

Patrick M. Merhi
18516 Cherry Laurel Lane
Gaithersburg, MD 20879

March 21, 2019

Paula Jilanis, Chair
Maryland State Board of Massage Therapy Examiners
4201 Patterson Avenue, Ste. 301
Baltimore, MD 21215-2299

Re: Surrender of License to Practice Massage Therapy
Patrick M. Merhi
License Number: M02244
Case Numbers: 18-07M

Dear Ms. Jilanis and Members of the Board:

Please be advised that, pursuant to Md. Code Ann., Health Occ. ("Health Occ.") § 6-307 (2017 Supp.), I have decided to **PERMANENTLY SURRENDER** my license to practice massage therapy in the State of Maryland, License Number M02244, effective immediately. I understand that upon surrender of my license, I may not practice massage therapy on any individual, with or without compensation or otherwise engage in the practice of massage therapy in the State of Maryland as it is defined in the Maryland Massage Therapy Act (the "Act"), Health Occ. §§ 6-101 *et seq.* and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual in the State of Maryland. I understand that this Letter of Surrender is a **PUBLIC DOCUMENT**, and upon the Maryland State Board of Massage Therapy Examiners' ("the Board's") acceptance, becomes a **FINAL ORDER** of the Board.

I acknowledge that the Board received a complaint from a patient about a massage I performed on February 26, 2018. After leaving my office which was staffed by other medical providers and support personnel, the complainant reported to the police and the Board that I crossed boundaries and touched her inappropriately.

Although I have had no previous complaints since I began practicing massage therapy in Maryland in 1996, I have decided to accept the State's offer to not prosecute the case in exchange for my agreement to permanently surrender my license to practice massage therapy in Maryland and never practice as a massage therapist in the State of Maryland.

If this matter had gone to a hearing in any forum, I would have vigorously contested the allegation that I conducted the massage in an inappropriate or illegal manner. I understand that the allegations by the Board would have included assertions that I violated Health Occ. § 6-308(a)(8) (Does an act that is inconsistent with generally accepted standards in the practice of massage therapy); (20) (Engages in conduct that violates the professional code of ethics); and (21) (Knowingly does an act that has been determined by the Board to be a violation of the Board's regulations), as well as the following regulations of the Board: Md. Code Regs. 10.43.18.03(C)(2), (3), (6); Md. Code Regs. 10.43.18.05(A);

Md. Code Regs. 10.43.18.08(A), (B). But for reasons that take into consideration a number of factors, some of which have nothing to do with this incident, I have decided to proceed by surrendering my license to practice massage therapy in Maryland.

I have already submitted to the board my Maryland massage therapy license, including any renewal certificates and wallet-sized renewal cards.

I have been advised by the Board that the Board will advise the Federation of State Massage Therapy Boards, the National Certification Board for Therapeutic Massage and Bodywork, the National Practitioner Data Bank, and the Healthcare Integrity and Protection Data Bank of this Letter of Surrender.

I further recognize and agree that by submitting this Letter of Surrender, my license will remain surrendered permanently. I understand that I may not apply for reinstatement or a new Maryland license. 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 an attorney of my choice in any proceeding before the Board including proceedings to contest the allegations made by the complainant. I also wish to make clear that I have consulted with an attorney of my choice in making this decision to surrender my license, and have fully consulted to my satisfaction with an attorney prior to signing this Letter of Surrender. I have had sufficient time to review this letter and consider my decision to sign and submit this letter. I understand both the nature of the Boards' actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision, endorse the contents of this letter, and submit this letter freely, knowingly and voluntarily.

Very truly yours,



Patrick M. Merhi

NOTARY

STATE OF Maryland

CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 21st day of March, 2019 before me, a Notary Public of the City/County aforesaid, personally appeared **Patrick M. Merhi**, and declared and affirmed under the penalties of perjury that the signing of this Letter of Surrender was their voluntary act and deed. AS WITNESS my hand and Notarial seal.

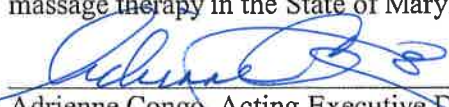

Notary Public
My commission expires:

MELANIE SUE WISSINGER
NOTARY PUBLIC
MONTGOMERY COUNTY
MARYLAND
MY COMMISSION EXPIRES MAY 1, 2021



ACCEPTANCE

On behalf of the Board of Examiners of Massage Therapists, on this 27th day of March, 2019,
I, Adrienne Congo, accept **Patrick M. Merhi's PUBLIC SURRENDER** of his license to practice
massage therapy in the State of Maryland.



Adrienne Congo, Acting Executive Director
MD State Board of Massage Therapy Examiners

