

**STATE OF NEW HAMPSHIRE
ADVISORY BOARD OF MASSAGE THERAPISTS
CONCORD, NEW HAMPSHIRE 03301**

In the matter of:
Michael Diamond
Lic. No. 875-LMT

DOCKET # 23-MAS-006

VOLUNTARY SURRENDER OF LICENSE

Recognizing that professional misconduct allegations are now pending against me before the New Hampshire Advisory Board of Massage Therapists ("Board"), I, Michael Diamond, hereby voluntarily surrender my New Hampshire License to practice as a Massage Therapist in the State of New Hampshire, License Number 875-LMT effective on the date that the Board accepts this offer of *Voluntary Surrender of License*.

By voluntarily surrendering my license, I understand that:

1. I relinquish all rights and privileges to practice as a licensee in the State of New Hampshire effective upon the Board's acceptance of this *Voluntary Surrender of License*.
2. I acknowledge that this *Voluntary Surrender of License* has occurred in settlement of pending misconduct allegations alleging:
 - A. On 11/16/2023, the Division received an email complaint from Chief Christopher Perley of the Jackson, NH Police Department informing the Division the Jackson, NH Police Department received two complaints from two separate females alleging the Respondent engaged in a manner of touching for which two females, K.C. and G.W. did not provide consent while conducting massages on the two females.

- B.** On or about 11/11/2023 the first report to the Jackson, NH Police was filed by G.W. reporting the Respondent engaged in a manner of touching for which G.W. did not provide consent.
- C.** On or about 11/14/2023 a second report was made by K.C. reporting a past tense massage in which the Respondent engaged in a manner of touching for which K.C. did not provide consent that occurred on or about 10/30/2023.
- D.** Allegations brought forward by G.W. and K.C. allege the Respondent, while engaged as a Licensed Massage Therapist working at the Christmas Farm Inn and Spa, Jackson, NH, engaged in a manner of touching for which K.C./G.W. did not provide consent during the course of their massages at the Christmas Farm Inn and Spa.
- E.** Two additional females, S.J. and N.C. came forward with additional information.
- F.** On 1/12/2024, S.J. was interviewed and divulged that during a massage in 2022, while at Christmas Farm Inn and Spa, the Respondent exposed S.J.'s breasts during a massage, without S.J.'s consent.
- G.** On 3/1/2024, N.C. was interviewed and divulged a past-tense matter involving the Respondent that occurred in 2001 or 2002, in which the Respondent massaged N.C.'s intergluteal fold under the draping and under N.C.'s underwear without consent.

H. It is alleged the Respondent engaged in acts in violation of RSA Chapter 328-B and N.H. Code Admin. R. Plc 901.01(k).

I. Evidence further demonstrates the Respondent has engaged in an “offense” against both K.C. and G.W. as defined in Plc 901.01(r).

3. I admit there are sufficient facts to determine, if the matter went to adjudication, Hearing Counsel could prove, by a preponderance of the evidence, I engaged in professional misconduct pursuant to RSA Chapter 328-B and N.H. Code Admin R. Plc 901.01 (k)(1) and/or (2) and (r).
4. I further acknowledge that my *Voluntary Surrender of License* shall be reported by the Board as a disciplinary action.
5. This *Voluntary Surrender of License* shall be distributed to all relevant licensing authorities and professional societies with whom the Board has a duty to report in the same manner as a final decision making a specific finding of professional misconduct.
6. This *Voluntary Surrender of License* shall become a permanent part of my file and will be maintained by the Board as a public document.
7. I represent to the Board I will not seek licensure under RSA Chapter 328-B and RSA Chapter 310.
8. In the event I submit an application for licensure under RSA Chapter 328-B and RSA Chapter 310 I must meet all requirements for reinstatement pursuant to RSA Chapter 328-B and RSA Chapter 310.
9. I further understand that the pending misconduct allegations shall be addressed at a Show Cause Hearing in any future licensure application before the Board at


which I shall have the burden of proof. These misconduct allegations may then form the basis for the Board to deny any such application. I hereby specifically waive any statute of limitations or laches defense, which might then be available as to these misconduct allegations, including, but not limited to, those contained in RSA 332-G:8 and 9.

10. I voluntarily submit this *Voluntary Surrender of License* to the Board and state that no promises or representations have been made to me other than those terms and conditions expressly stated herein.


11. I have had the opportunity to seek and obtain the advice of an attorney of my choosing in connection with my decision to sign this *Voluntary Surrender of License*.

12. I am of sound mind, and I am not under the influence of any substance that would impair my judgment at the time I sign this *Voluntary Surrender of License*.

IN WITNESS WHEREOF, I hereby affix my signature on this 19 day of July, 2024.


Michael Diamond (Jul 19, 2024 06:05 EDT)

Michael Diamond
Lic. No. 875-LMT



Attorney (if applicable)

Kaylee Doty

Attorney Print Name (if applicable)

In the Matter of Michael Diamond
23-MAS-006
Voluntary Surrender

ACCEPTED BY THE ADVISORY BOARD OF MASSAGE THERAPIST on this 4th day of
September, 2024.

Date: 09/04/2024

Shane D. Goulet, Esq. Presiding Officer

(Signature)







23-MAS-006 Michael Diamond Vol Surrender final draft

Final Audit Report

2024-07-19

Created:	2024-07-18
By:	Kaylee Doty (kaylee@nhdefender.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAkV3ffL9b6X1fsLHfpMIYJxJ5UcdtvE__

"23-MAS-006 Michael Diamond Vol Surrender final draft" History

-  Document created by Kaylee Doty (kaylee@nhdefender.com)
2024-07-18 - 2:45:05 PM GMT- IP address: 73.238.142.249
-  Document emailed to m.diamond17@yahoo.com for signature
2024-07-18 - 2:45:41 PM GMT
-  Email viewed by m.diamond17@yahoo.com
2024-07-18 - 7:58:48 PM GMT- IP address: 69.147.93.12
-  Signer m.diamond17@yahoo.com entered name at signing as Michael Diamond
2024-07-19 - 10:05:10 AM GMT- IP address: 74.75.178.235
-  Document e-signed by Michael Diamond (m.diamond17@yahoo.com)
Signature Date: 2024-07-19 - 10:05:12 AM GMT - Time Source: server- IP address: 74.75.178.235
-  Agreement completed.
2024-07-19 - 10:05:12 AM GMT