

STATE OF NORTH DAKOTA

NORTH DAKOTA BOARD OF MASSAGE THERAPY

IN THE MATTER OF:

Nicholas Strom

North Dakota Board of Massage Therapy,

Petitioner,

v.

Nicholas Strom,

Respondent.

SETTLEMENT AGREEMENT

OAH File No. 20240469

I. PARTIES

This settlement agreement is made and entered into by and between the Board of Massage Therapy (Board) and Nicholas Strom (Strom).

II. RECITALS

A. The Board is authorized pursuant to North Dakota Century Code (N.D.C.C.) ch. 43-25 to license and regulate the profession of massage therapy.

B. The Board is authorized by N.D.C.C. § 43-25-10 and North Dakota Administrative Code (N.D.A.C.) § 49-01-02-04 to take disciplinary action, including suspending, revoking, or placing on probation the license of any massage therapist in the state who has violated N.D.C.C. ch. 43-25 or any administrative rule adopted by the Board.

C. Strom is licensed to practice massage therapy in North Dakota (License # 1360).

D. The Board received a complaint alleging Strom used his hands during a massage therapy session to rub a female client's bare chest in circular motions without warning, and at a separate massage session told the same client about several occasions of female clients exposing themselves to him or grabbing his groin area.

E. N.D.C.C. § 43-25-10(1)(h) allows the Board to take disciplinary action against a licensee upon the grounds of violating a chapter or rule of the Board. N.D.A.C. § 49-01-02-04 provides additional grounds for disciplinary action by the Board, including:

3. Commission of one or more acts which indicate the licensee lacks good moral character and is therefore ineligible to be licensed by the board, including:

b. Initiating or engaging in any sexual conduct, sexual activities, or sexualizing behavior involving a current massage client of the licensee, even if the client attempts to sexualize the relationship.

F. The Board found grounds to support allegations that Strom violated N.D.C.C. § 43-25-10(1)(h) and N.D.A.C. § 49-01-02-04(3)(b) and voted to initiate a disciplinary action.

G. Strom acknowledges he has been informed and understands he has the right to seek the advice of legal counsel in this matter.

H. Strom acknowledges he has been informed and understands he has the right to a hearing and appeal pursuant to N.D.C.C. ch. 43-25 and N.D.C.C. ch. 28-32 prior to any adverse action being taken against his license.

III. AGREEMENT

The Board and Strom agree to resolve this matter as follows:

1. Strom waives his right to an administrative hearing and appeal that are set forth in N.D.C.C. ch. 43-25 and ch. 28-32.

2. Strom must complete, either online or in-person, two hours of ethical continuing education which can be counted towards the required continuing education units for his license.

3. Strom must provide satisfactory proof to the Board upon completion, no later than sixty (60) days from the date of this agreement.

4. Strom will be placed on a thirty (30) day probationary period. The probationary period is set to begin the day following this agreement.

5. Strom shall comply with all laws and rules related to the practice of massage therapy.

6. The Board will determine if Strom fulfills the terms of this Agreement. If Strom fails to fulfill the terms of this Agreement, the Board may take further disciplinary action against his license without a hearing or appeal.


7. There are no covenants, promises, undertakings, or understandings outside this Agreement other than those herein specifically set forth.

8. This Agreement shall be governed by the substantive laws of the State of North Dakota without regard to conflict of law principles.

9. This Agreement is effective upon signature by both parties.

[SIGNATURE PAGES TO FOLLOW]

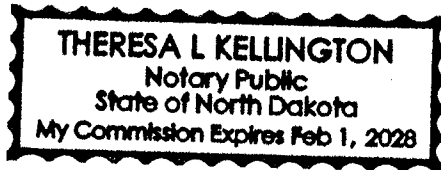
Dated this 8th day of July, 2025.



Nicholas Strom

STATE OF NORTH DAKOTA)
COUNTY OF Burleigh)^{ss.}

Subscribed and sworn to before me this 8 day of July, 2025.





Notary Public

CERTIFICATE OF ATTORNEY

I hereby attest that Nicholas Strom executed the foregoing Settlement Agreement and acknowledged to me that he fully understood the terms of the agreement and voluntarily executed the same.

Dated this 8 day of July, 2025.

By: Theresa L. Kellington
Theresa L. Kellington
ND State Bar ID # 05385
Kellington & Oster, PC
619 Riverwood Drive, Suite 202
Bismarck, ND 58504
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Attorney for Nicholas Strom.

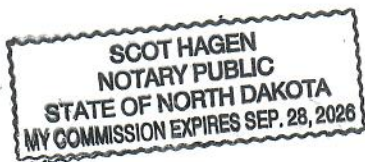
Dated this 9 day of July, 2025.

BOARD OF MASSAGE THERAPY

By: Rachelle M Hagen
Its President

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH) ss.

Subscribed and sworn to before me this 9 day of July, 2025.



Scot Hagen
Notary Public