

IN THE MATTER OF * **BEFORE THE MARYLAND**
GREGORY A. BEACHAM, II, LMT * **STATE BOARD OF**
Respondent * **MASSAGE THERAPY EXAMINERS**
License Number: M04919 * **Case Number: 18-49M**

* * * * *

ORDER FOR SUMMARY SUSPENSION
OF LICENSE TO PRACTICE MASSAGE THERAPY

The Maryland State Board of Massage Therapy Examiners (the “Board”) hereby **SUMMARILY SUSPENDS** the license of **GREGORAY A. BEACHAM, II, LMT** (Licensed Massage Therapist) (the “Respondent”), License Number M04919, 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 § 10-226(c) (2014 Repl. Vol. and 2017 Supp.), concluding that the public health, safety or welfare imperatively requires emergency action.

INVESTIGATIVE FINDINGS

The Board has reason to believe that the following facts are true:¹

I. BACKGROUND

1. At all times relevant hereto, the Respondent was licensed to practice massage therapy in the State of Maryland. The Respondent was initially licensed as a LMT in Maryland on November 1, 2012, under License Number M04919. The Respondent's LMT license is active through October 31, 2020.

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.

2. On or about October 31, 2018, the Board received the Respondent's "Application for Renewal of Licensed Massage Therapist (LMT)" ("Renewal Application").

3. On his Renewal Application, the Respondent answered "Yes" to the following question:

Has any state licensing, certification, registration or disciplinary Board or comparable body in any federal, state, or municipal Agency or Organization or Armed Forces Branch ever taken any action or investigation against any license, certification, or registration that had been issued to you by any of those jurisdictions, including THIS Board?

4. The Respondent provided the following explanation in response to the question: "This board investigated me during the last renewal cycle due to my DC license being suspended in 2015. There have been no other issues since."

5. Based on the information provided on the Renewal Application, the Board initiated an investigation of the Respondent.

II. BOARD INVESTIGATION

6. As part of its investigation, the Board obtained the Decision and Order of Suspension against the Respondent from the District of Columbia.

7. On or about September 26, 2016, the District of Columbia Board of Massage Therapy issued a Decision and Order of Suspension ("2016 Order"), which suspended the Respondent's license to practice massage therapy in the District of Columbia, subject to several conditions for reinstatement.

8. The 2016 Order included the following Findings of Fact:

- i. At all relevant times, the Respondent was licensed to practice massage therapy in the District of Columbia.

- ii. Between 2010 and 2015 the Respondent worked as a contract therapist for a company which had a contract with hotel companies “to provide in-room massage services to their guests” in the District of Columbia.
- iii. On February 8, 2015, while providing an in-room massage service at a hotel in the District of Columbia, “the Respondent inappropriately touched the Client in the vagina area underneath her underwear.”
- iv. When the owner of the company asked the Respondent about this event, the “Respondent admitted to the inappropriate touching and told [the owner] that he was under stress due to financial concerns.”
- v. In a letter sent to the District of Columbia Board of Massage Therapy, the Respondent wrote that he “made the worst decision of [his] personal and professional life,” and that “[d]uring a routine in room massage service, [the Respondent] suffered from a severe lapse in judgment.”
- vi. The Respondent “explained the source of the ‘severe lapse in judgment’ as being due to ‘a form of burnout’ due to the fact that ‘on average every 3rd or 4th client [he] saw would solicit engagement in illegal and/or immoral activities for many times between \$200-\$500.’”
- vii. During the hearing before the District of Columbia Board of Massage Therapy, the Respondent offered two different explanations for the incident. First, the Respondent claimed the incident was an accident and “his hand slipped” because he was burnt-out and “overwork[ed].” Second, the Respondent “claimed that the Client's behavior on the table was inappropriate in that she was drunk and was moving a lot on the table, opening her legs, and tried to make the draping fall away to expose herself.”
- viii. “The Respondent did inappropriately touch the Client in her vagina area under her underwear with sexual intent.”

9. The 2016 Order “conclude[d] that the Respondent lacks credibility” and the Respondent’s “claim that the touching was accidental cannot be relied upon.” Furthermore, the 2016 Order concluded as a matter of law that the Respondent engaged in sexual interactions with the clients that “frequently” sought to engage him in “sexual interactions” because he believed it was what was “expected of him.”

10. Based on the Respondent's conduct, the District of Columbia Board of Massage Therapy found that the Respondent had violated District of Columbia statutes and regulations in that he: failed to conform to the standards of acceptable conduct in the practice of massage therapy, by failing to respect the integrity of each person and engaging in sexual activity with clients or activities with the intent of sexually arousing clients; engaged in sexual contact with a client concurrent with the practitioner-client relationship; engaged in conduct of a sexual nature that a reasonable client would consider lewd or offensive during the course of the patient-client relationship; and demonstrated a willful or careless disregard for the health, welfare, or safety of a patient.

CONCLUSIONS OF LAW

Based upon the foregoing Investigative Findings, the Board concludes as a matter of law that the public health, safety, or welfare imperatively requires emergency action pursuant to State Gov't § 10-226(c)(2).

ORDER

It is this 4th day of December, 2018, by a majority of the Board considering this case:

ORDERED that pursuant to the authority vested in the Board by Md. Code Ann., State Gov't. § 10-226(c)(2), the Respondent's license to practice massage therapy in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and it is further


ORDERED that the Respondent must request a post-deprivation show cause hearing in writing **WITHIN THIRTY (30) DAYS** of service of this Order. The written request should be made to: Adrienne Congo, Acting Executive Director, Maryland State

Board of Chiropractic and Massage Therapy Examiners, 4201 Patterson Avenue, Baltimore, Maryland 21215, with copies mailed to: Kelly Cooper, 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 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, the Respondent's license will remain suspended; and it is further

ORDERED that on presentation of this Order, the Respondent **SHALL SURRENDER** to the Board his original massage therapist license number M04919, any wallet card and wall certificate; 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).



Adrienne Congo, Acting Executive Director
For Paula Jilanis, LMT, Chair
by direction of the Maryland State Board of
Massage Therapy Examiners