

IN THE MATTER OF * **BEFORE THE MARYLAND**
CALVIN CARBAUGH * **STATE BOARD OF MASSAGE**
Respondent * **THERAPY EXAMINERS**
License Number: R01062 * **Case Number: 25-39M**

* * * * *

CONSENT ORDER

On April 23, 2025, the Maryland State Board of Massage Therapy Examiners (the “Board”) charged **CALVIN CARBAUGH**, Registered Massage Practitioner (“RMP”), License Number **R01062** (the “Respondent”), with violating the Maryland Massage Therapy Act (the “Act”), Md. Code Ann., Health Occ. §§ 6-101 *et seq.*

On April 22, 2026, a Case Resolution Conference (“CRC”) was held before a Committee of Board members to determine whether it would be possible to resolve the charges with a consent order in lieu of an evidentiary hearing. The Respondent and his legal counsel were in attendance, as was the assigned Assistant Attorney General representing the State. At the CRC, the Respondent presented mitigation, and the State and the Respondent jointly proposed resolving the charges through a public consent order containing the terms and conditions set forth herein.

FINDINGS OF FACT

1. At all times relevant, the Respondent was and is registered to practice massage therapy in the State of Maryland. The Respondent was originally registered to practice massage therapy in Maryland on September 27, 2010, under Registration Number R01062. The Respondent’s RMP registration expires on October 31, 2026.

2. At all relevant times, the Respondent worked at a massage establishment (“the Establishment”)¹ in Hagerstown, Maryland.

3. On or about March 11, 2025, the Board received a written complaint (“the Complaint”) dated February 28, 2025 from the Establishment’s owner stating that on February 28, 2025, the Respondent, who was an employee at the Establishment, assaulted a female client (“the Client”) during a ninety-minute massage.

4. According to the Complaint, the Client received a massage and scheduled a facial with another provider (“the esthetician”) immediately following the massage. The Client told the esthetician that the massage made her “uncomfortable.” The esthetician reported this information to the Owner, who spoke with the Client the same day.

5. The Client told the Owner that the Respondent put his hands under the sheet and massaged the sides of her chest and in the middle. She stated that he “massaged the inside of her thighs and was very close to her private area.” She stated, in part, “if he stuck a finger up, it would of [sic] gone in my vagina.”

6. The Owner spoke with the Respondent, who stated that the Client must work out often because she was very tense and he massaged areas that needed attention.

7. The Owner terminated the Respondent on Friday, February 28, 2025.

8. As a part of the investigation, Board investigator (“the Investigator”) interviewed the Owner on April 8, 2025. The Owner stated that the Client reported that the

¹ For confidentiality reasons, the names of all facilities, clients or other individuals referenced in this document will not be identified by name.

Respondent placed his hand under the sheets to rub the sides of her breast area and between her breasts. She stated the Respondent also went beneath the sheet and was close to her vaginal area. The Client previously had a sixty-minute massage from the Respondent in 2022, and she asked the Owner if touching of this nature is “normal” for a ninety-minute massage. The Owner advised the Client that the Respondent’s actions were inappropriate. The Owner stated that, after the incident, she sent the Client a letter² and that the Respondent also sent the Client a letter of apology. Both letters were included in the Complaint.

9. The undated letter from the Respondent states, in part:

It is my understanding that some of the techniques used during your service were felt as though they brought contact to “sensitive” areas of the body....I do not recall coming in that close of contact to any “sensitive” areas. However, given the tension patterns that I found and pursued with body work to those areas some were in precarious regions that could easily feel uncomfortable and or/improper [sic]. I have clients that experience frequent or chronic tension in the same areas that I found with you; and use very similar to exact sequence of techniques on them. However, they and I have established more rapport, and thusly, those areas would fell [sic] much less invasive.

10. The Owner stated that when she questioned the Respondent regarding the incident, he admitted that he touched the Client in areas that he should not have. The Respondent also admitted to the Owner that he massaged the Client under the sheet and that he massaged between her legs. He was unable to explain why.

² The letter from the Owner apologizes for the incident and offers to refund the massage back to the gift card.

11. The Investigator interviewed the Respondent on April 9, 2025. When confronted with the allegation, the Respondent admitted that he failed to properly drape the Client. He stated:

... I guess, with not doing a proper diaper drape and working these abductor fibers, I guess I got far too close for comfort in the upper fibers for her. Even trying to work into the quadratus femoris, which, I guess, does bring in proximity of a sensitive area, but I wasn't [sic] the intent or trying to do that at all, but I know proper draping would have fixed that. I had to reflect, like, yeah that was very lazy draping you did there.

12. The Respondent stated that he did not discuss with the Client massaging the sides or middle of her breasts. He stated he did not recall touching her breasts. He stated, "...You know your pectoral muscles up around your clavicle, perhaps, you know, being the draping was poor, felt as though she was exposed or something, but I don't...I never saw any exposure at all. Just that the sheets were rather low, unfortunately, which I failed to fix."

13. The Investigator interviewed the Client on December 19, 2025. The Client stated that during the massage, the Respondent

...went up, like, on the really – really far up on the inside of my legs, and like, grazed his hand up, over, like, front of my pubic area, like multiple times on the one side. And I was like, I just kind of laid there and just kind of let it like go...Like okay, that was, you know, one side. Maybe it was an accident, May it was, you know, I don't know. And then he went to the other leg, and then did it again several times. And at that point, I was like, "Whoa." Like "I don't like that." And then he was just like, "Oh, sorry."

14. The Client stated that the Respondent then moved on to her shoulders and neck area:

...as I was laying on my back. And as he would, like, go down –like he went, like, down along the sides of my breasts, like very aggressively and back up. And then he did that several times....And I didn't really know what to do. Like I'm naked in a room alone with this man, so I just kind of suffered through it. And, you know, like as he would go down like the sides of my breasts, and he went, like, across my breasts and back up between them. And then he would kind of go up on my shoulders and the back down along the outsides of my breasts.

And, like, as he would go down the sides, he would, like, pull the – like, kind of like, catch the sheet with his thumbs, basically and pull it down, exposing me, and then pull it back up with his thumbs as he came back up. And it was just kind of like, this was not a normal massage..."

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Respondent's conduct, as set forth above, in whole or in part, constitutes grounds for disciplinary action pursuant to the following statutory and regulatory provisions³:

Health Occ. § 6-308. Denials, reprimands, suspensions, and revocations.

- (a) *In general; grounds.* -- Subject to the hearing provisions of § 6-309 of this subtitle, the Board may deny a license or registration to an applicant, reprimand a licensee or registration holder, place any licensee or registration holder on probation, or suspend or revoke the license of a licensee or the registration of a registration holder if the applicant, licensee, or registration holder:
- (8) Does an act that is inconsistent with generally accepted professional standards in the practice of massage therapy;
 - (9) Is negligent in the practice of massage therapy;
 - (11) Has violated any provision of this title;

³ The statutory and regulatory provisions cited in this Order reflect the versions which were in effect at the time of the April 2024 conduct at issue in this matter. The charges issued in this matter, however, cited recently updated versions which went into effect after the conduct at issue. The Respondent acknowledges that the statutory and regulatory provisions in this Order differ from those cited in the Charges, and enters this Consent Order in agreement with that change.

- (20) Engages in conduct that violates the professional code of ethics;
- (21) Knowingly does an act that has been determined by the Board to be a violation of the Board's regulations.

The violations of professional code of ethics and Board regulations include:

COMAR 10.65.03.02. Definitions.

- A. In this chapter, the following terms have the meanings indicated.
- B. Terms Defined.
 - (2) "Non bona fide treatment" means when a license holder or registration holder treats or examines a client in a way that involves sexual contact, but there is no therapeutic reason for the procedure, or the procedure falls outside of reasonable massage therapy.
 - (4) "Sexually exploitative relationship" means when sexual contact occurs in an existing therapeutic relationship between the massage therapist and the client or between the instructor and the student, or within a period of time after formal termination of the therapeutic or instructor-student relationship where the client or student may still be vulnerable to the power imbalance that exists in the relationship between the license holder or the registration holder and the client or student, even if the relationship may appear to be mutually consensual.

COMAR 10.65.03.03 Standards of Practice

- A. The licensee or registrant shall be concerned primarily with the welfare of the client.
- C. A licensee or registrant shall:

- (1) Use professional discretion and integrity in relationships with members of the public and health care community;
- (2) Engage in professional conduct at all times, with honesty, integrity, self-respect and fairness;
-
- (5) At all times respect the client's dignity, autonomy, and privacy;
- (6) Practice massage therapy only as defined in the scope of practice set out in Health Occupations Article, § 6-101, Annotated Code of Maryland.

D. A license holder or registration holder may not:

....

- (2) Knowingly engage in or condone behavior that:

....

- (d) Involves moral turpitude.

COMAR 10.65.03.05 Professional Boundaries

A. A licensee or registrant shall:

- (1) Maintain professional boundaries, even when the client, staff member, or student initiates crossing the professional boundaries of the professional relationship; and
- (2) Respect and maintain professional boundaries and respect the client's, staff member's, or student's reasonable expectation of professional conduct.

B. A licensee or registrant may not:

- (1) Exploit a relationship with a client, staff member, or student for the licensee's or registrant's personal advantage, including, but not limited to, a personal, sexual, romantic, or financial relationship;
- (2) Engage in a sexually intimate act with a client; or
- (3) Engage in sexual misconduct that includes, but is not limited to:
 - (b) Non bona fide treatment; or
 - (c) A sexually exploitative relationship.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that Respondent's license to practice massage therapy in the State of Maryland, License Number **M06610**, is placed on **PROBATION** for a minimum of **TWO (2) YEARS**, subject to the following terms and conditions:

1. The Respondent's status as a licensed massage therapist will be listed in the Board's computer records and website as being on "Probation;"

2. Within **SIX (6) MONTHS** of the effective date of this Order, the Respondent shall take and successfully complete three live (not pre-recorded) Board-approved courses in **ETHICS; CLIENT COMMUNICATION & PREVENTING SEXUAL ASSAULT; AND DRAPING**. The following terms apply:
 - i. It is the Respondent's responsibility to locate, enroll in, and obtain the Board's approval of the course before the course begins;
 - ii. The Board may accept courses taken in person or online;
 - iii. The courses must be a minimum of three credit hours.
 - iv. The Respondent must provide documentation to the Board that the Respondent successfully completed the courses;
 - v. The courses may not be used to fulfill the continuing education credits required for license renewal; and
 - vi. The Respondent is responsible for the cost of the courses;
3. The Respondent shall comply with the Maryland Massage Therapy Act and all laws and regulations governing the practice of massage therapy in Maryland; and it is further

ORDERED that the Respondent shall at all times cooperate with the Board in the monitoring, supervision, and investigation of the Respondent's compliance with the terms and conditions of this Order. The Respondent's failure to fully cooperate with the Board shall be considered a violation of probation and this Order; and it is further

ORDERED that, if the Respondent allegedly fails to comply with any term or condition imposed by this Consent Order, the Respondent shall be given notice and an opportunity for a hearing. If the Board determines there is a genuine dispute as to a material

fact, the Board shall schedule an evidentiary hearing before the Board. If the Board determines there is no genuine dispute as to a material fact, the Respondent shall be given the opportunity to request a show cause hearing before the Board; and it is further

ORDERED that, after the appropriate hearing, if the Board determines that the Respondent has failed to comply with any term or condition imposed by this Consent Order, the Board may reprimand the Respondent's license, place the Respondent's license on additional probation with appropriate terms and conditions, suspend the Respondent's license with appropriate terms and conditions, or revoke the Respondent's license to practice massage therapy in the State of Maryland. The Board may, in addition to one or more of the sanctions set forth above, impose an additional civil monetary fine on the Respondent; and it is further

ORDERED that the effective date of the Consent Order is the date the Consent Order is signed by the Board; and it is further

ORDERED that for purposes of public disclosure and as permitted by Md. Code Ann., Gen. Prov. § 4-333(b)(6), this document consists of the foregoing Findings of Fact, Conclusions of Law, and Order, and is reportable to any entity to whom the Board is obligated to report; and it is further

ORDERED that this Consent Order is a Final Order of the Board, and, as such, is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. § 4-333(b)(6) and Md. Code Ann., Health Occ. § 1-607.

Consent Order
Maryland State Board of Massage Therapy Examiners Case No. 25-39M
Calvin Carbaugh, License No. R01062

06/24/2026

Date

Signature on File

Sharon J. Oliver, MBA, Executive Director
Maryland State Board of Massage Therapy Examiners

CONSENT

1. By this Consent, for the purpose of resolving the issues raised by the Board in this matter, I waive my right to contest the charges in an evidentiary hearing, and I voluntarily agree to be bound by the foregoing Consent Order.
2. I acknowledge the validity of this Consent Order as if entered after an evidentiary hearing in which I would have had the right to counsel, to testify, to call witnesses, to confront witnesses, and to all other substantial and procedural protections provided by law, which I waive by signing this Consent.
3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this public Consent Order.
4. I waive any right to contest the Findings of Fact, Conclusions of Law, and terms and conditions of this Consent Order, and I waive any right I may have had to appeal or seek judicial review of the final decision in this matter.
5. I sign this Consent voluntarily and without reservation after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order, and I agree to comply with the Order's terms and conditions.

06/01/2026
Date

Signature on File
Calvin Carbaugh, RMP

STATE OF MARYLAND

CITY/COUNTY OF Washington

I HEREBY CERTIFY that on this 1st day of June, 2026, before me, a Notary Public of the State of Maryland and City/County aforesaid, personally

Consent Order
Maryland State Board of Massage Therapy Examiners Case No. 25-39M
Calvin Carbaugh, License No. R01062

appeared Calvin Carbaugh, and made an oath in due form of law that the foregoing Consent was her voluntary act and deed.

AS WITNESS, my hand and Notary Seal.

Signature on File

Notary Public

My Commission Expires: May 26, 2027