BEFORE THE BOARD OF EXAMINERS FOR MASSAGE THERAPY
STATE OF IOWA

IN THE MATTER OF:	)	**CASE NO. 03-005**
	)	
ALEXANDER VLADISLAV BORISENKO,	)	
	)	
License No. 135-03009,	)	**STATEMENT OF CHARGES**
	)	
RESPONDENT	)	

COMES NOW the Iowa Board of Examiners for Massage Therapy pursuant to Iowa Code chapters 17A, 147, 152C, and 272C (2003) and 645 Iowa Administrative Code (IAC) chapter 134, and alleges the following:

1. Licenses issued by the Board are subject to the laws of the State of Iowa and the administrative rules promulgated by the Board.

2. Alexander Vladislar Borisenko (Respondent) was originally licensed by the Board to practice massage therapy in the state of Iowa on June 11, 2002 and holds license number 135-03009. Respondent's license expires on June 15, 2004.

3. Respondent's current address as reported to the Board is 6377 Vista Drive, #7209, West Des Moines 50266.

FACTUAL ALLEGATIONS

4. On April 23, 2003, Respondent was employed by 7 Flags Fitness Center as a licensed massage therapist.

5. On April 23, 2003, the Clive Police Department was called to 7 Flags Fitness Center in reference to a complaint against Respondent.

6. The complainant reported to police that while providing massage therapy services, Respondent sexually assaulted her and further prevented her from leaving the room in which the services were being provided.

ALLEGATIONS

COUNT I—UNETHICAL CONDUCT OR PRACTICE

7. Paragraphs 1-6 are incorporated herein by reference.

8. Respondent is charged with engaging in unethical conduct or practice harmful or detrimental to the public in violation of Iowa Code sections 147.55(3), 272C.3(2)(a), 272C.10(3), 152C.7, and 645 IAC 134.1(1)(c).

COUNT II—PROHIBITED ACT

9. Paragraphs 1-8 are incorporated herein by reference.

10. In violation of Iowa Code sections 147.55(8), 272C.3(2)(a), 272C.10, 152C.7, and 645 IAC 134.1(1)(h)(8)(5)-(8), Respondent is charged with verbally and/or physically abusing a client.

COUNT III—PROHIBITED ACT

11. Paragraphs 1-10 are incorporated herein by reference.

12. In violation of Iowa Code sections 147.55(8), 272C.3(2)(a), 272C.10, 152C.7, and 645 IAC 134.1(1)(h)(8)(5)-(8), Respondent is charged with making suggestive, lewd, lascivious, or improper remarks or advances to a client.

COUNT IV—PROHIBITED ACT

13. Paragraphs 1-12 are incorporated herein by reference.

14. In violation of Iowa Code sections 147.55(8), 272C.3(2)(a), 272C.10, 152C.7, and 645 IAC 134.1(1)(h)(8)(5)-(8), Respondent is charged with

engaging in sexual conduct with regard to a client, including but not limited to inappropriate physical conduct or any behavior that is seductive, demeaning, or exploitive.

COUNT V—PROHIBITED ACT

15. Paragraphs 1-14 are incorporated herein by reference.

16. In violation of Iowa Code sections 147.55(8), 272C.3(2)(a), 272C.10, 152C.7, and 645 IAC 134.1(1)(h)(8)(5)-(8), Respondent is charged with engaging in the sexual intimidation of a client.

17. Respondent engaged in conduct which violated the laws and rules governing the practice of massage therapy and the Board has jurisdiction to initiate a disciplinary proceeding in this case.

18. On June 3, 2003, the Iowa Board of Examiners for Massage Therapy found probable cause to file this Statement of Charges and to order a hearing set in this case.

This Statement of Charges is approved by the board on June 10, 2003.