

Wilton L. Nice, RMP
39 Mission Wood Way
Reisterstown, Maryland 21136

February 7, 2013

Stephanie J. Chaney, D.C., President
Maryland State Board of Chiropractic and Massage Therapy Examiners
4201 Patterson Avenue
Baltimore, MD 21215

Dear Dr. Chaney and Members of the Board,

Please be advised that I have decided to permanently surrender my registration to practice massage in the State of Maryland, Registration Number, R00987, effective immediately. I understand that upon surrender of my registration, I may not engage in the practice massage therapy on any individual, with or without compensation in the State of Maryland as it is defined in the Massage Therapy Practice Act (the "Act"), Md. Health Occ. Code Ann. ("HO"), §3-5A-01, *et seq.* (2005 Repl. Vol.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, *i.e.*, the date the Board accepts this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unregistered individual in the State of Maryland.

I understand that this Letter of Surrender is a public document and on the Board's acceptance, becomes a final order of the Board.

My decision to permanently surrender my registration to practice massage therapy in the State of Maryland has been prompted by a criminal conviction on August 1, 2012 for a fourth degree sex offense under the Maryland Criminal Code, Md. Crim. Law Code Ann., §3-308, case number: 03K12001921. The case history regarding this conviction is incorporated into this Letter of Surrender as Exhibit 1.

I have decided to surrender my registration to practice massage therapy in the State of Maryland in compliance with the terms of my probation and to avoid further disciplinary action by the Board in response to my being charged and convicted of a crime of moral turpitude, in violation of the Act. Md. Health Occ. Code Ann. §3-5A-11(a)(4).

I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender as a condition of my probation and to avoid disciplinary action by the Board for the aforementioned criminal charge. I understand that by executing this Letter of Surrender I am waiving any right to contest the disciplinary charges and the investigative findings in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal. I hereby affirm that as a condition of the Board's acceptance of this Letter of Surrender, I agree to personally surrender my registration and wallet card to the Board Executive Director within

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forty-eight (48) hours of the execution of this letter, and further agree not to apply or in any way seek reinstatement of my massage therapy registration in Maryland.

I understand that this letter is a public document and may be released to the general public, and that the Board will advise the National Certification Board for Therapeutic Bodywork & Massage, and in response to an inquiry, that I have surrendered my registration in accordance with the terms of my probation and in lieu of further disciplinary action under the Act. I also understand that in the event I would apply for licensure in any form in another state or jurisdiction, that this Letter of Surrender may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to Md. State Gov't Code Ann. §10-611 *et seq.* (2012), and that this Letter of Surrender shall constitute a disciplinary action by the Board.

I affirm that I have not renewed by registration to practice massage therapy during the 2012 renewal period, and have discontinued the practice of massage therapy.

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 consulted with counsel prior to signing 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 knowingly and voluntarily.

Very truly yours,


Wilton L. Nice, RMP
Respondent

In the letter I sent on July 31, 2012 I included my license and wallet card so they are no longer in my possession.

I regret very deeply the actions that have led to this situation and please know this was not an intentional act. I apologize for having it come to this.

Wilton L. Nice
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STATE OF MARYLAND
CITY/COUNTY OF Baltimore **NOTARY**

I HEREBY CERTIFY that on this 13 day of February, 2013, before me, a Notary Public of the City/County aforesaid, personally appeared Wilton L. Nice, RMP, and declared and affirmed under the penalties of perjury that the signing of this Letter of Surrender was his voluntary act and deed.

AS WITNESS my hand and Notarial seal.

Patsy N. Monteleone
Notary Public

My commission expires: 3/3/17



ACCEPTANCE

On behalf of the Maryland State Board of Chiropractic and Massage Therapy Examiners, on this 2/28 day of Feb., 2013, I, Stephanie J. Chaney, D.C., accept Wilton L. Nice, RMP's **PERMANENT SURRENDER** of his license to practice massage therapy in the State of Maryland.

Stephanie J. Chaney
Stephanie J. Chaney, D.C., President
Maryland State Board of Chiropractic and
Massage Therapy Examiners

cc: James Vallone, Executive Director, Md. State Board of Chiropractic and Massage Therapy Examiners