

<b>IN THE MATTER OF</b>	*	<b>BEFORE THE MARYLAND STATE</b>
<b>LeRoy Mack, Jr.</b>	*	<b>BOARD OF MASSAGE THERAPY</b>
<b>Respondent</b>	*	<b>EXAMINERS</b>
<b>Registration No.: R02005</b>	*	<b>Case Number 16A-08</b>
	*	
	*	
	*	
	*	
	*	
	*	
	*	
	*	

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

**BACKGROUND**

On or about December 12, 2016, the Maryland State Board of Massage Therapy Examiners (the "Board") received a written request from the Baltimore County Child Support Enforcement Administration of the Maryland Department of Human Resources (the "Administration") to suspend the registration of LeRoy Mack, Jr. (the "Respondent"), Registration Number: R02005, for delinquent child support, by authority of the Md. Code Ann., Fam. Law Art., §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 December 14, 2016, the Board sent an unexecuted copy of this Order to Respondent's last known address and to the address on the Administration's 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 deadline date, the Board would execute this Order. The Respondent failed to submit a written contest letter of mistaken identity by January 16, 2017.

#### **FINDINGS OF FACT**

1. The Board issued a registration to practice massage therapy to Respondent on November 21, 2016. Said registration is active and set to expire on October 31, 2018.
2. On or about December 12, 2016, the Board received a written request from the Baltimore County Office of Child Support Enforcement Administration of the Maryland Department of Human Services (the "Administration"), requesting the Board to suspend/deny the registration of Respondent for delinquent child support pursuant to Md. Code Ann., Fam. Law Art. §10-119.3.
3. Md. Code Ann., Fam. Law Art. §10-119.3(e)(2) & (h)(1) require that the Board suspend the registration of Respondent upon sending the Respondent written notice of the proposed suspension and of his right to contest his identity.
4. On December 14, 2016, the Board sent Respondent an unexecuted copy of the Order of Suspension to last known address as registered with the Board and as 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 statutory required notice of intent to suspend his registration and the right to contest based on identity, and having not received a written contest of identity, the Board is statutorily required to suspend the Respondent's registration 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 registration.

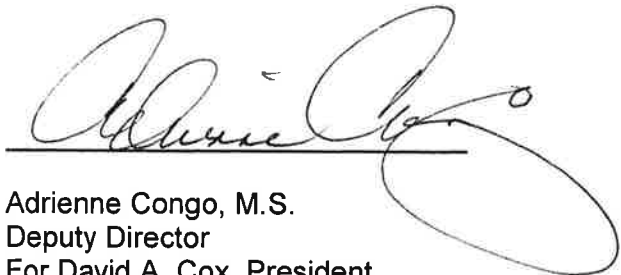
### ORDER

Based on the foregoing findings and conclusions of law, this 6<sup>th</sup> day of February, 2017, by the Maryland State Board Massage Therapy Examiners, it is hereby:

**ORDERED** that the registration of Respondent, **LeRoy Mack, Jr.**, Registration Number **R02005**, is hereby **SUSPENDED**; and it is further

**ORDERED** that Respondent's registration shall remain suspended until the Board receives notification from the Child Support Enforcement Administration of the Maryland Department of Human Resources that Respondent's registration 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., Gen. Prov. § 4-101 *et seq.* (2014).



Adrienne Congo, M.S.  
Deputy Director  
For David A. Cox, President  
Maryland Board of Massage Therapy Examiners

**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.