

IN THE MATTER OF * **BEFORE THE**
TEYMURAZ TSAGURIYA, L.M.T. * **STATE BOARD OF MASSAGE**
Respondent * **THERAPY EXAMINERS**
* **Case No. 19-71 M**
License No. M00641 *

* * * * *

**ORDER OF SUMMARY SUSPENSION OF
LICENSE TO PRACTICE AS A MASSAGE THERAPIST**

Pursuant to Md. Code Ann., State Gov't §10-226 (c) (2) (2014 Repl. Vol. and 2019 Supp.), the State Board of Massage Therapy (the "Board") hereby suspends the license to practice as a Massage Therapist in Maryland issued to **TEYMURAZ TSAGURIYA** (the "Respondent"), under the Maryland Massage Therapy Act (the "Act"), Md. Code Ann., Health Occ. §§ 6-101 *et seq.* (2014 Repl. Vol. and 2019 Supp.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts are true:¹

¹ The statements regarding the Respondent's conduct are only intended to provide the Respondent with reasonable notice of the basis of the Board's action. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

BACKGROUND

1. At some of the times relevant hereto, the Respondent was licensed to practice as a Massage Therapist in the State of Maryland. The Respondent was first licensed on March 1, 2000.

2. On or about March 25, 2002, the Board voted to summarily suspend the Respondent's Massage Therapy License based upon the Respondent's January 7, 2002 conviction of a fourth-degree sex offense and of indecent exposure.

3. The charges arose when, during the course of providing a massage to a Patient, the Respondent placed his hand over the Patient's right nipple and started massaging the Patient's mouth, touching his fingertip to her mouth. The Patient, whose eyes had been closed up to this point, opened her eyes and observed the Respondent's erect penis about one inch from her face. The Patient then pulled the blanket over herself and pushed the Respondent back, asking, "what are you doing?" The Respondent apologized and asked the Patient if she were mad. Next, the Respondent pulled his pants up.

4. Thereafter, the Patient informed the manager of the Spa and called the Montgomery County Police who arrested the Respondent, charging him with one count of indecent exposure and one count of attempted fourth degree sex offense.

5. On January 7, 2002, the Respondent was found guilty of both offenses; was sentenced to twelve months on each charge, which were suspended; and, he was placed on probation for five years, with the condition that he must attend individual therapy for sex offender treatment for the duration of probation.

6. On March 27, 2002, the Board summarily suspended the Respondent's certificate, and, on April 11, 2002, it continued that suspension.

7. On April 25, 2002, the Board charged the Respondent with violations of its Act and, on August 8, 2002, a hearing was held on those Charges. The Respondent appeared without counsel and accepted responsibility for his conduct. His therapist opined that the Respondent was not a predatory sex offender and "did not believe that the Respondent will be a repeat offender."

8. On September 9, 2002, the Board issued an Order following the hearing which: lifted the Summary Suspension; placed the Respondent on Probation until January 7, 2005, conditioned upon his therapist providing the Board with the reports provided to the Respondent's probation agent, as well as the polygraph examination. The other condition was that, prior to termination of Probation, the Respondent had to take and pass the Board's jurisprudence examination.

INVESTIGATIVE FINDINGS

9. The Respondent's license was reinstated on September 9, 2002 and his license expires October 31, 2020.

10. The Board received a complaint, dated November 19, 2019, from Patient A² (the Complainant) who stated that, on November 19, 2019, she booked a 90-minute Swedish massage at a spa and was assigned to the Respondent. She further stated that, during the massage, she was inappropriately touched and insufficiently draped, which

² The names of individuals and facilities are confidential but may be disclosed to the Respondent by contacting the Administrative Prosecutor.

started about 10 minutes into the massage when the Respondent “ran his hand down the front of my chest, between my breasts, to my stomach... then incrementally began moving closer to my breasts, then massaging them... along with touching my breasts, he touched my stomach in a way that felt sexual. When I was turned over, he pulled my underwear down in a way that my buttocks felt too exposed. I was not draped. I was very uncomfortable...” The Complainant warned him not to touch her buttocks and he thanked her, stopped the massage, left the room and she did not see him again.

11. When the Complainant went to the front desk, she explained to the receptionist what occurred but received no response to her explanation. Afterwards, she called the spa and tried to speak to the owner and was told the owner was busy, but a message would be conveyed. Nothing happened.

12. When the Board’s Investigator sought to follow-up on the complaint, the Respondent notified him that he was currently in “the Republic of Georgia.”³

13. On January 15, 2020, in the District Court of Montgomery County, the Respondent was charged with Sex Offense, 4th Degree, as a result of the sexual contact of the Complainant.

³ Georgia, known until 1995 as the Republic of Georgia, is a country in the Caucasus region of Eurasia. Located at the crossroads of Western Asia and Eastern Europe, it is bounded to the west by the Black Sea, to the north by Russia, to the south by Turkey and Armenia, and to the southeast by Azerbaijan.

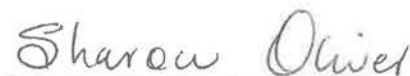
ORDER

Based on the foregoing, it is therefore this 29th day of January, 2020, by a majority vote of a quorum of the State Board of Massage Therapy Examiners, by authority granted to the Board by Md. Code Ann., St. Govt. §10-226(c) (2) (2014 Repl. Vol. and 2019 Supp.), the license held by the Respondent to practice as a Massage Therapist in Maryland, License No. **M00641**, is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED, that upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled within a reasonable time of said request, at which the Respondent will be given an opportunity to be heard as to whether the Summary Suspension should be continued, regarding the Respondent's fitness to practice as a Massage Therapist and the danger to the public; and be it further

ORDERED, that the Respondent shall immediately turn over to the Board his wall certificate and wallet-sized license to practice as a Massage Therapist issued by the Board; and be it further

ORDERED, that this document constitutes a final Order of the Board and is, therefore, a public document for purposes of public disclosure, as required by Md. Code Ann., Gen. Prov., §§ 4-101 *et seq.* (2014 Vol. and 2019 Supp.).



Sharon J. Oliver, MBA, Executive Director
State Board of Massage Therapy Examiners

NOTICE OF HEARING

A Show Cause hearing to determine whether the Summary Suspension shall be continued will be held before the Board at 4201 Patterson Avenue, Baltimore, 21215 following a written request by the Respondent for same.