

HOMER HARDINGER, M06000

Kirsten Bodnarchuk, LMT
Chair, Maryland State Board of Massage Therapy Examiners
4201 Patterson Avenue, Suite 302
Baltimore, MD 21215

RE: Surrender of License to Practice as a Licensed Massage Therapist
License Number M06000
Case Number 24-03M

Dear Ms. Bodnarchuk:

I agree to voluntarily surrender my license to practice as a licensed massage therapist (“LMT”) in the State of Maryland, license number M06000, to the Maryland State Board of Massage Therapy Examiners (the “Board”). I understand that I may not practice as an LMT, with or without compensation, as it is defined in the Maryland Massage Therapy Act (the “Act”), Md. Code Ann., Health Occ. (“HO”) § 6-101 *et seq.* and the Board’s regulations, COMAR 10.65.01 *et seq.* In other words, as of the effective date of this Letter of Surrender, I understand that I am in the same position as an individual who is not licensed to practice as an LMT. I understand that this Letter of Surrender shall become a **PUBLIC** document and shall become effective on the date of the Board’s acceptance of this Letter of Surrender. I agree that this letter may be released or published by the Board as a final decision and order under the Public Information Act, Md. Code Ann., General Provisions §§ 4-101 *et seq.*

On or about September 12, 2023, the Board received a complaint alleging that, on June 6, 2023, while giving a massage to a client, I said to that client, “I could just kiss your ass.” The complaint further alleged that I asked the client, “Can I kiss your ass?” According to the complaint, when the client stated “No” to my advances, I stated, “Well, I am just going to kiss your neck” as I proceeded to kiss the client on the back of her neck. Based on this complaint, the Board initiated an investigation. It is now my understanding that the Board believes that it has sufficient information to charge my license with violations of the Act, specifically H.O. § 6-308(a)(8) (“Does an act that is inconsistent with generally accepted professional standards in the practice of massage therapy”) and H.O. § 6-308(a)(20) (“Engages in conduct that violates the professional code of ethics”), namely COMAR 10.65.03.05 (“Professional Boundaries”). I understand that, if this matter proceeded to an evidentiary hearing before the Board, there likely is sufficient evidence to find and conclude as a matter of law that I violated H.O. §§ 6-308(a)(8) and (20), and I understand that the Board could sanction my license pursuant to the Act, which could include the revocation of my license. Thus, it is my desire to surrender my license to practice as an LMT at this time.

In executing this agreement to surrender my license to practice as an LMT to the Board, I agree that I will not apply for reinstatement for a period of **FIVE (5) YEARS** following the date

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of the Board's acceptance of this Letter of Surrender. I also agree that if, after a period of **FIVE (5) YEARS**, I decide to apply for reinstatement as an LMT in Maryland, I will approach the Board in the same posture as an unlicensed individual whose license has been revoked. In considering my application for reinstatement, the Board may review my entire Board file, including any information the Board receives after the execution of this letter. I understand that it will be my burden, as an applicant for reinstatement, to demonstrate that I meet all of the Board's requirements for reinstatement of my license at the time I submit a reinstatement application. I understand that if the Board reinstates my license, it will be reinstated through the Board's disciplinary process and that my license will only be reinstated by the Board's issuance of a public order of reinstatement and that the Board may, in its discretion, place my reinstated license on probation subject to terms and conditions.

I acknowledge that upon the execution of this Letter of Surrender, I shall surrender to the Board any indicia of Maryland license that is in my possession, including my Maryland license to practice massage therapy, number M06000, and any wall certificate. I understand that the Board will advise the National Practitioner Data Bank of this Letter of Surrender, and in any response to an inquiry, that I have surrendered my license in lieu of potential disciplinary action under the Act that the Board may institute. I also understand that in the event I should apply for licensure in any form in any other state or jurisdiction, this Letter of Surrender, and all underlying documents, may be released or published by the Board to the same extent as a final order that would result from disciplinary action pursuant to Md. Code Ann., General Prov. §§ 4-101 *et seq.*

I wish to make it clear that I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender. I understand that, by executing this Letter of Surrender, I am waiving the right, now and in the future to any evidentiary hearing at which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, to contest the facts summarized in the second paragraph of this Letter of Surrender and at which I would have the right to all other substantive and procedural protections provided by law, including the right to appeal.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. I understand the nature and effect of both the Board's actions and this Letter of Surrender fully. Finally, I wish to make clear that I have had an opportunity to discuss this matter with legal counsel and I willingly, knowingly, and voluntarily sign this letter of surrender.

INTENTIONALLY LEFT BLANK. LETTER CONTINUES ON PAGE 3.

**LETTER OF SURRENDER
Homer Hardinger, M06000**

Sincerely,



Homer Hardinger


3-5-24
Date

NOTARIZATION

I **HEREBY CERTIFY** that on this 5 day of March, 2024,
before me, Notary Public of the State and City/County aforesaid, **Homer Hardinger** personally
appeared, and made oath in due form of law that signing the foregoing Letter of Surrender was
the voluntary act and deed of **Homer Hardinger**.

AS WITNESSETH my hand and notarial seal

SEAL



Notary Public

My Commission Expires: 7/2/2027

ACCEPTANCE

**ON BEHALF OF THE MARYLAND STATE BOARD OF MASSAGE THERAPY
EXAMINERS** on this 28th day of MARCH 2024 I accept **Homer Hardinger's**
public Letter of Surrender of his license to practice as a licensed massage therapist in the State of
Maryland.

03/28/2024
Date



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