

Yan Ying Wu, RMP

DATE: 02/25, 2024

Kirsten Bodnarchuk, LMT, Chair
Maryland State Board of Massage Therapy Examiners
4201 Patterson Avenue, 3rd Floor
Baltimore, MD 21215-2299

Re: Surrender of Massage Practitioner Registration
Yan Ying Wu, RMP
Registration Number: R03296
Case Numbers: 22-22M

Dear Kirsten Bodnarchuk and Members of the Board,

Please be advised that pursuant to Md. Code Ann., Health Occ. ("Health Occ.") § 6-307 (2021 Repl. & 2022 Supp.), I have decided to **SURRENDER** my registration to practice massage therapy in the State of Maryland, Registration Number R03296, effective immediately. I understand that upon surrender of my registration, I may not practice massage therapy on any individual, with or without compensation, or otherwise engage in the practice of massage therapy in the State of Maryland as it is defined in the Maryland Massage Therapy Act (the "Act"), Health Occ. §§ 6-101 *et seq.* and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my registration means that I am in the same position as an unregistered individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT**, and upon the Maryland State Board of Massage Therapy Examiners' ("the Board's") acceptance, becomes a **FINAL ORDER** of the Board.

I acknowledge that the Board initiated an investigation of my registration after receiving correspondence from the Federation of State Massage Therapy Boards ("FSMTB"), notifying the Board that the FSMTB had invalidated my Massage & Bodywork Licensing Examination ("MBLEx") scores. The Board's investigation revealed that, when applying to the State of Tennessee Massage Board (the "Tennessee Board"), I submitted proprietary, confidential, and copyrighted MBLEx content. I also submitted two letters of recommendation stating that I practiced massage therapy in New York, but I later denied that I have ever practiced massage therapy in New York. The Tennessee Board denied my application for licensure to practice massage therapy. I also acknowledge that I failed to respond to the Board's *subpoena ad testificandum* in this case.

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

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shall be treated as proven and that these allegations support a conclusion that I violated Health Occ. § 6-308(c)(4) (On or before September 30, 2024, to qualify to be registered, an applicant shall be an individual who . . . has passed an examination approved by the Board) and Health Occ. § 6-308(a): (3) (Is disciplined by a licensing, certifying, or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under this section); (11) (Has violated any provision of this title); (19) (Fails to cooperate with a lawful investigation conducted by the Board); (20) (Engages in conduct that violates the professional code of ethics); and (21) (Knowingly doing an act that has been determined by the Board to be a violation of the Board's regulations). In addition, the allegations support a conclusion that I violated the following Board regulations: Md. Code Regs. 10.65.01.06.D(7) (To be a registered massage practitioner, an applicant shall . . . have sent directly to the Board by the administering authority proof of having passed a Board-approved examination) and 10.65.03.03.D(2) (A license holder or registration holder may not knowingly engage in or condone behavior that: (a) is fraudulent; (b) is dishonest; (c) is deceitful; or (d) involves moral turpitude).

I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender to avoid further prosecution of the disciplinary charges. I acknowledge that for all purposes related to massage therapy registration or licensure, the charges will be treated as if proven.

I understand that by executing this Letter of Surrender I am waiving my right to a hearing to contest the disciplinary charges. In waiving my right to contest the charges, I am also waiving the right to be represented by counsel at the Board hearing, to confront witnesses, to give testimony, to call witnesses on my own behalf, and all other substantive and procedural protections provided by law, including the right to appeal to the circuit court.

I acknowledge that on or before the effective date of this Letter of Surrender I shall present to the Board my Maryland massage therapy registration, including any renewal certificates and wallet-sized renewal cards.

I understand that the Board will advise the Federation of State Massage Therapy Boards, the National Practitioner Data Bank, and the Healthcare Integrity and Protection Data Bank of this Letter of Surrender. I also understand that in the event I would apply for registration or licensure in any form in any other state or jurisdiction that this Letter of Surrender may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2022), and that this Letter of Surrender constitutes a disciplinary action by the Board.

Kirsten Bodnarchuk, LMT and Members of the Maryland State Board of Massage
Therapy Examiners

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Letter of Surrender

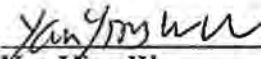
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I further recognize and agree that by submitting this Letter of Surrender, my registration will remain surrendered for a minimum of **THREE (3) YEARS**.

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.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been advised of my right to be represented by an attorney of my choice throughout the proceedings before the Board, including the right to consult with an attorney prior to signing this Letter of Surrender. I understand both the nature of the Boards' actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily and without any duress.

Very truly yours,



Yan Ying Wu

NOTARY

STATE OF TN

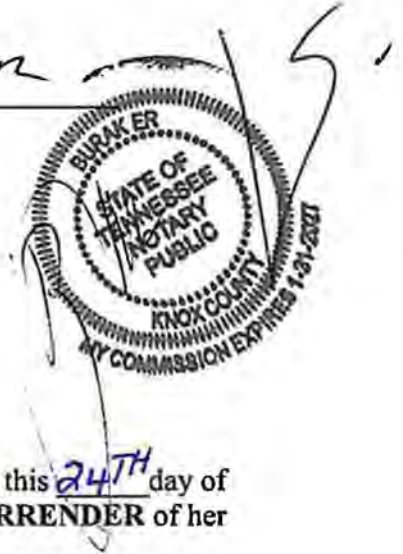
CITY/COUNTY OF KNOX

I HEREBY CERTIFY that on this 25th day of February, 2024 before me, a Notary Public of the City/County aforesaid, personally appeared **Yan Ying Wu**, and declared and affirmed under the penalties of perjury that the signing of this Letter of Surrender was their voluntary act and deed.

AS WITNESS my hand and Notarial seal.

BURAK ER
Notary Public

My commission expires: 1-31-2027



ACCEPTANCE

On behalf of the Board of Examiners of Massage Therapists, on this 24TH day of APRIL, 2024, I accept Yan Ying Wu's **PUBLIC SURRENDER** of her registration to practice massage therapy in the State of Maryland.

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