

IN THE MATTER OF
ANTON E. ZAITSEV, RMP
Respondent

* **BEFORE THE**
* **MARYLAND STATE**
* **BOARD OF MASSAGE**
* **THERAPY EXAMINERS**
* **Case Number: 18-01M**

Registration Number: R01417

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**ORDER FOR SUMMARY SUSPENSION OF REGISTRATION
TO PRACTICE MASSAGE THERAPY**

The Maryland State Board of Massage Therapy Examiners (the "Board") hereby **SUMMARILY SUSPENDS** the registration of **ANTON E. ZAITSEV, Registered Massage Practitioner ("RMP")** (the "Respondent"), Registration Number R01417, to practice massage therapy in the State of Maryland.

The Board takes such action pursuant to its authority under Md. Code Ann., State Gov't II ("State Gov't II") § 10-226(c)(2)(2014 Repl. Vol.), concluding that the public health, safety or welfare imperatively requires emergency action.

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. At all times relevant hereto, the Respondent was registered as an RMP in the State of Maryland. The Respondent was originally registered as an RMP in

¹ The statements regarding the Respondent's conduct are intended to provide the Respondent with notice of the basis of the summary suspension. 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.

Maryland on June 22, 2011, under Registration Number R01417. The Respondent's RMP registration is active through October 31, 2018.

2. At all times relevant hereto, the Respondent worked as an RMP at a massage facility (the "Facility")² located in Montgomery County, Maryland.

3. On or about January 2, 2018, the Board received notification that the Respondent had been arrested and charged with committing criminal offenses after an adult female (the "Client") reported that the Respondent sexually assaulted her during a massage he provided to her at the Facility on or about August 28, 2017.

4. Montgomery County Police Department investigated and an Application for Statement of Charges, included the following information:

On August 28, 2017, [Detective] interviewed the victim, [Client], who disclosed the following. She had a massage appointment at [Facility]... [Client] has frequented the business on numerous occasions. The day of the incident, [Client's] massage was scheduled with the suspect, Anton Zaitsev. It was not the first time [Client] had received a massage from Zaitsev.

[Client] stated she was naked except for her underwear. She was laying on her stomach and the massage was normal until Zaitsev reached her right upper thigh. Zaitsev began to massage high on her thigh. He pushed her underwear out of the way and rubbed her buttocks. He then rubbed his hand in between [Client's] legs and touched her [private areas] with his fingers through her underwear. Zaitsev then moved [Client's] arms from her sides to up by her head. [Client] looked up as Zaitsev grabbed her right hand and put it on his exposed [genitals]. He then moved forward and pushed his [genitals] into her mouth and face...

Zaitsev then walked around to [Client's] side and pulled down her underwear, exposing her buttocks. He asked her "Is this what you want?" [Client] was extremely upset and said no... Zaitsev told her the massage was over and left the room. [Client] immediately told the receptionist what had occurred. She then left [the Facility] and

² For confidentiality reasons, the names of all massage facilities, clients or other individuals referenced in this document will not be identified by name. The Respondent may obtain the identity of any facility, client or individual referenced herein by contacting the assigned administrative prosecutor.

drove directly to a police station to report the incident[.]

5. On or about October 11, 2017, in the Circuit Court for Montgomery County, Maryland, the Respondent was charged with the following criminal offenses: Sexual Offense Second Degree (a felony), in violation of Md. Code Ann., Crim. Law ("Crim. Law") § 3-306; and two counts of Sexual Offense Fourth Degree-Sexual Contact (a misdemeanor), in violation of Crim. Law § 3-308(b)(1). The Respondent is scheduled for trial on these charges on April 23, 2018.

6. Based on the above investigative facts, the Respondent presents a substantial likelihood of a risk of serious harm to the public health, safety and welfare. A female client, alleged that the Respondent sexually assaulted her during a massage he provided to her while working in his capacity as an RMP. The Respondent is currently facing felony and misdemeanor criminal charges in connection with the massage he provided to the Client.

CONCLUSIONS OF LAW

Based upon the foregoing Investigative Findings, the Board concludes that the public health, safety, or welfare imperatively requires the immediate suspension of the Respondent's registration to practice massage therapy, pursuant to State Gov't II § 10-226(c)(2)(2014 Repl. Vol.).

ORDER

IT IS this 16th day of March, 2018, hereby:

ORDERED that pursuant to the authority vested in the Board by State Govt. II § 10-226(c)(2)(2014 Repl. Vol.), the Respondent's RMP registration in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that the Respondent has the opportunity to appear before the Board

for a post-deprivation show cause hearing. A request for a post-deprivation show cause hearing must be in writing and be made **WITHIN TEN (10) DAYS** of the date of this Order. The written request should be made to: Laurie Sheffield-James, Executive Director, Maryland State Board of Massage Therapy Examiners, 4201 Patterson Avenue, Room 301, Baltimore, Maryland 21215; with copies mailed to: Karen Malinowski, Esq., Assistant Attorney General, Health Occupations Prosecution and Litigation Division, Office of the Attorney General, 300 West Preston Street, Suite 201, Baltimore, Maryland 21201; and Grant D. Gerber, Assistant Attorney General, Office of the Attorney General, 300 West Preston Street, Suite 302, Baltimore, Maryland 21201; and it is further

ORDERED that if the Respondent fails to request a post-deprivation show cause hearing in writing in a timely manner, or if the Respondent requests a post-deprivation show cause hearing but fails to appear before the Board when the hearing is scheduled, the Respondent's RMP registration shall remain **SUSPENDED**; and it is further

ORDERED that upon presentation of this Order, the Respondent **SHALL SURRENDER** to the Board his original RMP registration, wallet card and any other official indicia of registration; and it is further

ORDERED that this is an Order of the Board, and as such, is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen Prov. §§ 4-101 *et seq.* (2014).



Laurie Sheffield-James, Executive Director
Maryland State Board of Massage
Therapy Examiners