

Final Order No. DOH-21-1668- § -MOA
FILED DATE - NOV 29 2021
Department of Health
By: *Amy L. Conway*
Deputy Agency Clerk

**STATE OF FLORIDA
BOARD OF MASSAGE THERAPY**

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2021-16716
License No.: MA 82837

MORGAN D. McGEE,

Respondent.

FINAL ORDER


THIS CAUSE came before the BOARD OF MASSAGE THERAPY (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, at a duly-noticed meeting on October 28-29, 2021, in St. Augustine, Florida, for the purpose of considering a voluntary relinquishment (attached hereto as Exhibit A). Upon consideration of the voluntary relinquishment, the documents submitted in support thereof, and being otherwise fully advised in the premises, it is hereby:

ORDERED AND ADJUDGED that the voluntary relinquishment is accepted as a resolution of this case.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 19 day of November, 2021.

BOARD OF MASSAGE THERAPY



Kama Monroe
Executive Director for
CHRISTOPHER BROOKS, LMT
Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to: **MORGAN D. McGEE**, 4320 Deerwood Lake Parkway, 101-435, Jacksonville, FL 32216; and 8876 A.C. Skinner Parkway Apt. 6518, Jacksonville, FL 32256; and by e-mail to: **Andrew Pietrylo**, Chief Legal Counsel, Department of Health, Andrew.pietrylo@flhealth.gov; and **Diane L. Guillemette**, Assistant Attorney General, at Diane.Guillemette@myfloridalegal.com, this 29 day of November, 2021.



Deputy Agency Clerk

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: *Amanda Morales*
DATE: JUL 06 2021

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,
Petitioner,

v.

DOH Case No. 2021-16716

MORGAN D. MCGEE, LMT.
Respondent.

_____ /

VOLUNTARY RELINQUISHMENT OF LICENSE

Respondent MORGAN D. MCGEE, LMT., license No. MA82837, hereby voluntarily relinquishes Respondent's license to practice massage therapy in the State of Florida and states as follows:

1. Respondent's purpose in executing this Voluntary Relinquishment is to avoid further administrative action with respect to this cause. Respondent understands that acceptance by the Board of Massage Therapy (hereinafter the Board)/Department of Health (hereinafter Department) of this Voluntary Relinquishment shall be construed as disciplinary action against Respondent's license pursuant to Section 456.072(1)(f), Florida Statutes. As with any disciplinary action, this relinquishment will be reported to the National Practitioner Data Bank as disciplinary action. Licensing authorities in other states may impose discipline in their jurisdiction based on discipline taken in Florida.

2. Respondent agrees to never reapply for licensure as a Massage Therapist in the State of Florida.

3. Respondent agrees to voluntarily cease practicing massage therapy immediately upon executing this Voluntary Relinquishment. Respondent further agrees to

refrain from the practice of massage therapy until such time as this Voluntary Relinquishment is presented to the Board/Department and the Board/Department issues a written final order in this matter.

4. In Order to expedite consideration and resolution of this action by the Board/Department in a public meeting, Respondent, being fully advised of the consequences of so doing, hereby waives the statutory privilege of confidentiality of Section 456.073(10), Florida Statutes, regarding the complaint, the investigative report of the Department of Health, and all other information obtained pursuant to the Department's investigation in the above-styled action. By signing this waiver, Respondent understands that the record and complaint become public record and remain public record and that information is immediately accessible by the public. Respondent understands that this waiver of confidentiality is a permanent, non-revocable waiver.

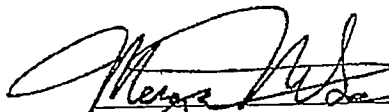
5. In order to expedite consideration and resolution of this action by the Board/Department in a public meeting, Respondent, being fully advised of the consequences of so doing hereby waives a determination of probable cause, by the Probable Cause Panel, or the Department when appropriate, pursuant to Section 456.073(4), Florida Statutes.

6. Upon the Board's/Department's acceptance of this Voluntary Relinquishment, Respondent agrees to waive all rights to seek judicial review of, or to otherwise challenge or contest the validity of, this Voluntary Relinquishment and of the Final Order of the Board/Department incorporating this Voluntary Relinquishment.

7. Petitioner and Respondent hereby agree that upon the Board's/Department's acceptance of this Voluntary Relinquishment, each party shall bear its own attorney's fees and costs related to the prosecution or defense of this matter.

8. Respondent authorizes the Board/Department to review and examine all investigative file materials concerning Respondent in connection with the Board's/Department's consideration of this Voluntary Relinquishment. Respondent agrees that consideration of this Voluntary Relinquishment and other related materials by the Board/Department shall not prejudice or preclude the Board/Department, or any of its members, from further participation, consideration, or resolution of these proceedings if the terms of this Voluntary Relinquishment are not accepted by the Board/Department.

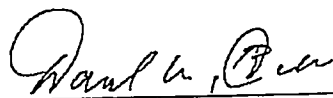
DATED this 23rd day of June, 2021.


MORGAN D. MCGEE, LMT.

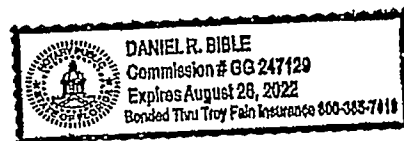
STATE OF FLORIDA
COUNTY OF DUVAL

Before me, personally appeared Morgan D. McGee, whose identity is known to me or who produced Driver License (type of identification) and who, under oath, acknowledges that his/her signature appears above.

Sworn to and subscribed before me this 23rd day of June, 2021.


NOTARY PUBLIC

My Commission Expires:





STATE OF FLORIDA

DEPARTMENT OF HEALTH



INVESTIGATIVE REPORT

Office: Jacksonville Area - IV	Date of Complaint: 06/14/21	Case Number: 2021-16716
Subject: MORGAN D MCGEE, LMT 4320 Deerwood Lake Pkwy 101-435 Jacksonville, FL 32216 * 904-945-8375	Source: MORGAN D MCGEE, LMT 4320 Deerwood Lake Pkwy 101-435 Jacksonville, FL 32216 904-945-8375 *	
Profession: Massage Therapist	License Number: 82837 Status: Clear/Active	
Related Case(s): None	Period of Investigation: 06/14/21 through 06/17/21 Type of Report: Final	
Alleged Violation: SS 456.063, 456.072(1)(k)(v)(dd), 480.046(1)(i)(p), 480.0485, F.S. and 64B7-26.010(3), F.A.C.		
<p>Synopsis: This investigation is predicated upon receipt of a self-reported complaint submitted by and in regard to MORGAN MCGEE, LMT.</p> <p>MCGEE self-reported that while employed as a massage therapist at Essentials Massage & Facial of Baymeadows located at 9080 Golfside Dr. Jacksonville, FL 32256 and while performing a massage on 35 year old female client J.L., he groped her (J.L.) breasts, sucked her nipples, and touched her vagina. MCGEE further advised that the encounter was consensual and that he paid for the massage.</p> <p>J.L. was otherwise unharmed and suffered no adverse effects as a result thereof.</p>		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject Notification Completed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject Responded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Patient Notification Completed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Above referenced licensure checked in database/LEIDS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Board certified? Name of Board: Date: Specialty:		
Law Enforcement <input type="checkbox"/> Notified Date: <input type="checkbox"/> Involved Agency:		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Subject represented by an attorney? Attorney information:		
*Current address: 8876 A.C. Skinner Parkway Apt. 6518 Jacksonville, FL 32256		
Investigator/Date: Daniel R. Bible <u><i>Daniel R. Bible</i></u> MQA Investigator Date: 06/17/21	Approved By/Date: Stephen Kayser <u><i>Stephen Kayser</i></u> Investigation Manager	
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