

IN THE MATTER OF

CHAUN ROGERS

Petitioner

BEFORE THE

MARYLAND STATE BOARD OF

MASSAGE THERAPY EXAMINERS

ORDER OF DENIAL OF PETITION FOR REINSTATEMENT

Procedural Background

On or about March 24, 2022, the Maryland State Board of Massage Therapy Examiners (the “Board”) issued a “Final Decision and Order of Suspension,” which suspended the registration of Chaun Rogers (the “Petitioner”) to practice as a registered massage practitioner (“RMP”) in the State of Maryland for two years. According to the Order, after the two-year suspension period concluded, the suspension of the Petitioner’s RMP would be terminated and that RMP would be placed on a minimum two-year period of probation. The Board imposed these sanctions on Petitioner’s RMP registration due to finding, by a preponderance of the evidence, that the Petitioner had engaged in sexual misconduct with a patient under his care by providing that patient with non bona fide treatment.

On April 5, 2022, the Petitioner noted a timely appeal to the Circuit Court for Anne Arundel County. Along with the appeal, on April 5, 2022, the Petitioner filed a “Motion to Stay Findings,” asking the Court to “stay the suspension of his massage credentials pending the administrative appeal.” On April 21, 2022, the Board filed its opposition to the Petitioner’s Motion, and on May 5, 2022, the Court issued an order denying the Petitioner’s Motion. The Petitioner’s appeal was ultimately dismissed for non-compliance with the Maryland Rules regarding administrative appeals.

While the Petitioner’s appeal was still pending, in May 2022, the Board received information that the Petitioner was continuing to practice on a suspended registration. The Board

conducted an investigation, and on March 22, 2023, the Board formally charged the Petitioner with additional violations of the Maryland Massage Therapy Act related to practicing on a suspended registration. The Board's charging document also formally notified the Petitioner that the Board intended to revoke that registration. Rather than contest the Board's charges at a formal evidentiary hearing, the Petitioner opted to surrender his RMP registration, noting in his letter to the Board:

I have decided to surrender my registration to practice massage therapy in the State of Maryland to avoid further investigation and prosecution of the disciplinary charges. I recognize that for all purposes relevant to registration or licensure that these allegations shall be treated as proven and that these allegations support a conclusion that I violated Health Occ. § 6-308(a)(2) (Fraudulently or deceptively uses a ... registration); (8) (Does an act that is inconsistent with generally accepted standards in the practice of massage therapy); (11) (Has violated any provision of this title); (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), and Health Occ. § 6-501 (Practicing without a license).

In addition, the allegations support a conclusion that I violated the following regulations of the Board: COMAR 10.65.03.03C (A license holder or registration holder shall: (2) Engage in professional conduct at all times, with honesty, integrity, self-respect, and fairness); and COMAR 10.65.03.03D (A license holder or registration holder may not: (1) Misrepresent professional credentials, qualifications, education, or affiliations; (2) Knowingly engage in or condone behavior that: (a) is fraudulent; (b) is dishonest; (c) is deceitful; or (d) involves moral turpitude).

In the Petitioner's letter of surrender to the Board, he also stated:

I further recognize and agree that by submitting this Letter of Surrender, my registration will remain surrendered for a minimum of **THREE (3) YEARS**.

I understand that after three years, if I apply for reinstatement of a new Maryland registration, I understand that the Board is not required to grant reinstatement; and, if it does grant reinstatement, may impose any terms and conditions the Board considers appropriate for public safety and the protection of the integrity and reputation of the profession. I further understand that if I ever file a petition for reinstatement, I will approach the Board in the same position as an individual whose registration has been revoked and my application may be accepted or denied by the Board in its sole discretion.

(Emphasis in original.) The Board accepted the Petitioner's surrender on June 28, 2023.

2025 Reinstatement Petition

On or about June 28, 2026, the Petitioner petitioned the Board for the reinstatement of his registration. Enclosed with his Petition, the Petitioner also included:

1. A Personal Statement of Professional Rehabilitation
2. A Statement of Activities Since Surrender
3. Supplemental Board Questionnaire
4. Three (3) Character Reference Letters
5. Proof of Active Maryland Real Estate License
6. Proof of Continuing Education and Professional Development
7. Formal Request for Reduced Probationary Period
8. Proposed Alternative Probationary Structure

In his personal statement, the Petitioner stated that he has “reflected deeply” on the events that led to his suspension in 2022, acknowledging that he “could have communicated more clearly with the client before moving to different areas of her body” and that he “could have obtained explicit verbal consent before proceeding to any area not specifically identified on her intake form.” According to the Petitioner, he “understand[s] now, more fully” how critical that communication is. Regarding practicing on a suspended registration, the Petitioner stated that he “operated under the good faith belief that my ability to practice remained intact while that appeal process was pending,” noting that he was not represented by an attorney.

According to the Petitioner’s statement, since his surrender revocation, he has “pursued graduate level studies in Conflict Analysis and Dispute Resolution” at Salisbury University. Moreover, he obtained a Maryland Real Estate License, which is currently active. The Petitioner maintains that he has a “completely clean professional legal record throughout the entire period of

surrender.” The Board thoroughly reviewed all other materials the Petitioner submitted in support of his Petition. The Board also took the opportunity to review the March 24, 2022 transcript of the evidentiary hearing before the Board, which ultimately led to his suspension.

Discussion

The Board’s post-disciplinary reinstatement process is governed by the Maryland Massage Therapy Act, which states that “If a license or registration has been suspended or revoked under § 6-308 of this subtitle, the Board *may* reinstate that license or registration only in accordance with: (1) The terms and conditions of the order of suspension or order of revocation; or (2) An order of reinstatement by the Board.” Md. Code Ann., Health Occ. § 6-312 (emphasis added). As indicated by the General Assembly’s use of the word “may,” rather than “shall,” post-disciplinary reinstatements are discretionary. Indeed, a petitioner bears the burden of demonstrating to the Board that, despite the petitioner’s prior discipline, they are now safe to practice. Moreover, given that massage therapists are often alone with patients, the Board must assess a petitioner’s trustworthiness. In other words, does the Board trust a petitioner to be alone in a massage room with a potentially vulnerable individual?

In this case, while the Petitioner expressed remorse and provided the Board with the requested documents, including character references, the Board still has serious questions about his credibility. As an example, the Petitioner defends practicing on a suspended registration by stating, “I operated under the good faith belief that my ability to practice remained intact while the appeal process is pending.” That would be convincing, but on April 5, 2022, the Petitioner filed a motion in court expressly asking the Court to stay his suspension during his administrative appeal. If the Petitioner was operating under a “good faith belief” that he could practice while his appeal was pending, why then would the April 5, 2022 motion be necessary? It strains credulity. Further,

this assertion that the appeal affected his suspension undermines everything else the Petitioner has asserted in his Petition. Specifically, it is unclear whether the Petitioner is stating what he actually believes about the lessons he has learned about safe massage therapy practice or if he is just telling the Board what he believes it wants to hear.

Based on the foregoing, the Board finds that the Petitioner has not sufficiently demonstrated to the Board that, in light of his past transgressions, he can maintain the trust and confidence of future clients, employers, and, by extension, the public. Accordingly, the Board finds that the Petitioner has not met his burden of showing that she is a suitable candidate for reinstatement at this time, and the Board will deny his petition for reinstatement. Nothing in this Order should be construed to prohibit the Petitioner from filing a petition for reinstatement in the future.

ORDER

Based upon the foregoing, it is hereby:

ORDERED that Chaun Roger's petition for reinstatement of his registration to practice as a registered massage practitioner is hereby **DENIED**; and it is further

ORDERED that this is a Final Order of the Maryland State Board of Massage Therapy Examiners and, as such, is a **PUBLIC DOCUMENT** pursuant to Maryland Code Ann., General Provisions § 4-101 *et seq.*

10/09/2026
Date

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