

IN THE MATTER OF
JOHN THOMPSON, C.M.T.
CERTIFICATE NO. M02293

Respondent

* BEFORE THE
* STATE BOARD OF
* CHIROPRACTIC EXAMINERS
* Case Number: 05-17-M

* * * * *

ORDER OF REVOCATION OF MASSAGE THERAPY CERTIFICATE

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. § 3-5A-01, et seq., ("the Act") (2000 Repl. Vol. and 2004 Supp.), the State Board of Chiropractic Examiners ("the Board") hereby **REVOKES** the massage therapy certificate of John Thompson, C.M.T., ("the Respondent"), Certificate No. M02293.

On 12/2, 2005, the Board sent an unexecuted Order to the Respondent advising him that he had 30 days to request a hearing; however, the Respondent failed to request same and this Order became final.

FACTS THAT WARRANT THE REVOCATION OF THE RESPONDENT'S CERTIFICATE

1. At all times relevant hereto, the Respondent was certified to practice massage therapy in Maryland. The Respondent was first certified on October 30, 2002. The Respondent's certification expires on October 31, 2006.

2. At all times relevant hereto, the Respondent practiced massage therapy at Century Spa in Charles County, Maryland. Century Spa is owned by Soon Lee, who is not a registered or certified massage therapist, but owned a permit to operate a massage establishment in the County. The Respondent also operated a cell phone business in the building.

3. On November 12, 2004, Judge Henderson of the Circuit Court for Charles County issued a search and seizure warrant with regard to an investigation of Century and related properties.

4. Accordingly, on November 13, 2004, members of the Charles County Sheriff's Office/Narcotics Enforcement Section, the Criminal Investigations Division, and the Community Policing Unit (the Officials) executed the search and seizure warrant at the business, the Respondent's residence and at a storage owned by the Respondent.

5. At the Spa, the Officials found the following people, things and circumstances:

- A. While the Officials searched the premises, a male customer knocked on the door, which an officer opened and asked why the customer was there. The customer stated that he was there for a "handjob" and had been receiving same for the last five months, for which he paid \$40, as well as \$60 for the massage;
- B. The Respondent was the only certified massage therapist present. Three women, who claimed to be providing reflexology and who were not certified or registered as massage therapists, were arrested and charged with misrepresenting a massage therapist;
- C. Found at the Spa, *inter alia*, was a Rave spray can with a hollowed bottom, which cylinder contained a small amount of money; a bank bag with deposit slips; and, a bag with condoms in it.

6. At the storage site, the officials found, *inter alia*, an activity log showing who had accessed the storage site and how often.

7. At the Respondent's residence was found a pipe and marijuana residue, which belonged to a tenant.

8. On November 16, 2004, the Respondent gave a recorded interview to the Officials in which he stated that: he had been a part-time massage therapist at the Spa for four and one-half years; his girlfriend, Soon Lee, who also provides reflexology, collects the monies from the services rendered, brings the women from New York or Atlantic City to work there, and was away in Atlantic City herself at the time of the search and seizure. The Respondent speculated that the women performed whatever services the customers were willing to pay for based upon the fact that he had seen unwrapped condoms there at the Spa. The Respondent also stated that he was aware that Ms. Lee kept condoms in the storage and had alluded to sexual acts taking place at the Spa.

9. As set forth above, by allowing his certificate to be used to maintain a massage establishment where uncertified individuals performed sexual activities under the guise of performing reflexology, and by failing to inform the Board of such, the Respondent is in violation of the Act and the regulations thereunder.

CONCLUSION OF LAW

The Board finds that the Respondent violated the following provisions of § 3-5A-09:

- (20) Engages in conduct that violates the professional code of ethics; or
- (21) Knowingly does an act that has been determined by the Board to be a violation of the Board's regulations.

.03 Standards of Practice.

C. A certificate holder or registration holder shall:

(2) Engage in professional conduct at all times, with honesty, integrity, self-respect, and fairness;

(8) Report to the Board of Chiropractic Examiners, or other appropriate authority, conduct in the practice of massage therapy that indicates a violation of:

(a) This chapter,

(b) Health Occupations Article, Title 3, Subtitle 5A, Annotated Code of Maryland, or

(c) Any other law, including but not limited to aiding or abetting the unauthorized practice of massage therapy or non-therapeutic massage;

D. A certificate 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[;].

.08 Ethical, Legal, and Professional Responsibilities.

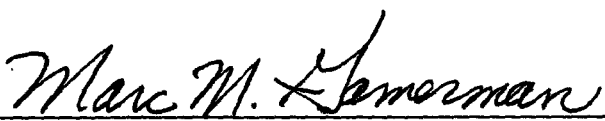
A certificate holder or registration holder may not construe a failure to specify a particular ethical, legal, or professional duty in this chapter as a denial of the existence of other ethical, legal, or professional duties or responsibilities that are equally as important and as generally recognized in the profession.

ORDER

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

ORDERED on this 5th day of Jan. - 2006 that the Respondent's certificate as a Certified 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 M. Gamerman, 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, 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.).