

IN THE MATTER OF
KINGSTON HOLCOMB
License No. M04652

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

CONSENT ORDER OF REINSTATEMENT OF
LICENSE TO PRACTICE MASSAGE THERAPY

On or about December 1, 2014, the Maryland State Board of Chiropractic and Massage Therapy Examiners issued a final order to Kingston Holcomb (the “Petitioner”) that suspended the Petitioner’s license to practice as a licensed massage therapist for three (3) years and placed that same license on probation for five (5) years to run concurrently with the Petitioner’s suspension. That final order was based on findings of fact and conclusions of law that the Petitioner had violated the Maryland Chiropractic Act.

In 2016, the Maryland General Assembly enacted the Maryland Massage Therapy Act, which established the Maryland State Board of Massage Therapy Examiners (the “Board”) as the independent unit charged with protecting the health, safety, and welfare of Maryland citizens by regulating licensed massage therapists, such as the Petitioner, as well as registered massage practitioners.

The 2014 suspension order required as a condition precedent to the lifting of his suspension that he be “evaluated by a Board approved [sic] psychologist and cleared to return” to practice. *See* Final Order, p. 9. Although the Petitioner was eligible to have his suspension lifted on December 1, 2017, the Petitioner did not petition the Board to reinstate his license until May 29, 2024. As part of that reinstatement application, the Petitioner submitted an evaluation report from a Board-approved psychologist. That evaluation report recommended that the Petitioner “should work under the supervision of another licensed massage therapist for 6-12 months.”

After submitting his petition and application for reinstatement, the Petitioner met with Board representatives to discuss his petition and the evaluation that recommended supervised practice upon reinstatement. Subsequently, the Petitioner and the Board agreed to the following terms and conditions to reinstate his license, pursuant to Md. Code Ann., Health Occ. § 6-312.

Based on the foregoing, the Board concludes that the Petitioner is suitable for probationary reinstatement of his license to practice massage therapy at this time, subject to terms and conditions of probation. Accordingly, it is hereby:

ORDERED that the license of the Petitioner to practice as a licensed massage therapist in the State of Maryland be **REINSTATED** pending the successful completion and passage of the Board's jurisprudence examination; and it is further

ORDERED that the Petitioner is placed on **PROBATION** for a minimum of **ONE (1) YEAR** subject to the following terms and conditions:

1. The Petitioner's status as a licensed massage therapist will be listed in the Board's computer records and website as being on "**Probation**";
2. The Petitioner shall notify the Board in writing of any massage therapy position he accepts within **TEN (10) BUSINESS DAYS** of the date of acceptance.
3. The Petitioner shall arrange for the Petitioner's supervisor at the Petitioner's place of employment to submit written quarterly Work-Site reports to the Board evaluating the Petitioner's massage therapy practice. If the Petitioner's employment terminates at any of the Petitioner's place(s) of employment prior to the due date of a quarterly report, then a final workplace report is due on the last day of employment. It is the Petitioner's responsibility to ensure that such reports are submitted to the Board and to notify the Petitioner's supervisor when these reports are due. An unsatisfactory report will be

considered a violation of probation and this Order;

4. The Petitioner shall notify the Board in writing of any massage therapy position from which he is terminated by his employer and/or of any massage therapy position from which he voluntarily resigns within **THREE (3) BUSINESS DAYS** of the date of termination and resignation. The Petitioner shall include the reasons for the termination or resignation in any written notification to the Board. Failure to provide written notification to the Board of any termination or resignation as required by this paragraph shall constitute a violation of probation and this Order;

5. The Petitioner shall submit quarterly self-reports to the Board describing the Petitioner's progress as a newly reinstated massage therapist. Failure to provide written self-reports on time shall constitute a violation of probation and this Order;

6. The Petitioner shall obey all state and federal laws. If the Petitioner is convicted of, or pleads guilty to, any crimes, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside, the Petitioner shall notify the Board, in writing, of any conviction(s) or guilty plea(s) within **TEN (10) BUSINESS DAYS** of the conviction or guilty plea. Failure to report a conviction or guilty plea to the Board in writing within **TEN (10) BUSINESS DAYS** is a violation of probation and this Order; and it is further

ORDERED that the Petitioner shall be responsible for paying all costs required to comply with the terms and conditions of this Order; and it is further

ORDERED that if the Petitioner violates any of the terms and conditions of this probation and/or this Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing before the Board, if there is a genuine dispute as to the material fact(s), or an

opportunity for a show cause hearing before the Board, may impose any other disciplinary sanction which the Board may have imposed in this case under H.O. § 6-308 including a reprimand, additional probation, active or stayed suspension, revocation, and/or monetary fine, said violation being proven by a preponderance of the evidence; and it is further

ORDERED that no earlier than **ONE (1) YEAR** after the effective date of this Order, the Board will consider a petition for termination of the Petitioner's probationary status, provided that the Petitioner has been compliant with the probationary terms of this Order; and it is further

ORDERED that there shall be no early termination of the one (1) year probationary period. The Board will not consider any requests from the Petitioner to terminate probation any earlier than one (1) year from the effective date of this Order; and it is further

ORDERED that this Order is a **PUBLIC DOCUMENT** under Md. Code Ann., General Provisions § 4-333.

07/24/2024
Date

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

CONSENT

I, Kingston Holcomb, acknowledge that I am not represented by counsel and have knowingly and voluntarily elected not to consult with counsel prior to entering this Consent Order. By this Consent and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the law. I acknowledge the legal authority and jurisdiction of the Board to issue and enforce this Consent Order. Moreover, I affirm that I am waiving any right to appeal this Order of the Board to the extent that such an appeal is authorized by law.

I sign this Consent Order, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, and terms of this Consent Order.

7/1/24
Date


Kingston Holcomb
Respondent

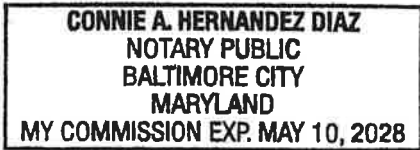
NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 1st day of July
 , 2024, before me, a Notary Public of the foregoing State and City/County
personally appear Kingston Holcomb, and made oath in due form of law that signing the
foregoing Consent Order was her voluntary act and deed.

AS WITNESSETH my hand and notary seal.



Connie Hernandez
Notary Public

My commission expires: May 10, 2028