

IN THE MATTER OF * **BEFORE THE**
KEJUAN JOHNSON * **MARYLAND STATE BOARD**
LMT Applicant * **OF MASSAGE THERAPY EXAMINERS**

CONSENT ORDER

On or about October 6, 2023, the Maryland State Board of Massage Therapy Examiners (the “Board”) received an “Application for License or Registration in Massage Therapy” from Kejuan Johnson (the “Applicant”). On that application, the Applicant disclosed that he has a license to practice massage therapy in the District of Columbia and that that license had been disciplined by the District of Columbia Board of Massage Therapy (“DC Board”). In an effort to resolve this matter without the necessity of initiating formal disciplinary proceedings to deny the Applicant’s application, the Applicant and the Board agreed to the following Findings of Fact, Conclusions of Law, and Order granting the Applicant a probationary license to practice as a licensed massage therapist (“LMT”) in the State of Maryland pending his successful completion of the Board’s jurisprudence examination.

FINDINGS OF FACT

The Board finds that:

1. On October 6, 2023, the Board received an “Application for License or Registration in Massage Therapy” from the Applicant.

2. On that application, the Applicant answered “YES” to Character & Fitness Question 2, which asks:

Has a state licensing or disciplinary board (including Maryland), comparable body in the armed services or the Veterans Administration, taken action against your license, registration, or certificate?

3. The Applicant further provided an explanation indicating that his license to practice massage therapy had been disciplined in the District of Columbia.

4. Specifically, on May 20, 2021, the DC Board “suspended immediately” the Applicant’s license based on uncontested findings that the Applicant (1) failed to conform to the standard of acceptable conduct and prevailing practice within a health profession; (2) engaged in sexual contact with a patient or client concurrent with and by virtue of the practitioner-patient or practitioner-client relationship; (3) violated the rules and regulations of the DC Board; and (4) engaged in sexual activity with a client. The 2021 Order of the DC Board indicated that the Applicant’s license was to remain suspended until his petition to lift the suspension was granted.

5. The Applicant’s license in the District of Columbia remained suspended until June 8, 2023, when the DC Board and the Applicant agreed to a Consent Order reprimanding his license and placing his license on probation for two years, subject to certain terms and conditions. As of the execution of this Order, the Applicant’s license to practice massage therapy in the District of Columbia remains on probation.

6. Maryland law authorizes the Board to discipline or deny any licensee or applicant, as the case may be, who has been “disciplined by a licensing, certifying, or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action” in the State of Maryland. Md. Code Ann., Health Occ. § 6-308(a)(3).

7. The acts for which the Applicant was disciplined would be violations of Maryland law. Specifically, the Applicant would have violated Md. Code Ann., Health Occ. § 6-308(a)(8) (“Does an act that is inconsistent with generally accepted professional standards in the practice of

massage therapy”) and (21)¹ (“Knowingly does an act that has been determined by the Board to be a violation of the Board's regulations”).

8. The Applicant otherwise meets the requirements to obtain a license to practice as an LMT, subject to the successful completion of the Board’s jurisprudence examination as required by COMAR 10.65.01.06.A(6).

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Applicant violated Md. Code Ann., Health Occ. § 6-308(a)(3) (“Is disciplined by a licensing, certifying, or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under this section”).

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that, on successful completion of the Board’s jurisprudence examination required by COMAR 10.65.01.06.A(6), the Applicant’s application for licensure in the State of Maryland as a licensed massage therapist is **GRANTED**; and it is further

ORDERED that the license of the Applicant to practice as a licensed massage therapist in the State of Maryland is placed on **PROBATION**, subject to the following terms and conditions:

1. The Applicant’s status as a licensed massage therapist will be listed in the Board's computer records and website as being on “**Probation**”;
2. During the probationary period, the Applicant shall provide written notification to

¹ The Board’s regulations require that Maryland licensees and registrants maintain professional boundaries. Those regulations also prohibit engaging in a sexually intimate act with a patient. *See* COMAR 10.65.03.05.

Board staff of the acceptance of any massage therapy employment in the State of Maryland and location within 48 hours of that acceptance. The Applicant has an ongoing duty to inform the Board in writing within 48 hours of any massage therapy employment changes while under this probation. Failure to notify the Board as described in this paragraph shall be considered a violation of this probation.

3. The Applicant shall be compliant with the probationary terms and conditions as set forth by the DC Board. The Applicant shall inform the Board's staff of any changes in his probationary status with the DC Board, including any modification to the terms or conditions, terminations, or violations, within 48 hours of that change in status. Failure to notify the Board as described in this paragraph may be considered a violation of this probation.

4. The Applicant shall obey all State and federal laws.

ORDERED that the Applicant shall be responsible for paying all costs required to comply with the terms and conditions of this Consent Order; and it is further

ORDERED that if the Applicant violates any of the terms and conditions of this probation and/or this Consent Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing before the Board, if there is a genuine dispute as to the material fact(s), or an opportunity for a show cause hearing before the Board, if there is no genuine dispute as to the material fact(s), may impose any other disciplinary sanction which the Board may have imposed in this case under Md. Code Ann., Health Occ. § 6-308, including a reprimand, additional probation, suspension, revocation, and/or monetary fine, said violation being proven by a preponderance of the evidence; and be it further

ORDERED that, upon being provided with documentation that the probation on the

Applicant's license to practice massage therapy in the District of Columbia has been lifted or terminated, this Board will consider a petition for termination of the Applicant's probationary status in Maryland, provided that the Applicant has been compliant with the probationary terms of this Consent Order; and it is further

ORDERED that this document is a **PUBLIC DOCUMENT** under Md. Code Ann., General Provisions § 4-333.

04/24/2024
Date

Sharon J. Oliver
Sharon J. Oliver, MBA
Executive Director
Maryland State Board of Massage Therapy Examiners


CONSENT

By this Consent, I, Kejuan Johnson, agree and accept to be bound by this Consent Order and its conditions and restrictions. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections as provided by law. I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I also affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing.

I sign this Consent Order after having had the opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order and understand its effect.

4/18/2024
Date


Kejuan Johnson
Applicant


Notarization

STATE OF MARYLAND
CITY/COUNTY OF: PG COUNTY

I HEREBY CERTIFY that on this 18 day of APRIL 2024, before me, a Notary Public of the State and County aforesaid, personally appeared Kejuan Johnson., and gave oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS, my hand and Notary Seal.




Notary Public

My commission expires: 11-16-2024

