

IN THE MATTER OF

CHUNG A. JEON, R.M.T.,
a/k/a CHUNG JUNG

RESPONDENT

REGISTRATION NO. R00011

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BEFORE THE

STATE BOARD OF

CHIROPRACTIC EXAMINERS

Case Number: 04-45M

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ORDER OF REVOCATION OF MASSAGE THERAPY REGISTRATION

Pursuant to Md. State Govt. Code Ann. ("S.G.") § 10-226(c)(1) (2004 Repl. Vol.) and the Maryland Massage Therapists Act, codified at Md. Health Occ. Code Ann. ("H.O.") § 5-101, *et seq.*, ("the Act") (2000 Repl. Vol. and 2004 Supp.), the State Board of Chiropractic Examiners ("the Board") hereby **REVOKES** the massage therapist registration of Chung A. Jeon, a/k/a Chung Jung, R.M.T., ("the Respondent"), Registration Number R00011.

BACKGROUND

1. At all times relevant, the Respondent was registered by the Board to practice massage therapy in the State of Maryland. The Respondent was initially registered on May 22, 2002, and last renewed her license on October 27, 2002. The Respondent's license expired on October 31, 2004.
2. On or about February 20, 2003, the Board charged the Respondent with numerous violations of its Act and Code of Ethics, which charges were amended and supplemented on April 8, 2003. Those charges stemmed from the following:

- A. The Respondent practiced massage therapy at Canpai Spa in Gaithersburg, Maryland. The Respondent was a co-owner of Canpai.
- B. On November 6, 2002, investigators from the Montgomery County Police Department, Vice and Intelligence Section, conducted a surveillance/investigation of Canpai, during which time they observed two males entering Canpai at separate times.
- C. Both men were approached by investigators when they exited and each gave the police oral and written statements.
- D. Corporal Sheridan of the Section interviewed one of the men, who stated that he was let into Canpai by a female, later identified as the Respondent.
- E. The customer stated that he paid the Respondent \$60 for a half hour massage. He then took off all of his clothes and lay on his back on the massage table.
- F. The Respondent began to massage the customer. When the Respondent got to his groin area, she gave him a hand release.
- G. After the customer ejaculated, he got dressed and gave the Respondent an additional \$20.
- H. Later, the customer positively identified the Respondent as the one who had given him sexual favors. The Respondent was arrested and charged with one count of prostitution.
- I. Subsequently, Canpai was shut down for various health/safety violations. Thereafter, the Respondent stopped working at Canpai.
- J. On or about March 5, 2003, the Respondent was working at Classic Therapy

in Germantown, Maryland in Montgomery County. At that time, Mison Kang, whose application for certification as a massage therapist had been administratively denied, was managing Classic. Mia Park, the former owner of Classic, whose certification had been revoked by the Board due to illegal sexual activities performed at Classic, as well as her having falsified her application by failing to list the criminal convictions she received for prostitution-related offenses, was "training" Ms. Kang. On that date, the Vice and Intelligence officers conducted an investigation of Classic.

- K. At approximately 12:50 a.m., Detective Stack of the unit observed a male exiting Classic. Detective Stack interviewed the male who agreed to make a written statement. The customer stated that he came to Classic to get a massage and was taken to a massage room. Thereafter a certified massage therapist, who was not the Respondent, entered the room and took the customer to the table shower room. That therapist gave the customer a shower while he was naked. During the shower, she washed his genitals.
- L. After the shower, they went back to the massage room, where the customer laid on his stomach while the therapist massaged his legs, back, arms and neck. The customer then flipped over onto his back, whereupon the therapist gave him a hand release, during which she took off her top and allowed the customer to touch her breast. After the customer ejaculated, she cleaned him with a warm wash cloth, after which, the customer dressed and left Classic.
- M. At approximately 1:30 a.m., another male exited Classic. Detective Stack

interviewed him. This customer also received a table shower while he was naked from the same therapist. Later, they went back to the massage room, where he laid on the massage table on his stomach. The therapist massaged his back and then had him flip over onto his back. She then put Johnson's baby oil in her hand and gave him a hand release. After he ejaculated, she cleaned him up with a warm towel.

N. Subsequently, the officers entered Classic to make identifications. The Respondent was present and was giving a customer a massage. Detective Stack located the bottle of baby oil in a massage room, as well as a bucket of water in the hall with several towels. The Respondent was arrested and charged with one count of prostitution.

O. Massaging a customer while he is naked and undraped, and giving him a hand-release are violations of the Act and the regulations thereunder. Working in an establishment where table showers are given is outside the practice of massage therapy. Working in an establishment where hand releases, washing genitals and massaging completely naked and undraped customers are routinely provided are violations of the Act and regulations thereunder.

3. Following a hearing on the above charges, the Board determined that the Respondent had violated its Act and regulations as charged and issued an Order, dated July 22, 2003, which revoked the Respondent's registration, which revocation was immediately stayed. The Order further suspended the Respondent's registration with the following requirements to take place before the Respondent could be reinstated: pass a

written jurisprudence examination; pass a written practical examination; reimburse the Board its hearing costs of \$330. Following reinstatement, the Respondent was to be placed on six months' probation.

4. The Respondent successfully completed the terms and conditions of the Order and was reinstated to practice on November 13, 2003.

**FACTS THAT WARRANT THE REVOCATION OF THE RESPONDENT'S
REGISTRATION**

5. By document dated October 20, 2004, the Respondent submitted a renewal application for the licensing year 2004 to 2006. The Respondent signed a statement affirming that the information she gave in the application was "true and correct to the best of [her] knowledge and belief." On Section D of said application, the Respondent certified that she had obtained the required 24 hours of continuing education and held a current CPR (Cardio-Pulmonary Resuscitation) registration.

6. Upon a closer review of the CPR registration submitted by the Respondent, it appeared that it differed from registrations submitted with other renewal applications. Consequently, the Board referred the matter to its investigator, who interviewed the Respondent and others to disclose the following:

A. CProfessionals, the purported issuer of the CPR registration, was contacted and made a search through its records which disclosed that the Respondent had not attended a class there for CPR training. In addition, the purported instructor of the training class, Jean Leonick, stated that the Respondent had not attended her class and advised that the card was "fake."

B. On December 16, 2004, pursuant to a subpoena *ad testificatum* the Respondent appeared for an interview, in the presence of her attorney, and refused to answer questions regarding how and from whom she obtained the fraudulent certificate, insisting that she had attended the CPR course. Through her attorney, however, she acknowledged that she had not, in fact, attended the training.

C. CProfessionals, the name of the group that conducted the training course, was questioned as to whether the Respondent had attended its training course.

7. A massage therapist who submits falsified documents to renew her registration is in violation of the Act and regulations thereunder.

CONCLUSIONS OF LAW

The Board finds that the Respondent violated § 3-5A-09 (1) (fraudulently or deceptively obtains or attempts to obtain a registration or registration for the applicant or for another); and, (19) (Fails to cooperate with a lawful investigation conducted by the Board [;]). The Board also finds that the Respondent violated Code Md. Regs. tit. 10, § 43.20.01 1-A (August 6, 2001). By October of each renewal year, beginning in October, 2004, certificate and registration holders shall satisfactorily complete a minimum of 24 hours within the previous 24 months as follows: (1) 3 hours in professional ethics or jurisprudence; (2) 3 hours in communicable disease education which includes AIDS/HIV; and (3) 18 hours in massage-related courses as approved by the Board; and, B. In

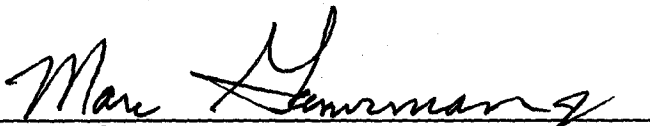
addition to the requirements of §A of this regulation, at the time of renewal, a certificate or a registration holder shall possess a certification of qualification in cardiopulmonary resuscitation (CPR).

ORDER

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

ORDERED on this 19th day of July 2005, that the Respondent's registration as a Registered Massage Therapist in the State of Maryland be and is hereby **REVOKED**; and be it further

ORDERED that this is a final Order of the Maryland 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.*, (2004 Repl. Vol.).



Marc Simerman, D.C., President
State Board of Chiropractic Examiners

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Health Occ. Code Ann. § 3-316, 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.*, (2004 Repl. Vol.).