



STATE OF MARYLAND

DHMH

MD Board of Chiropractic & Massage Therapy Examiners

Maryland Department of Health and Mental Hygiene

4201 Patterson Avenue • Suite 301 • Baltimore, Maryland 21215-2299

Chiropractic: 410-764-4726 • Massage Therapy: 410-764-4738 • Fax: 410-358-1879

Larry Hogan, Governor - Boyd Rutherford, Lt. Governor - Van Mitchell, Secretary

May 23, 2016

REGULAR AND CERTIFIED MAIL,

RETURN RECEIPT REQUESTED

#7014 0150 0000 0254 2696

Dwayne Haynes, RMT
3402 Curtis Drive, Apt. T
Suitland, MD 20744

Re: Notice of Suspension

Dear Mr. Haynes,

On April 13, 2016, the Maryland State Board of Chiropractic & Massage Therapy Examiners ("Board") notified you that the Prince George's County Office of Child Support Enforcement Administration of the MD Dept. of Human Resources ("Administration") directed the Board to suspend and deny your registration to practice massage therapy in the State of Maryland for delinquent child support, pursuant to Maryland Family Law Code Ann. §10-119.3 (2006 Repl. Vol. and 2009 Supp.). With that notification, you were advised that the enclosed unexecuted Order of Suspension would be executed on or about May 13, 2016, unless you notified the Board in writing that you wish to contest the proposed suspension on the sole basis of mistaken identity.

As of the date of this letter, the Board has not received any such contest as to the suspension of your registration, nor has the Board been informed by the Administration that the child support delinquencies have been resolved. **Accordingly, the enclosed Order of Suspension was executed on May 23, 2016. Your massage therapy registration is hereby SUSPENDED.**

Maryland law requires that your registration remain suspended unless and until the Board receives notification from the Administration that your registration should be reinstated, pursuant to Fam. Law. §10-119.3(k). For questions on resolving your child support delinquency, call the Child Support Enforcement Administration of the MD Dept. of Human Resources at 1-800-332-6347.

Very truly yours,

Laurie Sheffield-James
Executive Director
By Direction of the Board

Laurie Sheffield-James, M.Div., Executive Director • Andrienne Congo, M.S., Deputy Director
4201 Patterson Avenue, Suite 301 - Baltimore, Maryland 21215-2299

Chiropractic website: www.dhmh.maryland.gov/chiropractic • Massage Therapy website: www.dhmh.maryland.gov/massage
Toll Free 1-877-4MD-DHMH • TTY for Disabled - Maryland Relay Service 1-800-735-2258

IN THE MATTER OF
DWAYNE HAYNES
Respondent
License No. R01896

* BEFORE THE MARYLAND STATE
* BOARD OF CHIROPRACTIC AND
* MASSAGE THERAPY EXAMINERS

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**ORDER OF SUSPENSION OF LICENSE
FOR DELINQUENT CHILD SUPPORT**

BACKGROUND

On or about April 12, 2016, the Maryland Board of Chiropractic & Massage Therapy Examiners (the "Board") received written request from the Prince George's County Child Support Enforcement Administration of the Maryland Department of Human Resources (the "Administration") to suspend the license of Dwayne Haynes (the "Respondent"), License Number: R01896, for delinquent child support, by authority of the Annotated Code of Maryland, Family Law Article, section 10-119.3 (2014) which provides in part:

(e)(2) Except as provided in paragraph 3 of this subsection, upon Notification by the administration under this section, a licensing authority shall:

(i) Suspend an individual's license; or

(ii) Deny the license of an individual who is an applicant for a license from the licensing authority...

(h) Right to contest Identity – (1) Except as provided in paragraph (2) of this subsection, prior to the suspension or denial of a license under subsection (e) of this section, a licensing authority shall sent written notice of the proposed action to the individual whose license is subject to suspension or denial, including notice of an individual's right to contest the identity of the individual whose license or application is to be suspended or denied.

(i) Appeal; hearing – (1) (i) Except as provided in paragraph (2) of this subsection, an individual may appeal a decision of a licensing authority to suspend or deny the individual's license in accordance with Title 10, Subtitle 2 of the State Government Article.

(k) Reinstatement of License – Duty of licensing authority – A licensing authority shall immediately reinstate any license suspended, or process an application for any license denied, under this section if:

- (1) notified by the Administration that the licensee should be reinstated; and
- (2) the individual otherwise qualifies for the license

On April 13, 2016, the Board sent an unexecuted copy of this Order to Respondent's last known address and to the address on the Administration request. Accompanying the unexecuted Order was a cover letter giving Respondent written notice of the right to contest his identity in writing within thirty (30) days of the date of the letter. In addition, the letter advised Respondent that if he did not submit a written contest of mistaken identity on or before the date, the Board would execute this Order. The Respondent failed to submit a written contest letter of mistaken identity by May 13, 2016.

FINDINGS OF FACT

1. The Board issued a license to practice massage therapy to Respondent on October 9, 2013. Said license is active and set to expire on October 31, 2016.
2. On or about April 12, 2016, the Board received a written request from the Prince George's County Office of Child Support Enforcement Administration of the Maryland Department of Human Services (the "Administration"), requesting the Board to suspend the license of Respondent for delinquent child support under legal authority of the Annotated Code of Maryland, Family Law Article, section 10-119.3.
3. Annotated Code of Maryland, Family Law Article, Sections 10-119.3(e)(2) & (h)(1) require that the Board suspend the license of Respondent upon such notification by the Administration, sending Respondent written notice of the proposed suspension and of his right to contest his identity.

4. On April 13, 2016, the Board sent Respondent an unexecuted copy of the Order of Suspension to his last known address registered with the Board and listed on the Administration's request form. Included with the Order were specific instructions on contesting identity by submitting a written letter of contest to the Board within thirty (30) days of the date of the Board letter. The Board letter also specifically advised Respondent that the suspension would commence should a letter of contest not be received by the deadline date.

5. Respondent did not submit a written contest letter by said deadline date.

6. Having given Respondent the required notice of intent to suspend his license and the right to contest identity, and having not received a written contest of identity, the Board is statutorily required to suspend the Respondent's license pursuant to Md. Code Ann., Fam. Law §10-119.3(e)(2).

CONCLUSIONS OF LAW

Based on the foregoing, the Board concludes that, pursuant to Md. Code Ann., Fam. Law §10-119.(e)(2)(i), it is statutorily required to suspend Respondent's license.

ORDER

Based on the foregoing findings and conclusions of law, this 23rd day of May, 2016, by the Maryland State Board of Chiropractic & Massage Therapy Examiners, it is hereby:

ORDERED that the license of Respondent, Dwayne Haynes, License Number R01896, is hereby **SUSPENDED**; and it is further

ORDERED that Respondent's license shall remain suspended until the Board receives notification from the Child Support Enforcement Administration of the Maryland

Department of Human Resources that Respondent's license should be reinstated; and it is further

ORDERED that this is a Final Order of the Board, and as such, is a **PUBLIC DOCUMENT** and is reportable to any entity to which the Board is obligated by law to report, and is otherwise disclosable under the Maryland Public Information Act, Md. Code Ann., General Provisions Article §4-301 *et seq.*



Laurie Sheffield-James
Executive Director
For Jonathan Nou, DC
Board President

NOTICE OF APPEAL RIGHTS

Respondent has a right to appeal this Final Order pursuant to Md. Code Ann., Fam. Law §10-119.3(i), which provides:

(i) Appeal; hearing – (1)(i) Except as provided in paragraph (2) of this subsection, an individual may appeal a decision of a licensing authority to suspend or to deny the individual's license in accordance with Title 10, Subtitle 2 of the State Government Article.

(ii) At a hearing under this paragraph, the issue shall be limited to whether the Administration has mistaken the identity of the individual whose license has been suspended or denied.