

Ramon F. Adalla, Jr.  
20019 Lumaryn Place  
Montgomery Village, Maryland 20886

Date: July 21, 2011

Members of the Board of Chiropractic and Massage Therapy Examiners  
4201 Patterson Avenue  
Baltimore, Maryland 21215

Re: Surrender of License to Practice as a Licensed Massage Therapist  
License Number: M01816  
Case Number: 10 9M

Dear Members of the Board:

Please be advised that I have decided to surrender my license to practice as a massage therapist in the State of Maryland, under license number: M01816. I understand that I may not practice as a massage therapist with or without compensation or engage in practice as a massage therapist as it is defined in Md. Health Occ. Code Ann. ("H.O.") §§ 3-101 *et seq.* I understand that, as of the effective date of this Letter of Surrender, the surrender of my license means that I am in the same position as an unlicensed individual. I also understand that this Letter of Surrender is a PUBLIC document which upon the Board's acceptance becomes a FINAL ORDER of the Board.

I acknowledge that the Board summarily suspended my license to practice as a massage therapist on March 24, 2011, based on the Board's determination that the protection of the public health, safety or welfare imperatively required that it issue an order of summary suspension. The Board's order is attached hereto, and incorporated herein as **Exhibit 1**.

On or about December 15, 2010, the Board initiated an investigation after discovering during a routine check of my renewal applications, dated January 16, 2005 September 25, 2006 October 30, 2008 and September 2, 2010, respectively, that my license to practice as a massage therapist had been summarily suspended in the District of Columbia on or about June 2004.

I understand that the Board's investigation revealed that my license to practice in the District of Columbia was summarily suspended by the District of Columbia Department of Health after I was charged with sexual harassment of a client, engaging

in sexual activities with a client, and failing to conform to the standard of acceptable within the health professional. Specifically, the District of Columbia Board summarily suspended my license based on allegations that I touched a client on her genitals, performed oral sex on her, attempted to place her hand on my crotch, and I lifted up another's client's panties and brushed my finger over her anus several times. These events occurred between June and August 2003.

In an interview with Board staff on December 10, 2010, I admitted that I failed to disclose on my Maryland renewal applications that my license to practice as a massage therapist was summarily suspended by the District of Columbia Board in 2004.

I understand that based on my actions the Board could charge me with the following violations of H.O. §3-5A-11:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license or registration for the applicant or for another;
- (2) Fraudulently or deceptively uses a license or registration;
- (3) Is disciplined by a licensing, certifying, or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under this section;
- (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;
- (20) Engages in conduct that violates the professional code of ethics, or;
- (21) Knowingly does an act that has been determined by the Board to be a violation of the Board's regulations.

I also understand based on my actions the Board could also charge me with violating the following provisions of Code Md. Reg tit 10 § 43

**Code Md. Regs. tit. 10, § 43.18**

**.03 Standards of Practice.**

C. A certificate holder or registration holder shall:

- (1) Use professional discretion and integrity in relationships with members of the public and health care community;
- (2) Engage in professional conduct at all times, with honesty, integrity, self-respect, and fairness;
- (5) At all times respect the client's dignity, autonomy, and privacy;
- (6) Practice massage therapy or non-therapeutic massage only as defined in the scope of practice set out in Health Occupations Article, §3-5A-01, Annotated Code of Maryland;

D. A certificate holder or registration holder may not:

- (2) Knowingly engage in or condone behavior that:
  - (a) Is fraudulent,
  - (b) Is dishonest;
  - (c) Is deceitful; or
  - (d) Involves moral turpitude.

#### **.05 Professional Boundaries.**

A. A certificate holder or registration holder shall:

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

B. A certificate holder or registration holder may not:

- (1) Exploit a relationship with a client for the certificate 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.

I acknowledge that the Office of the Attorney General could prove at an administrative hearing that I violated various provisions of H.O. §3-5A-11 and Code Md. Regs. tit 10, 43 by a preponderance of the evidence as detailed herein. I understand that surrendering my license would close this investigation and is in lieu of charging under H.O. § 3-5A-11. I wish to make it clear that I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender.

By virtue of this Letter of Surrender, I waive any right to contest the investigative findings described herein. I understand that by executing this Letter of Surrender I am waiving any right to contest the findings set forth in the above paragraphs in a formal evidentiary hearing at which time I would have 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 law, including the right to appeal. I hereby affirm that as of the effective date of this Letter, I have terminated any massage therapy practice in Maryland.

**I understand that the Board will advise the National Practitioner's Data Bank and the Healthcare Integrity and Protection Data Bank of this Letter of Surrender,** and any other individuals requesting information regarding the status of my massage therapy license, that I have surrendered my license as a resolution of the Board's investigation of the matter described herein. I also understand that in the event that I apply for licensure or certification in any form in any other state or jurisdiction, that this Letter of Surrender may be released or published by the Board to the same extent as a final order pursuant to Md. State Gov't Code Ann. §10-611 *et seq.* (2009 Rep. Vol.), and further that my file may be shared with any other licensing Board as permitted by Maryland law.

I further recognize and agree that by submitting this Letter of Surrender, my license will remain surrendered permanently.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been advised of my right to be represented by the attorney of my choice, including the right to consult with an attorney prior to signing this Letter of Surrender. I understand the nature and effect of both the Board's actions and this Letter of Surrender fully. I acknowledge that I understand the language, meaning, terms, and effect of this Letter of Surrender. I make this decision knowingly and voluntarily and without any duress.

Sincerely,

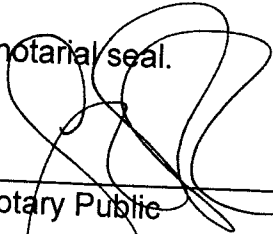
  
Ramon F. Adalla, Jr.

**NOTARY**

STATE OF Maryland  
CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 21<sup>st</sup> day of July, 2011, before me, Silvia Nevedan, a Notary Public of the State and City/County aforesaid, personally appeared Ramon F. Adalla and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was his voluntary act and deed.

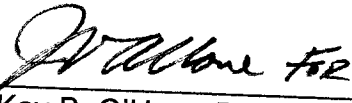
AS WITNESS my hand and notarial seal.

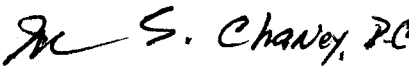
  
\_\_\_\_\_  
Notary Public

My Commission Expires: 11/23/14

**ACCEPTANCE**

On behalf of the Maryland Board of Chiropractic and Massage Therapy Examiners, on this 2<sup>nd</sup> day of August, 2011, I accept Ramon F. Adalla, Jr's., Public Letter of Surrender of his certificate to license as a massage therapist in the State of Maryland.

  
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Key B. O'Hara, D.C. President  
Board of Chiropractic and Massage Therapists  
Examiners

 J. S. Chaney, P.C.