

IN THE MATTER OF
MYONG FITZGERALD, R.M.P.

Respondent

* BEFORE THE MARYLAND
* STATE BOARD OF
* MASSAGE THERAPY EXAMINERS
*
* Case Number: 14-74M

Registration Number: R00266

* * * * *

FINAL DECISION AND ORDER OF DISMISSAL

I. PROCEDURAL BACKGROUND

The Maryland State Board of Chiropractic and Massage Therapy Examiners (the "Board") charged MYONG FITZGERALD, Registered Massage Practitioner ("R.M.P.") (the "Respondent"), Registration Number R00266, under the Maryland Chiropractic Act (the "Act"), Md. Code Ann., Health Occ. I ("Health Occ. I") §§ 3-5A-01 *et seq.* (2014 Repl. Vol.)¹ and Md. Code Regs. ("COMAR") 10.43.01.18 *et seq.*

A multi-day hearing was held before a quorum of the Board of Chiropractic and Massage Therapy Examiners. On October 1, 2016, the Chiropractic Examiners and Massage Therapy Examiners were split into two separate boards. Accordingly, the matter was transferred to the Board of Massage Therapy Examiners (the "Board") for a ruling. This order is issued by the Board after a full review of the record. The Board issued an order on July 3, 2018. Ms. Fitzgerald appealed the matter and requested a remand under Md. Code Ann., State Government § 10-216. The Board agreed to the Respondent's request for a remand. Prior to holding a hearing on the remand, the Board reviewed the record and now issues this order.

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¹ Health Occ. I §§ 3-5A-01 *et seq.* (2014 Repl. Vol.) has since been recodified. For the purpose of consistency with the charges and hearing, the old references are used in this order.

Final Decision and Order of Dismissal

This order is issued by the Board after a full review of the record.

II. CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that there is insufficient evidence to support the charges that the Respondent violated the Act.

III. ORDER

Based upon the foregoing, it is hereby:

ORDERED that the charges against Respondent's Massage Registration Number R00266 to practice as a massage therapist in the State of Maryland pursuant to H.O. §§ 3-5A-01 *et seq.* are hereby **DISMISSED**.

5-8-19

Date

Paula K. Jilanis

Paula K. Jilanis, MA, LMT, BCMT

Board Chair,

Maryland State Board of Massage Therapy Examiners