

IN THE MATTER OF	*	BEFORE THE STATE
ANNY J. MANTILLA, RMP	*	BOARD OF MASSAGE
RESPONDENT	*	THERAPY EXAMINERS
REGISTRATION NUMBER: R02668	*	CASE NUMBER: 19-14M

* * * * *

FINAL CONSENT ORDER

The Maryland State Board of Massage Therapy Examiners (“the Board”) charged Anny J. Mantilla, RMP (“Respondent”), registration number: R02668, under the Maryland Massage Therapy Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 6-101 *et seq.* (2014 Repl. Vol. and 2019 Supp.). Specifically, the Board charged the Respondent with violating the following:

Health. Occ. § 6- 305. Expiration; renewal.

(d) *Notification of change in name or address; effect of failure*

(1) Each licensed massage therapist or registered massage practitioner shall notify the Board in writing of any change in the name or address of the licensed massage therapist or registered massage practitioner within 60 days after the change occurred.

(2) Subject to the hearing provisions of § 6–309 of this subtitle, if a licensed massage therapist or registered massage practitioner fails to notify the Board within the time required under this subsection, the Board may impose an administrative penalty of \$100.

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;
- (10) Is professionally incompetent;
- (11) Has violated any provision of this title;
- (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 Board also charged the Respondent with violating the following:

COMAR 10.65.03

.03 Standards of Practice.

D. A license holder or registration holder may not:

- (2) Knowingly engage in or condone behavior that:
 - (a) Is fraudulent;
 - (b) Is dishonest;
 - (c) Is deceitful; or
 - (d) Involves moral turpitude[.]

FINDINGS OF FACT

1. At all times relevant hereto, the Respondent was registered to practice massage therapy in the State of Maryland
2. The Respondent was originally issued a registration to practice massage therapy in Maryland on or about February 24, 2016.
3. The Respondent's registration expires on October 31, 2020.

4. At all time relevant herein, the Respondent owned and operated a business (“Facility A”) that provides massage therapy and other services. Facility A is located in Frederick County, Maryland.¹

5. On or about February 8, 2019, the Board received a complaint from Complainant A. Complainant A alleged in her complaint that the Respondent did not pay her for the massage therapy services that she provided to clients when she worked at Facility A.²

6. An investigation conducted by Board revealed that Complainant A was not licensed or registered by the Board.

7. In or around January 2019, the Complainant A worked at Facility A. for approximately three weeks. During this time, Complainant provided massage therapy to approximately twenty-four (24) clients.

8. During a May 3, 2019 interview with Board staff, the Respondent admitted under oath that she allowed Complainant A to provide massage therapy services to clients. The Respondent admitted under oath that Complainant A assisted her when there were couples receiving massage therapy.

9. The Respondent also admitted under oath that she knew that Complaint A was not licensed to practiced massage therapy when she hired her.

¹ The name of Facility A has not been disclosed in order to protect privacy.

² The name of complainant A has been omitted to protect privacy.

10. The Respondent also admitted under oath that she failed to provide the Board with a change of address when she moved.

11. The Respondent's conduct as set forth above is a violation of Health Occ. § 6-305(d)(1);§6-308(a)(8),(10),(11),(20),and(21);and COMAR10.65.03.03D (2)(a),(b),(c), and (d).

CONCLUSIONS OF LAW

The Board finds that the Respondent violated Health Occ. § 6-305(d)(1); §6-308(a)(8), (10), (11), (20) and (21); and COMAR10.65.03.03D (2)(a),(b),(c), and (d).

ORDER

Based on the foregoing Investigative Findings and Conclusions of Law, it is this 19th day of June 2020, by a majority of the Board, it is hereby

ORDERED that the Respondent's registration to practice massage therapy the State of Maryland is hereby **SUSPENDED for a period of ONE (1) year and said suspension shall be stayed;** and it is further

ORDERED that the Respondent shall be placed **PROBATION** for a period of **TWO (2) YEARS** subject to the following conditions:

- (1) Within **NNINETY (90) DAYS** of the execution of the Consent Order, the Respondent shall pay a fine in the amount of **ONE HUNDRED DOLLARS (\$100)** by certified check or money order to the Maryland Board of Massage Therapy Examiners.
- (2) The Respondent take and successfully complete a three (3) hour Board pre-approved Professional Ethic course within ninety days of the effective date

of this Consent Order. This ethics course cannot be used to satisfy the continuing education requirements for the registration renewal period.

- (3) The Respondent shall comply with random inspections of her massage therapy practice conducted by Board staff.
- (4) The Respondent shall not hire unlicensed personnel to practice massage therapy
- (5) The Respondent shall comply with the Maryland Massage Therapy Act and all laws, statutes and regulations pertaining thereto; and it is further

ORDERED that after the conclusion of the **TWO (2) YEAR** probationary period, 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, or a designated Board committee. The Board, or designated Board committee, may grant the termination if the Respondent has fully and satisfactorily complied with all probationary terms and conditions set forth in this Consent Order and there are no pending complaints; and it is further

ORDERED that if the Respondent violates any of the terms and conditions of this Consent Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing if there is a genuine dispute as to the underlying facts, or an opportunity for a show cause hearing, before the Board otherwise, may impose any sanction which the Board may have imposed in this case, including probationary terms and conditions, a reprimand, suspension, revocation and/or a monetary penalty; and it is further

ORDERED that the Respondent shall be responsible for all costs incurred in fulfilling the terms and conditions of her probation and this Consent Order; and it is further

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

ORDERED that this Consent Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 et seq. (2014 Repl. Vol. & 2019 Supp.).

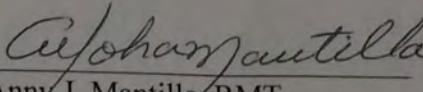
June 19, 2020
Date

Paula Jilanis
Paula Jilanis, LMT
Board Chair
Maryland Board of Massage Therapy Examiners

CONSENT OF ANNY J. MANTILLA, RMT

I, ANNY J. MANTILLA, RMT acknowledge that I have chosen not to be represented by an attorney before entering into this Consent Order. By this Consent Order 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 waive any rights I may have to contest the Findings of Fact and the Conclusions of Law. 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 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 any such hearing. I sign this Consent Order, voluntarily and without reservation, after having an opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

06-18-2020
Date


Anny J. Mantilla, RMT

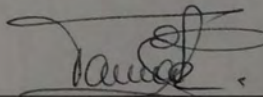
STATE OF MARYLAND

CITY/COUNTY OF: Frederick, FD

NOTARY

I hereby certify that on this 18 day of June, 2020, before me, a Notary Public for the State of and the City/County aforesaid, personally appeared Anny J. Mantilla, RMT, Registration Number: R02668 and made oath in due form of law that the foregoing Consent Order was his voluntary act and the statements made herein are true and correct

AS WITNESS my hand and Notarial Seal.



Notary Public
TANIA LENIS NARANJO
NOTARY PUBLIC
Frederick County, Maryland
My Commission Expires 11/26/2022

My Commission Expires: _____

