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DIVISION OF ADMINISTRATIVE HEARINGS  
STATE OF FLORIDA  
BOARD OF MASSAGE THERAPY

Final Order No. DOH-22-0157-FOF-MQA

FILED DATE - FEB 09 2022

Department of Health  
By:   
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2019-39386  
2019-39761  
DOAH CASE NO.: 21-0180PL  
21-0181PL  
LICENSE NO.: MA 6049  
MM 18059

TERRENCE GRYINSKI and  
TERRENCE GRYINSKI MASSAGE,

Respondents.

FINAL ORDER

THIS CAUSE came before the BOARD OF MASSAGE (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, at the properly noticed meeting on January 27, 2022, in St. Augustine Beach, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order (RO), (a copy of which is attached hereto as Exhibit A) in the above-styled cause. Petitioner was represented by Dannie Hart, Assistant General Counsel. Respondent's Counsel, Lance O. Leider, Esq. was present at the meeting. Respondent was not present.

PROCEDURAL HISTORY

1. In October 2020, the Department of Health (DOH) filed an Administrative Complaint against Terrence Grywinski, and a second Administrative Complaint against Terrence Grywinski Massage.

2. The basis of both Administrative Complaints was sexual misconduct.

3. Respondent timely filed an election of rights stating that material facts were in dispute.

4. The case was referred to the Division of Administrative Hearing (DOAH) in January 2021. The cases were consolidated and final hearing scheduled for April 2021.

5. The hearing was continued several times and ultimately the hearing was conducted by Zoom Video Conference on July 12, and 21, 2021.

5. At the hearing, Petitioner was represented by Dannie Hart, Assistant General Counsel; and Andrew Pietrylo, Chief Legal Counsel for the Department of Health.

6. Lance O. Leider, Esq., and Amanda I Forbes, Esq. appeared for Respondent.

7. Administrative Law Judge, Lisa Shearer Nelson, (ALJ) issued a Recommended Order on November 5, 2021.

8. No exceptions were filed.

9. After review of the complete record in this case; the Board makes the following findings and conclusions:

FINDINGS OF FACT

10. There is competent substantial evidence to support the findings of fact.

11. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

CONCLUSIONS OF LAW

12. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 480, Florida Statutes.

13. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

PENALTY

14. Upon a complete review of the record in this case, the Board determines that the recommendation of the Administrative Law Judge is ACCEPTED.


**WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:**

15. Both Administrative Complaints, 2019-39386 and 2019-39761, filed against Respondent are DISMISSED.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 8th day of February, 2022.

BOARD OF MASSAGE THERAPY

 for \_\_\_\_\_  
Kama Monroe,  
Executive Director for  
Christopher Brooks,  
Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S Mail to: **TERRENCE GRYINSKI** and **TERRENCE GRYINSKI MASSAGE**, 6419 Meandering Way, Lakewood Ranch, FL 34202, and 1188 North Tamiami Trail, San Marco Building, Suite 205D, Sarasota, FL 34236; and by e-mail C/O **Lance O. Leider, Esq.**, [lleider@thehealthlawfire.com](mailto:lleider@thehealthlawfire.com); and **Amanda I. Forbes, Esq.**, [amandaforbes46@gmail.com](mailto:amandaforbes46@gmail.com); and by U.S. mail to: **Lisa Shearer Nelson**, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by e-mail to: **Andrew Pietrylo**, Chief Legal Counsel, Department of Health, [Andrew.pietrylo@flhealth.gov](mailto:Andrew.pietrylo@flhealth.gov); and **Diane L. Guillemette**, Assistant Attorney General, at

diane.guillemette@myfloridalegal.ccm, this 9 day of  
February, 2022.

  
\_\_\_\_\_  
Deputy Agency Clerk