

IN THE MATTER OF	*	BEFORE THE MARYLAND STATE
AILING GAO, RMP	*	BOARD OF MASSAGE
Respondent	*	THERAPY EXAMINERS
Registration Number: R02083	*	Case Numbers: 24-28M & 25-04M

* * * * *

CONSENT ORDER

On June 25, 2025, the Maryland State Board of Massage Therapy Examiners (the “Board”) charged **AILING GAO, RMP** (Registered Massage Practitioner) (the “Respondent”), Registration Number **R02083**, with violating the Maryland Massage Therapy Act (the “Act”), Md. Code Ann., Health Occ. §§ 6-101 *et seq.* (2021 Repl. Vol. & 2024 Supp.).

Specifically, the Board based its action on the Respondent’s violation of the following provisions of the Act:

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

(a) 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:

.....

(2) Fraudulently or deceptively uses a license or registration;

.....

(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;

- (10) Is professionally incompetent;
- (11) Has violated any provision of this title;
-
- (20) Engages in conduct that violates the professional code of ethics; [or]
- (21) Knowingly does an act that has been determined by the Board to be a violation of the Board's regulations[.]

Health Occ. § 6-501. Practicing without license.

- (a) Except as otherwise provided in this title, an individual may not practice, attempt to practice, or offer to practice massage therapy, massage, myotherapy, or any synonym or derivation of these terms in the State unless licensed or registered by the Board.
- (b) A person may not aid or abet the unauthorized practice of massage therapy in the State.¹

Pursuant to Health Occ. § 6-308(20) and (21), the Board charged the Respondent with violating the following provisions of the Code of Maryland Regulations (“COMAR”):²

COMAR 10.65.03 Code of Ethics

.03 Standards of Practice

....

C. A licensee or registrant shall:

....

¹ This subsection was added effective July 1, 2024.

² Effective August 5, 2024, the phrase “licensee or registrant” replaced the phrase “license holder or registration holder” in the quoted regulations; except in COMAR 10.65.03.03D(3), where it replaced the phrase “licensed massage therapist or registered massage practitioner;” and in COMAR 10.65.06.01A, where it replaced the phrase “license or registration holder.”

- (2) Engage in professional conduct at all times, with honesty, integrity, self-respect, and fairness;

....

D. A licensee or registrant may not:

....

- (2) Knowingly engage in or condone behavior that:
 - (a) Is fraudulent;
 - (b) Is dishonest;
 - (c) Is deceitful; or
 - (d) Involves moral turpitude;
- (3) Engage in a commercial activity that conflicts with the duties of a licensee or registrant;

....

- (6) Aid or abet any individual violating or attempting to violate any provision of law or regulation.

.04 Relationship with Client.

A. A licensee or registrant shall:

....

- (4) Maintain legible, organized written records of treatment of any client under the care of the licensee or registrant for at least 5 years after termination of treatment and as provided by applicable provisions of Health-General Article, Title 4, Subtitle 3, Annotated Code of Maryland;

COMAR 10.65.06 Record Keeping

.01 General Requirements

- A. The licensee or registrant shall maintain accurate, legible, and organized client records for every client, regardless of the procedure or modality employed.
- B. Sufficient information to be obtained and recorded shall include, at a minimum:
 - (1) Name, address, and other appropriate contact information;
 - (2) Summarized client history;
 - (3) Summarized reason for appointment or referral, including referral documentation, including forwarded reports and correspondence, if applicable;
 - (4) Billing and insurance documentation, if applicable; and
 - (5) Massage session summary in standard SOAP format, or its equivalent, which includes, at a minimum:
 - (a) Initial client assessment, including contraindications noted;
 - (b) Summarized therapy plan; and
 - (c) Progress notes, reflecting: summary of techniques used and response to techniques.

On August 29, 2025, a Case Resolution Conference ("CRC") was held before a committee of the Board. As a resolution of this matter, the Respondent agreed to enter this public Consent Order consisting of Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board makes the following findings of fact:

I. BACKGROUND

1. At all times relevant hereto, the Respondent was registered to practice massage therapy in the State of Maryland. The Respondent was initially registered as a

Registered Massage Practitioner in Maryland on September 9, 2014, under License Number R02083. The Respondent's registration expires on October 31, 2026, subject to renewal.

2. At all times relevant hereto, the Respondent owned and operated a massage therapy establishment (the "Establishment")³ located in Montgomery County, Maryland.

3. On or about April 10, 2024, the Board received a complaint from one of the Respondent's clients, following which the Board began an investigation of the Respondent's practice under case number 24-28M.⁴

4. During the pendency of the Board's investigation under case number 24-28M, on or about June 19, 2024, the Board received a notification from the Montgomery County Police Department, Vice and Intelligence Unit ("MCPD") concerning unlicensed employees performing massage therapy at the Establishment. The Board began a concurrent investigation of the Respondent's practice under case number 25-04M.

II. BOARD INVESTIGATION

5. According to the notification received from the MCPD, on or about June 10, 2024, members of the MCPD conducted an inspection of the Establishment and discovered three men receiving massages. The Respondent was not at the Establishment at the time. None of the employees present were licensed or registered to practice massage therapy in the State of Maryland.

³ For confidentiality purposes, the names of individuals and health care facilities are not disclosed in this document. The Respondent may request the identity of the referenced individuals or facilities by making a request to the assigned Administrative Prosecutor.

⁴ As detailed more fully below, while investigating the complaint in case number 24-28M, the Board discovered recordkeeping violations. The specific conduct alleged in the complaint in case number 24-28M do not form a basis for these charges.

6. On or about July 3, 2024, the Board issued a *subpoena duces tecum* to the Establishment, seeking production of:

A list of all employees in your practice for the period of January 1, 2023 to June 30, 2024, include names; addresses; contact number; dates of employment; job titles and assigned duties. In addition, copies of all licenses or certificates, where applicable, for all persons employed at the practice, including you.

7. On or about July 18, 2024, the Respondent produced a copy of her registration certificate, copies of employee continuing education program certificates, and a list of employees. The Respondent identified herself as the owner of the Establishment in the documents. The Respondent failed to identify as employees any of the unlicensed individuals who performed massage therapy at MCPD's June 10, 2024, inspection. The Respondent also failed to identify as employees the unlicensed individuals who later performed massage therapy at MCPD's subsequent August 5, 2024, inspection, discussed *infra*. These unlicensed individuals reported that they were employees of the Establishment as of June 30, 2024, and thus would have been required to be disclosed under the Board's subpoena.

8. On or about July 25, 2024, the Board issued a *subpoena duces tecum* to the Establishment, seeking production of the massage records related to the complaint in case number 24-28M.

9. On or about July 29, 2024, the Establishment produced documents, including a client sign-in form and a "CLIENT WAIVER FORM" for the client in case number 24-28M.

10. On or about August 16, 2024, the Board conducted an under-oath interview with the Respondent. The Respondent identified herself as the owner of the Establishment. The Respondent initially stated that she had two employees at the Establishment but later stated that she had four employees at the Establishment.

11. On or about October 7, 2024, the Board issued a *subpoena duces tecum* to the Respondent, seeking production of:

OFFICE APPOINTMENT AND CALENDAR NOTATIONS FOR THE MONTHS OF July 1, 2023-, August 31, 2024, including the treatment(s) performed and[or] treatment codes of patient(s)

And

A list of all employees in your practice for the period of July 1, 2023 to August 31, 2024, include names; addresses; contact number; dates of employment; job titles and assigned duties. In addition, copies of all licenses or certificates, where applicable, for all persons employed at the practice, including you.

12. On or about October 22, 2024, the Respondent produced a document containing a ledger with a list with headers and entries for “Client”, “Status”, “Scheduled date”, “Category”, “Duration (mins)”, and “Appt. slot”. Entries for “Category” included “Swedish Massage”, “Acupressure”, and “Deep Tissue Massa[ge]”. The 123-page document contained over 5,000 entries. The Respondent failed to produce the list of employees requested in the October 7, 2024, *subpoena duces tecum*.

13. On or about December 11, 2024, the Board issued a *subpoena duces tecum* to the Respondent, seeking production of:

ALL WRITTEN AND COMPUTER-GENERATED CLIENT TREATMENT RECORDS, FILES, INVOICES, LETTERS, BILLS, INSURANCE DOCUMENTATION, MEMORANDA, S.O.A.P. NOTES, OFFICE APPOINTMENT AND CALENDAR

NOTATIONS AND RECORDS AND ANY OTHER RELATED
DATA OR RECORDS FOR THE PERIOD *JULY 01, 2023 TO
DECEMBER 30, 2023.*

14. On or about December 11, 2024, an individual who identified himself as the Respondent's son responded to the *subpoena duces tecum* on behalf of the Respondent, stating that "we do not maintain treatment records, S.O.A.P. notes, or other documentation typically associated with healthcare or therapy services."

15. On or about February 5, 2025, the Board obtained certified copies of the Case Summary, Criminal Information, and Statement of Charges in Case Number C-15-CR-24001158 in the Circuit Court for Montgomery County, Maryland. According to the documents, the Respondent was charged with one (1) count of aiding or abetting the unauthorized practice of massage therapy in the State of Maryland.

16. According to the Application for Statement of Charges in Case Number C-15-CR-24001158, on August 5, 2024, at approximately 4:15 p.m., detectives from the MCPD conducted a "bodywork facility and compliance check" of the Establishment. In the first room, MCPD found a male customer. The female employee in the first room "stated that she has been working at the [Establishment] for six months and today she gave 3 . . . massages."

17. In the second room, a "male customer . . . was receiving a massage from [a female employee]." The female employee in the second room "stated that she has been working at the [Establishment] for a couple months and on today's date she gave 1 . . . massage."

18. In the third room, a “male customer was . . . laying on the massage table waiting for a massage therapist to come into the room.” MCPD further found three other employees in the spa who reported that they were unlicensed and did not provide massages. None of the employees present were licensed or registered to practice massage therapy in the State of Maryland.

19. On or about April 2, 2025, the Respondent pled guilty to one (1) count of conspiracy to aid or abet the unauthorized practice of massage therapy in the State of Maryland, a crime involving moral turpitude. The Respondent was granted probation before judgment and placed on two (2) years of unsupervised probation.

CONCLUSIONS OF LAW

20. By failing to maintain accurate, legible, and organized client records for every client, the Respondent violated Health Occ. § 6-308(a)(9), (10), and/or (21); and/or COMAR 10.65.06.01A and/or B; and/or COMAR 10.65.03.04A(4).

21. By aiding and abetting and/or conspiring to aid and abet the unauthorized practice of massage therapy in the State of Maryland, the Respondent violated Health Occ. § 6-308(a)(2), (8), (9), (10), (11), (20) and/or (21); and/or Health Occ. § 6-501(a) and/or (b); and/or COMAR 10.65.03.03C(2) and/or D(2)(a)-(d) and/or D(3) and/or D(6).

22. By participating in activities, as outlined in the Allegations of Fact above, the Respondent violated Health Occ. § 6-308(a)(2), (8), (9), (10), (11), (20) and/or (21); and/or Health Occ. § 6-501(a) and/or (b); and/or COMAR 10.65.03.03C(2) and/or D(2)(a)-(d) and/or D(3) and/or D(6); and/or COMAR 10.65.03.04A(4); and/or COMAR 10.65.06.01A and/or B.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is, by the affirmative vote of a majority of the Board considering this case:

ORDERED that the Respondent **AILING GAO, RMP**'s registration to practice massage therapy in the State of Maryland under Registration Number **R02083** be and hereby is **SUSPENDED FOR SIXTY (60) DAYS** from the effective date of this Consent Order; and it is further

ORDERED that, after **SIXTY (60) DAYS** from the effective date of this Consent Order, the Respondent's suspension shall be **TERMINATED** by operation of this Order and the Respondent's registration shall be placed on **PROBATION** for a minimum period of **FOUR (4) YEARS** subject to the following terms and conditions:

1. Within **SIX (6) MONTHS** of the termination of the Respondent's suspension, the Respondent shall pay a fine in the amount of **TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00)** by certified check or money order to the Maryland Board of Massage Therapy Examiners.
2. Within **SIX (6) MONTHS** of the termination of the Respondent's suspension, the Respondent is required to take and successfully complete one (1) Board-approved course in **ETHICS** and one (1) Board-approved course in **RECORDKEEPING**. The following terms apply:
 - a. It is the Respondent's responsibility to locate, enroll in, and obtain the Board's approval of the courses before the courses begin;
 - b. The Board may accept courses taken in person or online, provided that such courses are live and not prerecorded;
 - c. The Respondent must provide documentation to the Board that the Respondent has successfully completed the courses;
 - d. The courses may not be used to fulfill the continuing education credits required for license renewal; and

- e. The Respondent is responsible for the costs of the courses.
3. The Respondent shall submit to the Board written quarterly self-reports describing the Respondent's practice, including the Respondent's place of employment with its address.
4. The Respondent shall at all times cooperate with the Board, any of its agents or employees, and with the Board-assigned investigator, in the monitoring, supervision, and investigation of the Respondent's compliance with the terms and conditions of this Order.
5. The Respondent shall comply with the Maryland Massage Therapy Act, Md. Code Ann., Health Occ. §§ 6-101 and 6-602, and all laws and regulations governing the practice of massage therapy in Maryland; and it is further

ORDERED that the periods of suspension and probation are subject to the following additional terms and conditions:

1. The Board shall have the right to conduct quarterly unannounced inspections of the Respondent's practice;
2. The Board shall have the right to conduct record reviews of the Respondent's practice; and it is further

ORDERED that after conclusion of the **FOUR (4) YEAR** probationary period imposed by this Order, the Respondent may submit a written petition to the Board requesting termination of probation. After consideration of the petition, the probation may be terminated through an order of the Board. The Board at its discretion may grant termination if the Respondent has fully and satisfactorily complied with all the terms and conditions of the Order, and there are no pending investigations or complaints against the Respondent, and the Board deems termination of probation appropriate. If the Respondent fails to make any such petition, then the probationary period status may continue indefinitely, subject to the conditions set forth in this Order; and it is further

ORDERED that if the Respondent allegedly fails to comply with any of the terms and conditions of this Order, Respondent shall be given notice and opportunity for a hearing. If, in its sole discretion, the Board determines that there is a genuine dispute as to a material fact, the hearing shall be evidentiary hearing before the Board. If there is no genuine dispute as to a material fact, the Respondent shall be given 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 of probation or this Order, the Board may reprimand the Respondent, place the Respondent on probation with appropriate terms and conditions, or suspend or revoke the Respondent's registration to practice massage therapy in Maryland. The Board may, in addition to one or more of the sanctions set forth above, impose a civil monetary fine upon the Respondent; and it is further

ORDERED that the Respondent is responsible for all costs incurred in fulfilling the terms and conditions of this Order, and it is further

ORDERED that, unless stated otherwise in the order, any time prescribed in this order begins when the Order goes into effect. The Order goes into effect upon the signature of the Board's Executive Director, who signs on behalf of 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)(7), this document consists of the foregoing Findings of Fact,

Conclusions of Law, and is reportable to any entity to whom the Board is obligated to report; and it is further

ORDERED that this Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2019 Repl. Vol. & 2024 Supp.).

10/03/2025
Date

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

CONSENT

I, Ailing Gao, acknowledge that I have had the opportunity to consult with legal counsel before signing this document. By this Consent and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the law. I agree to forego my opportunity to challenge these allegations. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed after any such hearing.

I sign this Consent Order, voluntarily and without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

9/22/2025
Date

Ailing Gao
Ailing Gao
Respondent

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 22nd day of September, 2025, before me, a Notary Public of the foregoing State and City/County personally appear Ailing Gao, and made oath in due form of law that signing the foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.

CSA
Notary Public

My commission expires: 11/19/2027

Aileen Sun
NOTARY PUBLIC
MONTGOMERY COUNTY
MARYLAND
MY COMMISSION EXPIRES 11/19/2027