

IN THE MATTER OF * BEFORE THE BOARD OF
TIMOTHY J. SNYDER * MESSAGE THERAPY
RESPONDENT * EXAMINERS
REGISTRATION NO: R02245 * CASE NO.: 15-30M

* * * * *

FINAL ORDER OF REVOCATION OF MESSAGE THERAPY REGISTRATION

The Maryland Board of Massage Therapy Examiners (“the Board”) notified Timothy J. Snyder (“the Respondent”), registration number: R02245 of the Board’s intent to revoke the Respondent’s registration to practice massage therapy under the Maryland Massage Therapy Act (the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) §§ 6-101 *et seq.* (2014 Repl. Vol. and 2017 Supp.). The pertinent provisions of the Act state:

Health. Occ. § 6- 308. Denials, reprimands, suspensions, and revocations.

(a) *In General; grounds* Subject to the hearing provisions of § 6–309 of this subtitle, the Board may deny a license or registration to an applicant, reprimand a licensee or registration holder, place any licensee or registration holder on probation, or suspend or revoke the license of a licensee or the registration of a registration holder if the applicant, licensee, or registration holder:

- (8) Does an act that is inconsistent with generally accepted professional standards in the practice of massage therapy;
- (10) Is professionally incompetent;
- (11) Has violated any provision of this title;
- (20) Engages in conduct that violates the professional code of ethics;

The Board also charged the Respondent with violating the following:

COMAR 10.65.03

.03 Standards of Practice.

C. A license 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 only as defined in the scope of practice set out in Health Occupations Article, §6–101, Annotated Code of Maryland;

.04 Relationship with Client.

A. A license holder or registration holder shall:

(1) Use professional judgment in the use of evaluation and treatment procedure;

COMAR 10.65.0305

.05 Professional Boundaries.

A. A license holder or registration holder shall:

(1) Maintain professional boundaries, even when the client, staff member, or student initiates crossing the professional boundaries of the professional relationship; and

(2) Respect and maintain professional boundaries and respect the client's, staff member's, or student's reasonable expectation of professional conduct.

B. A license holder or registration holder may not:

(1) Exploit a relationship with a client, staff member, or student for the license 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.

FININDINGS OF FACT

The Board finds that:

1. At all times hereto, the Respondent was a registered massage practitioner in the State of Maryland under Registration Number R02245. The Respondent was first registered on May 14, 2015. The Respondent's registration expired on October 31, 2016.

2. At all times relevant hereto, the Respondent was employed as a registered massage practitioner at, a national spa chain ("Facility A") that provided massage services to clients.¹

3. On or about December 2, 2015 the Baltimore County Police Department, Vice Unit ("BCPD") the board that the Respondent had been accused of various sex offenses.

4. Thereafter the Board initiated an investigation.

5. The Board's investigation revealed that the Respondent inappropriately touch three clients ("Clients A through C") during massage therapy sessions at Facility A.

6. Client A, a female, alleged that on October 17, 2015, the Respondent massaged her pectoral muscles and her inner thighs and continuously touched/massaged the outside of her underwear in her crotch/vaginal area. Client A

¹ The name of Facility A referred to in this document have been omitted to protect confidentiality

also alleged that the Respondent attempted to pull down her underwear and massaged her buttocks, continually running his hand between her buttocks.

7. Client B, a female, alleged that on November 17, 2015, while the Respondent massaged her inner thighs, the Respondent moved her underwear to the side, exposing her vagina. Client B alleged that she then felt the Respondent penetrate her vagina with his finger. Client B alleged that the Respondent attempted to pull down her underwear. Client B alleged that she felt what she believed to be the Respondent's erect penis pressing against her side.

8. Client C, a female, alleged that on November 18, 2015, the Respondent touched her vagina with his hand and ran his hand between her buttocks. Client C also alleged that the Respondent ran his hand in the center of her vaginal area and into the folds of her vagina. Client C alleged that when she turned onto her back, the Respondent did not drape her properly and her vagina was fully exposed.

9. Client C notified the spa of the incident and the Respondent was terminated.²

10. As a result of the allegations against the Respondent by Clients A, B and C, the Respondent was charged in the District Court of Maryland for Baltimore County with three counts of assault, second degree and three counts of sex offense, fourth degree-sexual contact.

² Clients A and B reported the incidents with the Respondent to the police. The police learned about Client C's allegation against the Respondent when investigating the complaints made by Clients A and B.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §6-308 (8), (10), (11). (20); COMAR10.65.03.03 C (1), (2), (5) and (6); and COMAR 10.65.03.05 A (1) and (2) and B (1), (2).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 27th day of February 2019, by a majority of the full authorized membership of the of the Board, hereby,

ORDERED that the Respondent 's registration to practice massage therapy in the State of Maryland is hereby **REVOKED** and the Board will not accept, from the Respondent, any future application for licensure, certification, and/or registration; and it is further

ORDERED that Respondent shall return to the Board all Maryland massage therapy registrations within ten (10) days of the date of this Order; and it is further.

ORDERED that the effective date of this Order is the date that it is signed by the Board; and it is further

ORDERED that this Order is final and a public document pursuant to Md. General Provisions §§ 4-104 *et seq.* (2014).

ORDERED that this document constitutes a formal disciplinary action of the Board of Massage Therapy Examiners and is a public document for purposes of public disclosure, pursuant to Md. General Provisions §§ 4-101 *et seq.* (2014 Repl. Vol).

2-27-19

Date



Paula Jilani LMT, Board Chair
Maryland Board of Massage Therapy
Examiners