



MARYLAND Department of Health

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

Maryland State Board of Massage Therapy Examiners

April 2, 2018

**By first class mail and
By Certified Mail No.: 7014 0150 0000 0254 8711**

Restricted Delivery/Return Receipt Requested

Habibollah Jadidi, RMP
8020 Sandy Spring Rd.
Laurel, Maryland 20707

RE: ORDER FOR SUMMARY SUSPENSION
Registration Number: R02346
Case Number: 17-26M

Dear Mr. Jadidi:

Enclosed please find an **ORDER FOR SUMMARY SUSPENSION** (the "Order") of your registration to practice massage therapy in the State of Maryland. Please be advised that the Maryland State Board of Massage Therapy Examiners (the "Board") voted to summarily suspend your registration to practice massage therapy in the State of Maryland pursuant to Md. Code Ann., State Gov't § 10-226(c). You are directed to immediately **SURRENDER** your massage practitioner registration, wallet card and any other indicia of registration to the Board's Executive Director, Laurie Sheffield-James, or her agent, in person or at the address listed below.

You have the opportunity to appear before the Board for a post-deprivation show cause hearing. This limited appearance is intended to provide you with an opportunity to show cause why the Order should not be continued. At this post-deprivation show cause hearing, you have the opportunity, either through counsel, or in person, to address the Board.

You must request a Show Cause Hearing in writing **WITHIN TEN (10) DAYS** of service of this Order. The written request must be made to:

Laurie Sheffield-James
Executive Director
State Board of Massage Therapy Examiners
4201 Patterson Avenue, Suite 301
Baltimore, Maryland 21215
Phone: (410) 764-5985

Fax: (410) 358-1879

with copies mailed to:

Nicholas E. Johansson, Assistant Attorney General
Administrative Prosecutor
Office of the Attorney General
Health Occupations Prosecution and Litigation Division
300 W. Preston Street, Suite 201
Baltimore, Maryland 21201
Phone: (410) 767-5829
Fax: (410) 333-5831

and

Grant D. Gerber, Assistant Attorney General
Board Counsel
Office of the Attorney General
300 W. Preston Street, Suite 302
Baltimore, Maryland 21215
Phone: (410) 767-5469
Fax: (410) 333-7894

If a written request for a Show Cause Hearing is made, a Show Cause Hearing will be scheduled at the Board's offices at 4201 Patterson Avenue, Baltimore, Maryland 21215. If you fail to request a post-deprivation show cause hearing in writing within ten (10) days of the date of the Order for Summary Suspension, or if you request a post-deprivation show cause hearing but fail to appear before the Board when the hearing is scheduled, your registration shall remain suspended.

Because your registration to practice massage therapy in Maryland is at issue, you are urged to retain and be represented by an attorney at all stages of the proceeding. Your attorney must be either admitted to the Maryland bar or specially admitted to practice law in Maryland pursuant Maryland Rule 19-214 of the Rules Governing Admission to the Bar found in Volume II of the Maryland Rules.

The administrative prosecutor in this case is Nicholas E. Johansson, Assistant Attorney General, Health Occupations Prosecution and Litigation Division ("HOPL"). If you have any questions about the summary suspension or your appearance before the Board, please contact Mr. Johansson at (410) 767-5829 or arrange a conference telephone call with Mr. Johansson and Board Counsel, Grant D. Gerber, at (410) 767-5469.

RE: Order for Summary Suspension
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Very truly yours,

A handwritten signature in black ink, appearing to read "Laurie Sheffield-James". The signature is fluid and cursive, with a long horizontal stroke at the end.

Laurie Sheffield-James
Executive Director
Maryland State Board of
Massage Therapy Examiners

Enclosures

cc: Nicholas E. Johansson, Principal Counsel, HOPL
Grant D. Gerber, Assistant Attorney General, Board Counsel
Rosalind Spellman, Administrative Officer, HOPL

IN THE MATTER OF
HABIBOLLAH JADIDI, RMP
Respondent

* BEFORE THE
* MARYLAND STATE
* BOARD OF MASSAGE
* THERAPY EXAMINERS
* Case Number: 17-26M

Registration Number: R02346

* * * * *

**ORDER FOR SUMMARY SUSPENSION OF REGISTRATION
TO PRACTICE MASSAGE THERAPY**

The Maryland State Board of Massage Therapy Examiners (the "Board") hereby **SUMMARILY SUSPENDS** the registration of **HABIBOLLAH JADIDI, RMP** (the "Respondent"), Registration Number R02346, 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)(2) (2014 Repl. Vol. and 2016 Supp.), concluding that the public health, safety or welfare imperatively requires emergency action.

INVESTIGATIVE FINDINGS

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts are true:¹

1. At all times relevant hereto, the Respondent was registered to practice

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.

massage therapy in the State of Maryland. The Respondent was initially registered as a RMP in Maryland on November 3, 2015, under Registration Number R02346. The Respondent's RMP registration is active through October 31, 2018.

2. At all times relevant hereto, the Respondent worked as a RMP at a facility² (the "Facility") in Rockville, Maryland,

3. On or about June 25, 2016, the Board received a complaint from the director of the Facility stating that the Respondent was the subject of a criminal investigation based on communications with a detective from the Montgomery County Police Department. The complaint stated that the police had informed the Facility that the Respondent was under investigation based on a complaint from a woman ("Client A") who had received a massage from the Respondent at the Facility. The detective did not share any details of the criminal conduct or identify the alleged victim.

4. On or about January 2, 2018, the Board received notification that the Respondent had been arrested and charged with committing criminal offenses against Client A. Client A reported to the police that the Respondent sexually assaulted her during a massage on June 12, 2016.

5. The Montgomery County Police Department investigated Client A's claims and filed an Application for Statement of Charges on December 7, 2016 that included the following information:

On June 12, 2016, [Client A] . . . arranged for a massage at the [Facility]. [Client A] advised that her masseuse was Jadidi. During the course of the massage, [Client A] was nude underneath a sheet, common practice for a massage. Towards the end of the massag[e] Jadidi was massaging [Client A]'s leg. With his right hand, Jadidi

² For confidentiality reasons, the names of all massage facilities, clients or other individuals referenced in this document will not be identified by name. The Respondent may obtain the identity of any facility, client or individual referenced herein by contacting the assigned administrative prosecutor.

inserted his fingers inside of [Client A]'s vagina. [Client A] described the digital penetration as "Not accidental. I felt like I was at the gynecologist, that's how far up he went". Jadidi placed his left hand on [Client A]'s breast. [Client A] advised that she does not believe that the touching of her breast was accidental.

When Jadidi placed his fingers inside of [Client A]'s vagina, [Client A] advised that she froze. [Client A] advised that she was completely shocked and taken by surprise and didn't know how to react. [Client A] advised that she was worried that if she reacted, the situation might be worse. [Client A] was nude under the sheet and didn't feel as though she had a means to get away or protect herself.

Jadidi placed his business card in [Client A]'s purse and told her that he made "home visits".

6. On or about December 14, 2017, the Respondent was charged in the District Court for Montgomery County, Maryland, with the following criminal offenses: Sexual Offense Fourth Degree-Sexual Contact, in violation of Crim. Law § 3-308(b)(1)³; and Assault Second Degree in violation of Crim. Law § 3-203⁴. The Respondent agreed in principle to pled guilty to Assault in the Second Degree in violation of Crim. Law § 3-203. The Respondent failed to appear at the next scheduled court hearing. An arrest warrant was issued against the Respondent on December 7, 2016. The Respondent has not appeared in court since the arrest warrant was issued and has not yet been apprehended.

CONCLUSIONS OF LAW

Based upon the foregoing Investigative Findings, the Board concludes that the public health, safety, or welfare imperatively requires the immediate suspension of the Respondent's registration to practice massage therapy, pursuant to State Gov't § 10-

³ Md. Code Ann., Crim. Law § 3-308(b)(1) provides: "A person may not engage in sexual contact with another without the consent of the other[.]"

⁴ Md. Code Ann., Crim. Law § 3-203 provides: "A person may not commit an assault."

226(c)(2).

ORDER

IT IS this 27th day of April, 2018, by a majority vote of a quorum of the Maryland State Board of Massage Therapy Examiners hereby:

ORDERED that pursuant to the authority vested in State Govt. § 10-226(c)(2), the registration held by the Respondent to practice registered massage therapy in Maryland, Registration Number R02346, is hereby **SUMMARILY SUSPENDED**; and it is further

ORDERED that the Respondent has the opportunity to appear before the Board for a post-deprivation show cause hearing for a determination of whether the Summary Suspension should be continued. A request for a post-deprivation show cause hearing must be in writing to the Board and be made **WITHIN TEN (10) CALENDAR DAYS** of the date of this Order; and it is further

ORDERED that if the Respondent fails to request a post-deprivation show cause hearing in writing in a timely manner, or if the Respondent requests a post-deprivation show cause hearing but fails to appear before the Board when the hearing is scheduled, the Respondent's RMP registration shall remain **SUSPENDED**; and it is further

ORDERED that upon presentation of this Order, the Respondent **SHALL SURRENDER** to the Board his original RMP registration, wallet card and any other official indicia of registration; 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 and 2016 Supp.).

4-2-10
DATE

David Cox
David Cox, Board Chair
Maryland State Board of Massage
Therapy Examiners