.maryland.gov/wp-content/uploads/2020/05/Gatherings-FIFTH-AMENDED-5.6.20.pdf](https://governor.maryland.gov/wp-content/uploads/2020/05/Gatherings-FIFTH-AMENDED-5.6.20.pdf).

The Federation of State Massage Therapy Boards (FSMTB) has also released guidelines for massage and bodywork professionals to reduce the spread of COVID-19. Use the link to access the guide. [FSMTB Guidelines for Practice with COVID-19 Considerations](https://www.fsbmb.org/practice/Article/159/0/0/0/0/0/0/0/0/0)

The Board has been in contact with the Secretary and Governor’s office on issuing amended guidance to clarify the status of massage therapists. The Board will continue to keep its licensees up to date on the law in Maryland. You are also encouraged to review and comply with Executive Orders issued by your respective County Executive. The Board appreciates your continued understanding and cooperation through these difficult times. Once again, please use common sense and care in reopening your LMT practice or returning to work in a health care setting.

**EXCERPTS - 05-19-2020 SECRETARY NEALL’S ORDER**
5.B. Resumption of Elective and Non-Urgent Medical Procedures - Conditions
All licensed healthcare facilities and healthcare providers may resume elective and non-urgent medical procedures and appointments at 7:00 A.M., May 7, 2020 provided all of the following measures are in place:

I. Licensed healthcare providers shall exercise their independent professional judgment in determining what procedures are appropriate to perform, which appointments should occur, and which patients to see in light of widespread COVID-19 community transmission.

II. Any licensed healthcare facility or healthcare provider resuming elective and non-urgent medical procedures shall have at least one week’s supply of personal protective equipment (PPE) for themselves, staff, and as appropriate, for patients.
   
   o Note: PPE requests to any State or local health or emergency management agency will be denied for elective and non-urgent medical procedures.

   o Note: The healthcare facility or healthcare provider must be able to procure all necessary PPE for its desired services via standard supply chains.

   o Note: For hospitals with COVID-19 patients, MDH will determine a daily PPE per patient use rate for PPE requests.

III. Social distancing requirements must be strictly maintained in all settings where people must wait in order to minimize direct contact between individuals within the healthcare setting and use of non-traditional alternatives is encouraged (e.g., call ahead registration; waiting in a car until called).

IV. All healthcare workers, patients, and others must be screened for COVID-19 symptoms upon arrival for shift or visit. Staff must stay home if they are showing COVID-19 symptoms.

V. All healthcare facilities and healthcare providers must plan for and implement enhanced workplace infection control measures in accordance with the most current CDC guidelines: https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control.html
   
   o Note: All healthcare providers and staff shall wear appropriate face coverings, to include cloth face coverings, surgical face masks or N-95 masks, respirators, and/or face shields.

   o Note: Patients should wear a face covering whenever possible.

VI. Any healthcare facility or healthcare provider who is unable to provide
PPE for themselves, staff, and patients where appropriate shall immediately restrict operations to urgent and non-elective procedures and appointments.

C. Certification and Other Matters

VII. A healthcare facility’s managing authority or the responsible healthcare provider shall certify to MDH via secretary.health@maryland.gov that all of the above conditions for resumption of elective and non-urgent medical procedures have been met prior to resuming operations. A copy of this self-certification notice shall be posted prominently in the facility for the attention of patients and staff.

VIII. Complaints about a healthcare facility’s implementation of these measures may be directed to the Office of Health Care Quality at https://health.maryland.gov/ohcq/Pages/Complaints.aspx. A healthcare provider’s failure to comply with the terms of this order shall be considered to constitute unprofessional conduct, and written complaints about such failures may be directed to the appropriate health occupation board.

IX. MDH does not construe the immunity provisions in Pub. Safety Art. § 14-3A-06 or Health Gen. Art. § 18-907 to apply to a healthcare provider or facility performing non-COVID-19 related procedures or appointments.

2. Personal Protective Order Conservation

Subject to availability, all healthcare providers are required to immediately implement the U.S. Centers for Disease Control and Prevention’s Strategies to Optimize the Supply of PPE and Equipment, to include, but not limited to:

A. Use facemasks beyond the manufacturer-designated shelf-life during patient care activities.

B. Implement limited re-use of facemasks. The healthcare provider must not touch the outer surfaces of the mask during care, and mask removal and replacement must be done in a careful and deliberate manner.

C. Prioritize facemasks for:

   I. Provision of essential surgeries and procedures;

   II. During care activities where splashes and sprays are anticipated;

   III. During activities where prolonged face-to-face or close contact with a potentially infectious patient is unavoidable; and

   IV. Performing aerosol generating procedures, if respirators are no longer available.

D. Exclude healthcare providers at higher risk for severe illness from COVID-19
from contact with known or suspected COVID-19 patients.