

Pedro Herrera
12410 Thorngate Lane
Boys, MD 20841

April 21, 2019

Paula Jilanis, Board Chair
Maryland State Board of Massage Therapy Examiners
4201 Patterson Avenue, Ste. 301
Baltimore, MD 21215-2299

Re: Surrender of Registration to Practice Massage Therapy
Pedro Herrera, RMP
Registration Number: R01773
Case Number: 18-16M

Dear Ms. Jilanis, LMT, Board Chair and Members of the Board:

Please be advised that, pursuant to Md. Code Ann., Health Occ. ("Health Occ.") § 6-307 (2017 Supp.), I have decided to **PERMANENTLY SURRENDER** my registration to practice massage therapy in the State of Maryland, Registration Number R01773, effective immediately. I understand that upon surrender of my registration, I may not practice massage therapy on any individual, with or without compensation or otherwise engage in the practice of massage therapy in the State of Maryland as it is defined in the Maryland Massage Therapy Act (the "Act"), Health Occ. §§ 6-101 *et seq.* and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my registration means that I am in the same position as an unlicensed individual in the State of Maryland. I understand that this Letter of Surrender is a **PUBLIC DOCUMENT**, and upon the Maryland State Board of Massage Therapy Examiners' ("the Board's") acceptance, becomes a **FINAL ORDER** of the Board.

I acknowledge that the Board received a complaint from a client about a massage I performed on May 4, 2018. After leaving my office, the complainant reported to the police and the Board that I crossed boundaries and touched her breast inappropriately without her consent. Additionally, she alleged improper draping of her breasts during the incident.

I began practicing massage therapy in Maryland in 2013. I have failed to report two other incidents at my work to the Board. I have decided to permanently surrender my registration to practice massage therapy in Maryland and never practice as a massage practitioner in the State of Maryland.

If this matter had gone to a hearing in any forum, I would have had the right to contest the allegation that I conducted the massage in an inappropriate or illegal manner. I understand that

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the allegations by the Board would have included assertions that I violated Health Occ. § 6-308(a)(8) (Does an act that is inconsistent with generally accepted standards in the practice of massage therapy); (20) (Engages in conduct that violates the professional code of ethics); and (21) (Knowingly does an act that has been determined by the Board to be a violation of the Board's regulations), as well as the following regulations of the Board: Md. Code Regs. 10.43.18.03(C)(2), (3), (6); Md. Code Regs. 10.43.18.05(A); Md. Code Regs. 10.43.18.0S(A), (B). But for reasons that take into consideration a number of factors, some of which have nothing to do with this incident, I have decided to proceed by surrendering my registration to practice massage therapy in Maryland.

I have been advised by the Board that the Board will advise the Federation of State Massage Therapy Boards, the National Certification Board for Therapeutic Massage and Bodywork, the National Practitioner Data Bank, and the Healthcare Integrity and Protection Data Bank of this Letter of Surrender.

I further recognize and agree that by submitting this Letter of Surrender, my registration will remain surrendered permanently. I understand that I may not apply for reinstatement or a new Maryland registration or license. I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been advised of my right to be represented by an attorney of my choice in any proceeding before the Board including proceedings to contest the allegations made by the complainant. I also wish to make clear that I could have consulted with an attorney of my choice in making this decision to surrender my registration, and could have fully consulted to my satisfaction with an attorney prior to signing this Letter of Surrender. I have had sufficient time to review this letter and consider my decision to sign and submit this letter. I understand both the nature of the Boards' actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision, endorse the contents of this letter, and submit this letter freely, knowingly and voluntarily.

Very truly yours,


Pedro Herrera

NOTARY

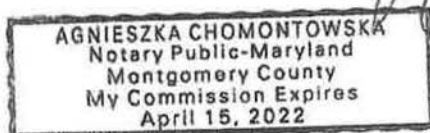
STATE OF Maryland

CITY/COUNTY OF *Montgomery* I HEREBY CERTIFY that on this ^{22nd} day of *April*, 2019 before me, a Notary Public of the City/County aforesaid, personally appeared **Pedro Herrera**, and declared and affirmed under the penalties of perjury that the signing of this Letter of Surrender was their voluntary act and deed.

AS WITNESS my hand and Notarial seal.

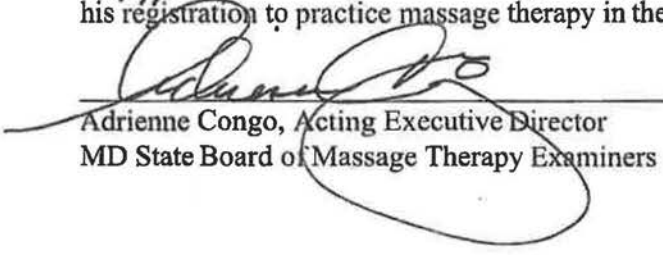
Notary Public

My Commission Expires: *April*



ACCEPTANCE

On behalf of the Maryland State Board of Massage Therapy Examiners, on this *24* day of *April* 2019, I, Adrienne Congo, accept **Pedro Herrera's PUBLIC SURRENDER** of his registration to practice massage therapy in the State of Maryland.



Adrienne Congo, Acting Executive Director
MD State Board of Massage Therapy Examiners