

BEFORE THE DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS,
DEPARTMENT OF REGULATORY AGENCIES, OFFICE OF MASSAGE THERAPY
LICENSURE

Case No. 2016-2246

ORDER OF SUMMARY SUSPENSION

To: Marc Duran, License No. MT.0017381

The Director of the Division of Professions and Occupations, Department of Regulatory Agencies, Office of Massage Therapy licensure (“Director”), having reviewed and investigated all available information as to the matters referenced below, HEREBY FINDS:

1. Marc Duran, (“Respondent”) was licensed as a massage therapist in the State of Colorado on February 20, 2015, license number MT.0017381.
2. The Director has jurisdiction over Respondent and the subject matter of this proceeding pursuant to the provisions of the Colorado Massage Therapy Practice Act (“MTPA”), §§ 12-35.5-101 through 12-35.5-120, C.R.S.
3. At all times relevant to the events described herein, Respondent has been a licensed massage therapist, license number MT.0017381.
4. On or about April 11, 2016, Respondent performed a sexual act upon a client during the course of a massage.
5. On or about April 26, 2016, Respondent was charged with two felonies, Sex Assault-overcome Victim's Will and Sexual Contact-fake Medical Exam, in Larimer County District Court Case No. 2016CR855 in connection with Respondent’s conduct on April 11, 2016.
6. Upon full investigation of the documents and information presented, the Director found that there is objective and reasonable grounds to believe that Respondent deliberately and willfully violated § 12-35.5-111(1)(b)(I) and (II), and (1)(o), C.R.S., and that the public safety or welfare imperatively requires emergency action and orders that Respondent’s massage therapy license in the State of Colorado be summarily suspended.
7. Respondent cannot engage in the practice of massage therapy in the State of Colorado or hold himself out as a massage therapist in the State of Colorado while his license is suspended.

8. Any violation of this Order constitutes a violation of a lawful Director Order and may be grounds for further proceedings pursuant to the Colorado Massage Therapy Practice Act. The pendency of any disciplinary action shall not affect the obligation of Respondent to comply with this Order.
9. This Order does not resolve any other cases, complaints, or matters, known or unknown to the Director or Respondent, as of the effective date of this Order
10. This Order shall be a public record in the custody of the Director.

THEREFORE, IT IS HEREBY ORDERED, that under §§ 24-4-104(4) and 24-4-105(12), C.R.S., the massage therapy license of Marc Duran, license number, MT.0017381 is SUMMARILY SUSPENDED. Proceedings for suspension or revocation pursuant to §§12-35.5-111 and 12-35.5-112, C.R.S., are pending.

IT IS FURTHER ORDERED that Respondent immediately cease, desist, and refrain from any further acts or activities in which a massage therapy license is required is required by the laws of the State of Colorado.

DATED AND SIGNED this 27th day of April, 2016.

On behalf of the Director of the Division of Professions and Occupations, Department of Regulatory Agencies, Office of Massage Therapy Licensure,



Andrea Faley
Program Director