

IN THE MATTER OF
SON A. BURRIS, M.T.
CERTIFICATE NO.

BEFORE THE
STATE BOARD OF
CHIROPRACTIC EXAMINERS

* * * * *

ORDER OF REVOCATION OF MASSAGE THERAPY CERTIFICATE

Pursuant to Md. State Govt. Code Ann. ("S.G.") § 10-226(c)(1) (1999 Repl. Vol.) and the Maryland Massage Therapists Act, codified at Md. Health Occ. Code Ann. ("H.O.") § 3-5A-01, *et seq.*, ("the Act") (2000 Repl. Vol.), the State Board of Chiropractic Examiners ("the Board") hereby **REVOKES** the massage therapy certificate of Son A. Burris, M.T. ("the Respondent"), Certificate No. M01288.

FACTS THAT WARRANT THE REVOCATION OF THE RESPONDENT'S CERTIFICATE

1. By application dated July 13, 2000, the Respondent submitted an application for certification as a massage therapist. On page 3 of the application, under "Licensure/Certification and Legal Information," the Respondent listed "Virginia Learning" and, besides "Date Issued," the Respondent indicated "7/16/00." Attached to and as a part of the application, the Respondent included a purported certificate from the "Virginia Learning Institute, Massage Therapy Program, Official Transcript", purportedly signed by "Katherine C. Cheri," Director.

2. Based upon the information contained in the Respondent's application, on December 5, 2000, the Board issued to the Respondent a certificate to practice massage therapy, which certificate expired on November 30, 2001.

3. The Respondent failed to renew the certificate.

4. Sometime in late 2001, the Virginia Learning Institute informed the Board that a theft had occurred at that institution. Taken in the theft was a computer that contained a hard drive on which the school's official transcripts could be printed out. The Board further received information that someone was selling, for as high as \$5000, "official transcripts" from Virginia Learning Institute.

5. Accordingly, the Board requested a list of all graduates who graduated in the massage therapy program run by the Virginia Learning Institute. Subsequently, the Board received a list from the institute's corporate headquarters, which kept duplicate copies of all enrollment, grades, transcripts and payment receipts. The Respondent's name does not appear on that list.

6. In February 2002, the Board's investigator went to Myrtle Beach, South Carolina and spoke with Katherine Cheri, the institute's former director. When shown the Respondent's transcript that contained Ms. Cheri's purported signature, Ms. Cheri denied signing that document, stating under oath that the signature was forged.

7. Had the Board known that the transcript submitted by the Respondent was forged and that her information regarding completion of requirements was falsified, it would not have issued the Respondent a certificate to practice massage therapy in Maryland.

CONCLUSIONS OF LAW

The Board finds that the Respondent violated § 3-5A-09 (a) (1) (Fraudulently or deceptively obtains or attempts to obtain a certificate or registration for the applicant or for another) and (11) (has violated any provision of this subtitle). The Board further concludes as a matter of law that the Respondent lacks the basic requirements of certification: namely pursuant to § 3-5A-05 (b) (1) (is of good moral character); and, § 3-5A-05(d)(waiver) (ii) (provides evidence acceptable to the Board that the applicant has practiced massage therapy for at least a total of 2 years after October 1, 1994 and before October 1, 1999 and has performed at least 300 paid massage therapy sessions; and (iii) 1. completes a Board approved program in the study of massage therapy).¹ The Board promulgated General Regulations for Massage Therapy under Code Md. Regs tit. 10 § 43.17: 05 Application of Certification: Provide evidence that the applicant is: (a) Of good moral character[;]. The Board concludes as a matter of law that the Respondent lacks good moral character.

The Board further concludes as a matter of law that the Respondent's certificate to practice massage therapy is void *ab initio*.

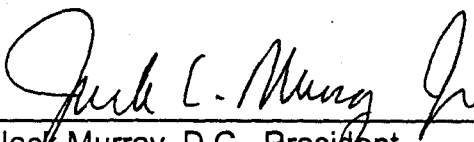
ORDER

Based on the foregoing Facts that Warrant Revocation of the Respondent's License and Conclusions of Law, by a unanimous vote of a quorum of the Board present, it is hereby

¹ The Virginia Learning Institute is a massage therapy program approved by the Board.

ORDERED on this 2nd day of May 2002, that the Respondent's certificate to practice massage therapy in the State of Maryland be and is hereby **REVOKED**; and be it further

ORDERED that this is a final Order of the Board, and, as such, is a public document, pursuant to the Maryland Public Information Act, codified at State Govt. Code Ann. § 10-611, *et seq.* (1999 Repl. Vol.)



Jack Murray, D.C., President
State Board of Chiropractic Examiners

NOTICE OF RIGHT TO APPEAL

Pursuant to H.O. § 3-315, you have a right to take a direct judicial appeal. A Petition for Judicial Review must be filed within thirty days of your receipt of this executed Order, and shall be made as provided for judicial review of a final decision in the APA, codified at State Govt. Code Ann. § 10-201, *et seq.* (1999 Repl. Vol.).