



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.med.ohio.gov](http://www.med.ohio.gov)

August 11, 2004

Richard Arthur Thompson, M.T.  
5902 Wilber Avenue  
Parma, OH 44129

Dear Mr. Thompson:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Siobhan R. Clovis, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on August 11, 2004, including motions approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board of Ohio.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal must be taken to the Franklin County Court of Common Pleas.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas. Any such appeal must be filed within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12, Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO

Lance A. Talmage, M.D.  
Secretary

LAT:jam  
Enclosures

CERTIFIED MAIL NO. 7000 0600 0024 5150 2945  
RETURN RECEIPT REQUESTED

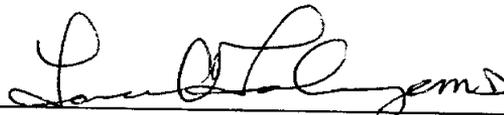
Cc: Kevin P. Byers, Esq.  
CERTIFIED MAIL NO. 7000 0600 0024 5150 2938  
RETURN RECEIPT REQUESTED

*Mailed 8-12-04*

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of Siobhan R. Clovis, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on August 11, 2004, including motions approving and confirming the Findings of Fact, Conclusions and Proposed Order of the Hearing Examiner as the Findings and Order of the State Medical Board of Ohio; constitute a true and complete copy of the Findings and Order of the State Medical Board in the Matter of Richard Arthur Thompson, M.T., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board of Ohio and in its behalf.



Lance A. Talmage, M.D.  
Secretary

(SEAL)

August 11, 2004

Date

**BEFORE THE STATE MEDICAL BOARD OF OHIO**

IN THE MATTER OF

\*

\*

RICHARD ARTHUR THOMPSON, M.T. \*

**ENTRY OF ORDER**

This matter came on for consideration before the State Medical Board of Ohio on August 11, 2004.

Upon the Report and Recommendation of Siobhan R. Clovis, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the approval and confirmation by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board of Ohio for the above date.

It is hereby ORDERED that:

- A. The allegations against Richard Arthur Thompson, M.T., set forth in April 14, 2004, Notice of Opportunity for Hearing are DISMISSED.
- B. The application of Richard Arthur Thompson, M.T., for a certificate to practice massage therapy in Ohio is GRANTED, provided that he otherwise meets all statutory and regulatory requirements.

This Order shall become effective immediately upon mailing of notification of approval by the Board.

(SEAL)

  
\_\_\_\_\_  
Lance A. Talmage, M.D.  
Secretary

August 11, 2004  
Date

STATE MEDICAL BOARD  
OF OHIO

2004 JUL -1 P 1: 29

**REPORT AND RECOMMENDATION  
IN THE MATTER OF RICHARD ARTHUR THOMPSON, M.T.**

The Matter of Richard Arthur Thompson, M.T., was heard by Siobhan R. Clovis, Esq., Hearing Examiner for the State Medical Board of Ohio, on June 15, 2004.

**INTRODUCTION**

I. Basis for Hearing

- A. By letter dated April 14, 2004, the State Medical Board of Ohio [Board] notified Richard Arthur Thompson, M.T., that it had proposed to determine whether to limit, revoke, permanently revoke, suspend, refuse to register or reinstate his certificate to practice massage therapy, or to reprimand him or place him on probation. The Board based its proposed action on allegations that Mr. Thompson had failed to truthfully and completely report his history of convictions in his application for a massage therapy license.

The Board alleged that Mr. Thompson's acts, conduct, and/or omissions, individually and/or collectively, constitute "fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(A), Ohio Revised Code."

The Board further alleged that Mr. Thompson's acts, conduct, and/or omissions, individually and/or collectively, constitute "making a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine or surgery, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board," as that clause is used in Section 4731.22(B)(5), Ohio Revised Code."

Accordingly, the Board advised Mr. Thompson of his right to request a hearing in this matter. (State's Exhibit 1A).

- B. The Board received a written hearing request from Mr. Thompson on April 28, 2004. (State's Exhibit 1B).

II. Appearances

- A. On behalf of the State of Ohio: Jim Petro, Attorney General, by Gregory A. Perry, Assistant Attorney General.
- B. On behalf of the Respondent: Kevin P. Byers, Esq.

**EVIDENCE EXAMINED**

I. Testimony Heard

- A. Presented by the State

Richard Arthur Thompson, M.T., as upon cross-examination

- B. Presented by the Respondent

- 1. Richard Arthur Thompson, M.T.
- 2. Annmarie Thompson

II. Exhibits Examined

- A. Presented by the State

- 1. State's Exhibits 1A through 1I: Procedural exhibits.
- 2. State's Exhibit 2: Certified copies of documents maintained by the Board concerning the application of Richard Arthur Thompson, M.T., to practice massage therapy.
- 3. State's Exhibit 3: Certified copies of court records from the Municipal Court of Bedford, Ohio, and the Court of Common Pleas of Cuyahoga County, Ohio. (Note: The Hearing Examiner redacted references to charges for which Mr. Thompson was not convicted. See Hearing Transcript at 31-32.)

**SUMMARY OF THE EVIDENCE**

All exhibits and transcripts of testimony, even if not specifically mentioned, were thoroughly reviewed and considered by the Hearing Examiner before preparing this Report and Recommendation.

1. Richard Arthur Thompson, M.T., testified that he is 25 years old. He stated that he had received his GED in 1997. He further stated that he had taken a few courses at Cuyahoga Community College, but had never received any degree from that institution. Mr. Thompson testified that he had completed a two-year program in massage therapy at the National Institute of Massage Therapy in October 2003 and that he had taken and passed the Ohio licensure examination in December 2003. (Hearing Transcript [Tr.] at 8-9, 28).

Mr. Thompson testified that he is currently employed full-time as a branch manager at John Deere Landscapes, a distributorship that sells landscape supplies and irrigation products. Mr. Thompson is married and has an eighteen-month-old daughter. (Tr. at 9-10, 33).

2. On August 25, 2003, Mr. Thompson submitted an application for a certificate to practice massage therapy in Ohio, which is still pending. By signing the application, Mr. Thompson certified that the information provided was truthful. (State's Exhibit [St. Ex.] 2 at 6, 20).

Question 11 of the "Additional Information" section of the application asks:

Have you ever been convicted or found guilty of a violation of any law, regardless of the legal jurisdiction in which the act was committed, other than a minor traffic violation?

Mr. Thompson answered "Yes" to this question. (St. Ex. 2 at 11).

The instructions for the "Additional Information" section state that an applicant is "required to furnish complete details, including date, place, reason and disposition of the matter" about any affirmative answer. (St. Ex. 2 at 10) (Emphasis in original).

Mr. Thompson provided the following information about his affirmative answer to Question 11:

I have been found guilty of a violation of the law. On February 12, 1998[,] I was found guilty of misdemeanor theft.

In October of 1997 I was at a friend[']s house in Bedford, Ohio. A friend of mine assaulted the victim, and stole \$750.00 from him. When he returned to the house, he offered to split the money between myself and two other people who were there. Unfortunately I accepted \$180.00.

Later that evening the victim returned to the house in which the incident happened. Along with him were his mother and a Bedford Officer.

Anyone who had any of the stolen money on them was arrested and charged with theft.

As I had mentioned earlier, I appeared in court on February 12, 1998[,] and was found guilty of misdemeanor theft. I was then incarcerated from February 12, 1998[,] until June 10, 1998.

(St. Ex. 2 at 14).

Mr. Thompson failed to disclose that, prior to his 1998 theft conviction, he had been found guilty of misdemeanor charges in the Municipal Court of Bedford, Ohio [Bedford Municipal Court], specifically:

- On August 4, 1997, Mr. Thompson was found guilty of Possession of Alcohol, in violation of Section 529.01, Ordinances of Cleveland Metroparks.
- On November 17, 1997, Mr. Thompson was found guilty of Criminal Damaging, in violation of Section 2929.06, Ohio Revised Code, and Disorderly Conduct, in violation of Section 2917.11, Ohio Revised Code.

(St. Ex. 3 at 1-3).

Mr. Thompson served three days in jail for the Criminal Damaging and Disorderly Conduct convictions. His fines and costs were suspended for those convictions because he was found to be indigent. Mr. Thompson was fined \$50.00 and costs for the Possession of Alcohol conviction. (St. Ex. 3 at 1-3).

3. Mr. Thompson explained that these offenses had occurred when he was eighteen years old. He testified that the Criminal Damaging charge had resulted from a fight in which a window had been broken, and that the Disorderly Conduct charge had resulted from his “[getting] smart with the cop” during a traffic stop. He stated that drugs or alcohol had not been a factor in these offenses. He further testified that he had been arrested for Possession of Alcohol in the Cleveland Metroparks along with some friends because “they just pulled up and saw us there.” He explained that he and his friends had done nothing in particular to attract the attention of authorities, and that he had not been intoxicated. (Tr. at 16-20, 23, 25).
4. Mr. Thompson testified that his four-month incarceration for the 1998 theft conviction had been a “big point in [his] life.” He stated that he had concentrated on reporting the conviction correctly in his license application, but that he had “totally forgot[ten]” the previous misdemeanors. He testified that he had not kept records from any of the criminal actions. (Tr. at 20, 26-27, 30).

Mr. Thompson stated that he had not made a deliberate decision to deceive the Board or to keep any information from the Board. He advised that he had known that his theft conviction would “raise a red flag” and that the Board would “look into it.” He indicated that, given this knowledge, he had no reason not to be truthful about his other misdemeanor convictions. (Tr. at 22).

Annamarie Thompson, Mr. Thompson’s wife, testified that she had helped her husband prepare his license application. She stated that she had researched his 1998 theft case on the Internet to determine the proper dates to report for the incarceration and conviction for misdemeanor theft. Mrs. Thompson also testified that, while she had been aware of her husband’s brushes with the law as a teenager, she had not known that he had actually been convicted of anything besides misdemeanor theft. Mrs. Thompson affirmed that she and her husband had been aware that the Board would have access to information about Mr. Thompson’s criminal history and that, therefore, they had not intended to be misleading or deceptive in the license application. (Tr. at 33-34, 37-38).

5. Mr. Thompson testified that he had become interested in massage therapy because his mother used to receive massage therapy from the students at National Institute of Massage Therapy, the school that Mr. Thompson eventually attended. He further stated that he “is really into working out” and that he is generally interested in muscles. He testified that, if he is licensed, he would like to have his own massage therapy practice eventually, but that he plans to work for someone else initially, so that he can build a client base. (Tr. at 23, 27).

Mr. Thompson testified that he has never had any problem, or been treated for any problem, with drugs or alcohol. Both he and his wife testified that he no longer associates with the people with whom he got into trouble in 1997 and 1998. Mr. Thompson further testified that “everything” has changed in his life since 1997, and that he is more responsible now because he has a family. (Tr. at 22-23, 28-29, 39). In his application, Mr. Thompson wrote about the current state of his life:

I have taken on many responsibilities in the past few years. Along with working and going to school I have become a homeowner, a husband, and a father. I am very proud of the family I have made, our home, and the life that we share together. It has been a struggle the last two years going to school, working, and trying to spend time with my family. However, I have made it through this and look forward to giving my family more of my time. I feel great that I have completed school and will now be able to join a field in which I can support my family and provide them with the best life that I can.

I look on the past with regret[] and embarrassment but look at my future with pride.

(St. Ex. 2 at 14-15).

Mrs. Thompson testified that obtaining a massage therapy license is very important to her husband:

He has tried to do everything perfect from Day 1. He went to school full-time, worked full-time, we got married, had a baby, bought a new house; and he never used any of that as an excuse to cut school or not do work. We planned our honeymoon around his class tests. He studied every night even though it took away from being with his family. \* \* \*

\* \* \*

He studied every night. He never used anything as an excuse. He went through school for two years. This is a kid who got a GED and dropped out of high school. He went to school for two years and got almost straight As the entire time. He got a 95 and a 97 on the state board exam. He took a study class to ensure he would do perfect.

When we were filling out that application, he was so sick about that charge, because he's not even the same person. We concentrated so hard on that and he was so nervous about that charge that he didn't even think of the other ones, and that's why they're not in there.

(Tr. at 35-36).

### **FINDINGS OF FACT**

1. On August 25, 2003, Richard Arthur Thompson, M.T., submitted an Application for Certificate to Practice a Limited Branch – Massage Therapy [License Application] to the Board. Mr. Thompson's License Application is currently pending. By signing the License Application, Mr. Thompson certified that the information provided therein was true.
2. The "Additional Information" section of the License Application includes the instruction that, should the applicant answer "Yes" to any question, the applicant is "required to furnish complete details, including date, place, reason and disposition of the matter" (emphasis in the original). In the "Additional Information" section of Mr. Thompson's License Application, he answered "Yes" in response to question number 11, which asks:

Have you ever been convicted or found guilty of a violation of any law, regardless of the legal jurisdiction in which the act was committed, other than a minor traffic violation?

In his written explanation, Mr. Thompson stated that, on February 12, 1998, he had been “found guilty of misdemeanor theft.”

- a. Although Mr. Thompson responded “Yes” to question number 11 in the “Additional Information” section of his License Application and admitted to being found guilty of misdemeanor theft in February of 1998, he failed to disclose that, on August 4, 1997, in Bedford Municipal Court, Cuyahoga County, Ohio, he was found guilty of Possession of Alcohol, in violation of Section 529.01, Ordinances of Cleveland Metroparks.
- b. Although he responded “Yes” to question number 11 in the “Additional Information” section of his License Application and admitted to being found guilty of misdemeanor theft in February of 1998, Mr. Thompson failed to disclose that, on November 17, 1997, in Bedford Municipal Court, he was found guilty of Criminal Damaging, in violation of Section 2909.06, Ohio Revised Code, and Disorderly Conduct, in violation of Section 2917.11, Ohio Revised Code.

### CONCLUSIONS OF LAW

1. Despite the Findings of Fact, the evidence is not sufficient to demonstrate that the acts, conduct, and/or omissions of Richard Arthur Thompson, M.T., individually and/or collectively constitute “fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the board,” as that clause is used in Section 4731.22(A), Ohio Revised Code. Specifically, the evidence is not sufficient to support a conclusion that Mr. Thompson intended to deceive or mislead the Board.<sup>1</sup>
2. Despite the Findings of Fact, the evidence is not sufficient to demonstrate that the acts, conduct, and/or omissions of Mr. Thompson, individually and/or collectively, constitute “making a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine or surgery, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board,” as that clause is used in Section 4731.22(B)(5), Ohio Revised Code. Specifically, the evidence is not sufficient to support a conclusion that Mr. Thompson intended to deceive or mislead the Board.

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<sup>1</sup> See *Webb v. State Medical Board of Ohio*, 146 Ohio App.3d 621, 628, 2001, Ohio 3991, 767 N.E.2d 782 (to discipline an applicant for violations of Sections 4731.22(A) or 4731.22(B)(5), Ohio Revised Code, the Board must find that the applicant intended to mislead the Board.)

\* \* \* \* \*

Mr. Thompson and his wife worked on Mr. Thompson's license application together, and both indicated that they had carefully researched and reported his 1998 theft conviction, because they were worried about the effect it would have in the licensing process. They further indicated that they had realized that Mr. Thompson's past would be investigated because of his theft conviction and that, therefore, they had known better than to lie about his previous misdemeanor convictions. Mr. Thompson testified that he had simply forgotten about those convictions.

Given that his previous misdemeanors were minor and that the punishments were not severe, it is believable that Mr. Thompson forgot them, especially since they were overshadowed by a significant criminal prosecution and four-month incarceration for a more serious offense. Further, it is unlikely that Mr. Thompson would carefully report a theft conviction and incarceration, and purposefully fail to report lesser offenses.

As the evidence does not demonstrate an intent to deceive the Board, the allegations against Mr. Thompson must be dismissed. However, because Mr. Thompson failed to completely report his criminal history on his license application, the Board was substantially justified in making the allegations.

**PROPOSED ORDER**

It is hereby ORDERED that:

- A. The allegations against Richard Arthur Thompson, M.T., set forth in April 14, 2004, Notice of Opportunity for Hearing are DISMISSED.
- B. The application of Richard Arthur Thompson, M.T., for a certificate to practice massage therapy in Ohio is GRANTED, provided that he otherwise meets all statutory and regulatory requirements.

This Order shall become effective immediately upon mailing of notification of approval by the Board.



Siobhan R. Clovis, Esq.  
Hearing Examiner



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.state.oh.us/med/](http://www.state.oh.us/med/)

## EXCERPT FROM THE DRAFT MINUTES OF AUGUST 11, 2004

### REPORTS AND RECOMMENDATIONS

Ms. Sloan announced that the Board would now consider the findings and orders appearing on the Board's agenda. She asked whether each member of the Board had received, read, and considered the hearing records, the proposed findings, conclusions, and orders, and any objections filed in the matters of: Gregory David Duncan, M.T.; Jitander N. Kalia, M.D.; Robert Noble, M.D.; Douglas Holland Rank, M.D.; Richard Arthur Thompson, M.T.; and Joseph C. Webster, M.D. A roll call was taken:

ROLL CALL:

Mr. Albert	- aye
Dr. Talmage	- aye
Dr. Kumar	- aye
Mr. Browning	- aye
Dr. Davidson	- aye
Dr. Robbins	- aye
Dr. Garg	- aye
Dr. Steinbergh	- aye
Ms. Sloan	- aye

Ms. Sloan asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:

Mr. Albert	- aye
Dr. Talmage	- aye
Dr. Kumar	- aye
Mr. Browning	- aye
Dr. Davidson	- aye
Dr. Robbins	- aye
Dr. Garg	- aye
Dr. Steinbergh	- aye
Ms. Sloan	- aye

Ms. Sloan noted that, in accordance with the provision in Section 4731.22(F)(2), Revised Code, specifying

that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters.

Ms. Sloan stated that if there were no objections, the Chair would dispense with the reading of the proposed findings of fact, conclusions and orders in the above matters. No objections were voiced by Board members present.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

.....

RICHARD ARTHUR THOMPSON, M.T.

.....

**DR. GARG MOVED TO APPROVE AND CONFIRM MS. CLOVIS' PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF RICHARD ARTHUR THOMPSON, M.T. MR. BROWNING SECONDED THE MOTION.**

.....

A vote was taken on Dr. Garg's motion to approve and confirm:

Vote:	Mr. Albert	- abstain
	Dr. Talmage	- abstain
	Dr. Kumar	- aye
	Mr. Browning	- aye
	Dr. Davidson	- aye
	Dr. Robbins	- aye
	Dr. Garg	- aye
	Dr. Steinbergh	- aye
	Ms. Sloan	- aye

The motion carried.



# State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: [www.med.ohio.gov](http://www.med.ohio.gov)

April 14, 2004

Richard Arthur Thompson, M.T.  
5902 Wilber Avenue  
Parma, Ohio 44129

Dear Mr. Thompson:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio [Board] intends to determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice massage therapy, or to reprimand you or place you on probation for one or more of the following reasons:

- (1) On or about August 25, 2003, you submitted an Application for Certificate to Practice a Limited Branch – Massage Therapy [License Application] to the Board. Your License Application is currently pending. By signing the License Application, you certified that the information provided therein was true.
- (2) The “Additional Information” section of your License Application includes the instruction that, should you answer “Yes” to any question, “you are required to furnish complete details, including date, place, reason and disposition of the matter” (emphasis in the original). In the “Additional Information” section of your License Application, you answered “Yes” in response to question number 11, which asks:

Have you ever been convicted or found guilty of a violation of any law, regardless of the legal jurisdiction in which the act was committed, other than a minor traffic violation?

In your written explanation, you stated that, on or about February 12, 1998, you were “found guilty of misdemeanor theft.”

- (a) Although you responded “Yes” to question number 11 in the “Additional Information” section of your License Application and admitted to being found guilty of misdemeanor theft in February of 1998, you failed to disclose that, on or about August 4, 1997, in Bedford Municipal Court, Cuyahoga County, Ohio, you were found guilty of Possession of Alcohol, in violation of Section 529.01, Ordinances of Cleveland Metroparks. A copy of the Judgment Entry in Bedford Municipal Court Case No. 97CRB01532 is attached hereto and incorporated herein.

*Mailed 4-15-04*

- (b) Although you responded “Yes” to question number 11 in the “Additional Information” section of your License Application and admitted to being found guilty of misdemeanor theft in February of 1998, you failed to disclose that, on or about November 17, 1997, in Bedford Municipal Court, you were found guilty of Criminal Damaging, in violation of Section 2909.06, Ohio Revised Code, and Disorderly Conduct, in violation of Section 2917.11, Ohio Revised Code. Copies of the Judgment Entries in Bedford Municipal Court Case Nos. 97CRB00919B and 97CRB01852 are attached hereto and incorporated herein.

Your acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) above, individually and/or collectively, constitute “fraud, misrepresentation, or deception in applying for or securing any certificate to practice or certificate of registration issued by the board,” as that clause is used in Section 4731.22(A), Ohio Revised Code.

Further, your acts, conduct, and/or omissions as alleged in paragraphs (1) and (2) above, individually and/or collectively, constitute “[m]aking a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any certificate to practice or certificate of registration issued by the board,” as that clause is used in Section 4731.22(B)(5), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty days of the time of mailing this notice.

You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice massage therapy or to reprimand you or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, provides that “[w]hen the board refuses to grant a certificate to an applicant, revokes an individual’s certificate to practice, refuses to register an applicant, or refuses

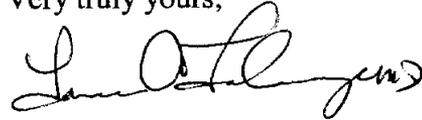
Richard Arthur Thompson, M.T.

Page 3

to reinstate an individual's certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lance A. Talmage, M.D.", written in a cursive style.

Lance A. Talmage, M.D.  
Secretary

LAT/blt  
Enclosures

CERTIFIED MAIL # 7000 0600 0024 5140 1699  
RETURN RECEIPT REQUESTED

COUNTY OF CUYAHOGA

SS.

IN THE BEDFO MUNICIPAL COURT

CASE NO. 97CRB01532

DAVID GRIFFITHS, ACTING JUDGE

STATE OF OHIO  
CLEVE MET P

Plaintiff(s)

JUDGMENT ENTRY

RICHARD A. THOMPSON

Defendant(s)

CASE CALLED:  
DEFENDANT PRESENT FOR: ARRAIGNMENT WITHOUT ATTORNEY  
(ARRAIGN/TRIAL/JURY TRIAL-WITH OR W/OUT ATTORNEY)  
TO THE CHARGE OF: POSSESSION ALCOHOL - 529.01  
DEFENDANT PLEADS: GUILTY AUGUST 4, 1997  
DEFENDANT: GUILTY DATE: 08/04/97

DEFENDANT, HAVING BEEN FULLY INFORMED OF HIS/HER RIGHTS PURSUANT TO CRIMINAL RULE 5, AND THE MATTER BEING DULY HEARD AND THE COURT BEING FULLY ADVISED IN THE PREMISES AND HAVING ASKED WHETHER DEFENDANT HAS ANYTHING TO SAY AS TO WHY JUDGMENT SHOULD NOT BE PRONOUNCED AGAINST HIM/HER AND DEFENDANT NOT SHOWING SUFFICIENT CAUSE, IT IS THE SENTENCE OF THE LAW AND JUDGMENT OF THE COURT THAT:

DEFENDANT SENTENCED AS FOLLOWS:

Defendant Fined \$50.00, and Costs.

  
ACTING JUDGE

Journal No. 223. Page No. 294  
AUGUST 05 1997

RECEIVED  
AUG 11 1997

THOMAS E. DAY, JR.  
CLERK OF COURT  
BEDFORD MUNICIPAL COURT

STATE OF OHIO )  
COUNTY OF CUYAHOGA ) SS.

IN THE BEDFORD MUNICIPAL COURT  
CASE NO. 97CRB00919B  
PETER J. JUNKIN, JUDGE

STATE OF OHIO  
OH--BEDFORD

Plaintiff(s)

-vs-

JUDGMENT ENTRY

RICHARD THOMPSON

Defendant(s)

CASE CALLED;  
DEFENDANT PRESENT FOR: SENTENCE WITH ATTORNEY MARY ANN KOZIK  
(ARRAIGN/TRIAL/JURY TRIAL-WITH OR W/OUT ATTORNEY)  
TO THE CHARGE OF: CRIMINAL DAMAGE - 2909.06  
DEFENDANT PLEADS: NO CONTEST NOVEMBER 17, 1997  
DEFENDANT: GUILTY/INDIGENT DATE: 11/17/97

DEFENDANT, HAVING BEEN FULLY INFORMED OF HIS/HER RIGHTS PURSUANT TO CRIMINAL RULE 5, AND THE MATTER BEING DULY HEARD AND THE COURT BEING FULLY ADVISED IN THE PREMISES AND HAVING ASKED WHETHER DEFENDANT HAS ANYTHING TO SAY AS TO WHY JUDGMENT SHOULD NOT BE PRONOUNCED AGAINST HIM/HER AND DEFENDANT NOT SHOWING SUFFICIENT CAUSE, IT IS THE SENTENCE OF THE LAW AND JUDGMENT OF THE COURT THAT:

DEFENDANT SENTENCED AS FOLLOWS:

Case Called; Defendant present with counsel.

Defendant withdrew his/her Jury Demand in writing, in open Court and filed said waiver with the Court and withdrew Plea of Not Guilty and entered a Plea of NO CONTEST and was found Guilty. Defendant Fined \$150.00 and Costs and sentenced to 10 days; 7 days suspended and credit given for 2 days served provided defendant makes restitution.

Defendant indigent; fine and costs suspended.

  
JUDGE

Journal No. 229. Page No. 54  
NOVEMBER 18 1997

RECEIVED

NOV 20 1997

THOMAS E. DAY, JR.  
CLERK OF COURT  
BEDFORD MUNICIPAL COURT

STATE OF OHIO )  
COUNTY OF CUYAHOGA ) SS.

IN THE BEDFORD MUNICIPAL COURT  
CASE NO. 97CRB01852  
DENISE J. JUNKIN, JUDGE

STATE OF OHIO  
OH--BED HTS

Plaintiff(s)

-vs-

JUDGMENT ENTRY

RICHARD A. THOMPSON

Defendant(s)

CASE CALLED;  
DEFENDANT PRESENT FOR: CHANGE OF PLEA WITH ATTORNEY MARY ANN KOZIK  
(ARRAIGN/TRIAL/JURY TRIAL-WITH OR W/OUT ATTORNEY)  
TO THE CHARGE OF: DISORDERLY CONDUCT - 2917.11  
DEFENDANT PLEADS: NO CONTEST NOVEMBER 17, 1997  
DEFENDANT: GUILTY/INDIGENT DATE: 11/17/97

DEFENDANT, HAVING BEEN FULLY INFORMED OF HIS/HER RIGHTS PURSUANT TO CRIMINAL RULE 5, AND THE MATTER BEING DULY HEARD AND THE COURT BEING FULLY ADVISED IN THE PREMISES AND HAVING ASKED WHETHER DEFENDANT HAS ANYTHING TO SAY AS TO WHY JUDGMENT SHOULD NOT BE PRONOUNCED AGAINST HIM/HER AND DEFENDANT NOT SHOWING SUFFICIENT CAUSE, IT IS THE SENTENCE OF THE LAW AND JUDGMENT OF THE COURT THAT:

DEFENDANT SENTENCED AS FOLLOWS:

Case Called; Defendant present with counsel.

Defendant withdrew his/her Plea of Not Guilty and entered a Plea of NO CONTEST and was found Guilty. Defendant Fined \$150.00 and Costs and sentenced to 30 days; 27 days suspended.

Defendant indigent; fine and costs suspended.

  
JUDGE

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THOMAS E. DAY, JR.  
CLERK OF COURT  
BEDFORD MUNICIPAL COURT