

IN THE MATTER OF	*	BEFORE THE MARYLAND
CHRISTOPHER MOSELEY, RMT	*	BOARD OF MASSAGE
RESPONDENT	*	THERAPY EXAMINERS
REGISTRATION NUMBER: R01198	*	CASE NUMBER: 16-70M

* * * * *

FINAL ORDER OF REVOCATION OF REGISTRATION

The Maryland Board of Massage Therapy Examiners (“the Board”) notified Christopher Moseley (“the Respondent”), registration number: R01198 of the Board’s intent to revoke the Respondent’s registration to practice massage therapy under the Maryland Massage Therapy Act (the “Act”), Md. Code Ann., Health Occ. I (“H.O.”) §§ 6-101 *et seq.* (2014 Repl. Vol. and 2017 Supp.). The pertinent provisions state:

H. O. § 6- 308. Denials, reprimands, suspensions, and revocations.

(a) *In General; grounds* Subject to the hearing provisions of § 6–309 of this subtitle, the Board may deny a license or registration to an applicant, reprimand a licensee or registration holder, place any licensee or registration holder on probation, or suspend or revoke the license of a licensee or the registration of a registration holder if the applicant, licensee, or registration holder:

- (6) Knowingly does any act that has been determined by the Board, in its regulations, to exceed the scope of practice authorized to the individual under this subtitle;
- (8) Does an act that is inconsistent with generally accepted professional standards in the practice of massage therapy;
- (11) Has violated any provision of this title;
- (20) Engages in conduct that violates the professional code of ethics;

(21) Knowingly does an act that has been determined by the Board to be a violation of the Board's regulations [.]

Code Md. Regs. tit.10 § 65.03.

.05 Professional Boundaries.

A. A license holder or registration holder shall:

- (1) Maintain professional boundaries, even when the client, staff member, or student initiates crossing the professional boundaries of the professional relationship;
and
- (2) Respect and maintain professional boundaries and respect the client's, staff member's, or student's reasonable expectation of professional conduct.

B. A license holder or registration holder may not:

- (1) Exploit a relationship with a client, staff member, or student for the license holder's or registration holder's personal advantage, including, but not limited to, a personal, sexual, romantic, or financial relationship;
- (2) Engage in a sexually intimate act with a client; or
- (3) Engage in sexual misconduct that includes, but is not limited to:
 - (a) Therapeutic deception;
 - (b) Non bona fide treatment; or
 - (c) A sexually exploitative relationship.

FINDINGS OF FACT

The Board finds that:

1. At all times relevant hereto, the Respondent was registered to practice massage therapy in the State of Maryland. The Respondent was originally registered to practice massage therapy in Maryland on or about July 22, 2010.

2. The Respondent's license expires on October 31, 2018.
3. At all times relevant hereto, the Respondent was employed at a massage therapy practice ("Establishment A") in Howard County, Maryland.¹
4. On or about August 9, 2016, the Board received a report from a client ("Client A")² who reported that she had been sexually assaulted by the Respondent during a massage therapy session at Establishment A.
5. On or about September 26, 2015, Client A went to Establishment A for a sixty (60) minute massage and a thirty (30) minute body scrub.
6. Client A indicated in her complaint that while the Respondent was giving her a massage, he touched her vaginal area and inserted his finger into her vagina. Client A alleged that the Respondent had his finger in or around her vagina for several minutes.
7. A few hours after her encounter with the Respondent, Client A went to the Howard County Police Department ("Howard County Police")³ to report that she had been sexually assaulted by the Respondent.
8. On or about October 1, 2015, the Respondent admitted to a Howard County Police detective that he touched Client A's vaginal area and inserted his finger into her vagina.
9. On April 17, 2017, the Respondent was interviewed by a Board investigator. During the interview, the Respondent admitted that he touched Client

¹ Establishment A is not identified in this document for privacy reasons, but this information will be provided to the Respondent upon request.

² Client A is not identified in this document for privacy reasons. This information will be provided to the Respondent upon request.

³ Howard County Police Department is in Howard County, Maryland.

A's vagina. The Respondent also admitted that he penetrated Client A's vagina with his finger.

10. The Respondent's conducted as set forth above is a violation of H. O. § 6- 308 (6), (8), (11), (20), and (21) and Code Md. Regs. tit.10 § 65.03.05A (1) and (2) and B (1), (2), and 3).

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated H. O. § 6- 308 (6), (8), (11), (20), and (21) and Code Md. Regs. tit.10 § 65.03.05A (1) and (2) and B (1), (2), and 3).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 28th day of February 2018, by a majority of the full authorized membership of the of the Board, hereby,

ORDERED that the Respondent 's registration to practice massage therapy of the Board, State of Maryland, is hereby **REVOKED** and the Board will not accept, from the Respondent, any future application for licensure, certification, and/or registration; and it is further

ORDERED that Respondent shall return to the Board all Maryland massage therapy registrations within ten (10) days of the date of this Order; and it is further.

ORDERED that the effective date of this Order is the date that it is signed by the Board; and it is further

ORDERED that for purposes of public disclosure and as permitted by Md. General Provisions §§ 4-101 *et seq.* (2014), this document consists of the contents of

the foregoing Findings of Fact, Conclusions of Law, and Order, and is reportable to any entity to whom the Board is obligated to report; and it is further

ORDERED that this Order is final and a public document pursuant to Md. General Provisions §§ 4-104 *et seq.* (2014).

2-28-18

Date

David Cox / LS-D

David Cox LMT, President
Maryland Board of Massage Therapy
Examiners