

**STATE OF OHIO
THE STATE MEDICAL BOARD**

**SURRENDER OF CERTIFICATE
TO PRACTICE MASSAGE THERAPY**

I, RICK L. KIRSCHNER, M.T., am aware of my rights to representation by counsel, the right of being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, RICK L. KIRSCHNER, M.T., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice massage therapy, No. 003809, to the State Medical Board of Ohio, thereby relinquishing all rights to practice massage therapy in Ohio.

I understand that as a result of the surrender herein that I am no longer permitted to practice massage therapy in any form or manner in the State of Ohio.

I agree that I shall be ineligible for, and shall not apply for, reinstatement of certificate to practice massage therapy, No. 003809 or issuance of any other certificate pursuant to Chapters 4730. or 4731., Ohio Revised Code, on or after the date of signing this Surrender of Certificate to Practice Massage Therapy. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board.

I hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order revoking my certificate to practice massage therapy, No. 003809, in conjunction with which I expressly waive the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, and further expressly and forever waive all rights as set forth in Chapter 119., Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my certificate to practice massage therapy.

I stipulate and agree that I am taking the action described herein in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(6) and (B)(11), Ohio Revised Code, which would be based upon the following admissions.

I, RICK L. KIRSCHNER, M.T., admit that on or about November 30, 1992, I inappropriately touched the nipples and clitoris of a twenty-three-year-old client during a massage therapy session. I further admit that I became sexually aroused during such session and pressed my erect penis against this client.

I, RICK L. KIRSCHNER, further admit that on or about April 26, 1994, in the Franklin County Municipal Court, I pleaded guilty to a minor misdemeanor charge of Disorderly Conduct in violation of Section 2317.01(B), City Code, based upon the aforementioned acts.

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STATE MEDICAL BOARD

SURRENDER OF CERTIFICATE
RICK L. KIRSCHNER, M.T.
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I, RICK L. KIRSCHNER, M.T., hereby release the State Medical Board of Ohio, its members, employees, agents and officers, jointly and severally, from any and all liability arising from the within matter.

This document shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code.

Further, this information may be reported to appropriate organizations, data banks and governmental bodies.

Signed this 19th day of October, 1995.

Rick L. Kirschner
RICK L. KIRSCHNER, M.T.

Ruth Koemia
Witness

[Signature]
Witness

Sworn to and subscribed before me this 19th day of OCTOBER 1995.

[Signature]
Notary Public

SEAL

THOMAS A. WHITE
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES OCT. 24, 1999

(This form must be either witnessed OR notarized)

Accepted by the State Medical Board of Ohio:

[Signature]
THOMAS E. GREYER, M.D.
SECRETARY
11/2/95
DATE

[Signature]
RAYMOND J. ALBERT
SUPERVISING MEMBER
11/2/95
DATE

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STATE MEDICAL BOARD
OF OHIO

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF :

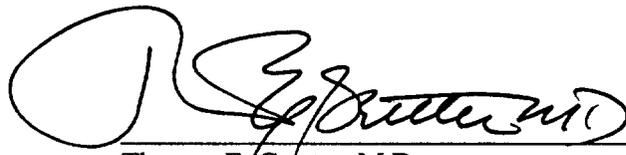
RICK L. KIRSCHNER, M.T.

ENTRY OF ORDER

On October 19, 1995, Rick L. Kirschner, M.T., executed a Voluntary Surrender of his Certificate to practice massage therapy with a consent to revocation, which document is attached hereto and fully incorporated herein.

In consideration of the foregoing and of Mr. Kirschner's express waiver of the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board members vote to revoke said certificate, it is hereby ORDERED that Certificate No. 003809 authorizing Mr. Kirschner to practice massage therapy be permanently REVOKED, effective November 7, 1995.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the seventh day of November of 1995, and the original thereof shall be kept with said Journal.



Thomas E. Gretter, M.D.
Secretary

(seal)

11/30/95

Date