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7 Attorneys for the Arizona State Board of Massage Therapy

8  
9 **BEFORE THE ARIZONA STATE BOARD OF MASSAGE THERAPY**

10 In the Matter of

11 **ELIZABETH BRADFORD,**  
12 Holder of License No. MT-01505P  
As a Massage Therapist  
13 In the State of Arizona

Board Case No. 14-124

**CONSENT AGREEMENT  
FOR PROBATION**

14  
15 In the interest of a prompt and judicious settlement of this case, consistent with the  
16 public interest, statutory requirements and the responsibilities of the Arizona State Board  
17 of Massage Therapy ("Board") under A.R.S. § 32-4201, *et. seq.*, Elizabeth Bradford  
18 ("Respondent"), holder of Massage Therapist License Number MT-01505P in the State  
19 of Arizona, and the Board enter into the following Recitals, Findings of Fact,  
20 Conclusions of Law and Order ("Consent Agreement") as a final disposition of this  
21 matter.

22 **RECITALS**

23 1. Respondent has read and understands this Consent Agreement and has had  
24 the opportunity to discuss this Consent Agreement with an attorney, or has waived the  
25 opportunity to discuss this Consent Agreement with an attorney.  
26

1           2.     Respondent understands that she has a right to a public administrative  
2 hearing concerning this matter, at which hearing she could present evidence and cross  
3 examine witnesses. By entering into this Consent Agreement, Respondent knowingly  
4 and voluntarily relinquishes all right to such an administrative hearing, as well as rights  
5 of rehearing, review, reconsideration, appeal, judicial review or any other administrative  
6 and/or judicial action, concerning the matters set forth herein.

7           3.     Respondent affirmatively agrees that this Consent Agreement shall be  
8 irrevocable.

9           4.     Respondent understands that this Consent Agreement or any part of the  
10 agreement may be considered in any future disciplinary action by the Board against her.

11          5.     Respondent understands this Consent Agreement deals with Board case  
12 number 12-102 involving allegations that Respondent engaged in conduct that would  
13 subject her to discipline under the Board's statutes and rules. The investigation into these  
14 allegations against Respondent shall be concluded upon the Board's adoption of this  
15 Consent Agreement.

16          6.     Respondent understands that this Consent Agreement does not constitute a  
17 dismissal or resolution of any other matters currently pending before the Board, if any,  
18 and does not constitute any waiver, express or implied, of the Board's statutory authority  
19 or jurisdiction regarding any other pending or future investigation, action or proceeding.

20          7.     Respondent also understands that acceptance of this Consent Agreement  
21 does not preclude any other agency, subdivision, or officer of this State from instituting  
22 any other civil or criminal proceedings with respect to the conduct that is the subject of  
23 this Consent Agreement.

24          8.     Respondent acknowledges and agrees that, upon signing this Consent  
25 Agreement and returning this document to the Board's Executive Director, she may not  
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1 revoke her acceptance of the Consent Agreement or make any modifications to the  
2 document regardless of whether the Consent Agreement has been signed by the  
3 Executive Director. Any modification to this original document is ineffective and void  
4 unless mutually agreed by the parties in writing.

5       9. This Consent Agreement is subject to the approval of the Board and is  
6 effective only when accepted by the Board and signed by the Executive Director. In the  
7 event that the Board does not approve this Consent Agreement, it is withdrawn and shall  
8 be of no evidentiary value and shall not be relied upon nor introduced in any action by  
9 any party, except that the parties agree that should the Board reject this Consent  
10 Agreement and this case proceeds to hearing, Respondent shall assert no claim that the  
11 Board was prejudiced by its review and discussion of this document or any records  
12 relating thereto.

13       10. If a court of competent jurisdiction rules that any part of this Consent  
14 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement  
15 shall remain in full force and effect.

16       11. Respondent understands that this Consent Agreement is a public record that  
17 may be publicly disseminated as a formal action of the Board and may be reported as  
18 required by law to the National Practitioner Data Bank and the Healthcare Integrity and  
19 Protection Data Bank.

20       12. Respondent understands that any violation of this Consent Agreement may  
21 result in disciplinary action. A.R.S. § 32-4253(A)(23).

22       13. Respondent agrees that the Board will adopt the following Findings of Fact,  
23 Conclusions of Law and Order.

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25 ...

1 ACCEPTED AND AGREED BY RESPONDENT

2  
3 Elizabeth Bradford  
4 Elizabeth Bradford

Dated: 6-30-2014

5 **FINDINGS OF FACT**

6 1. The Board is the duly constituted authority for licensing and regulating the  
7 practice of Massage Therapy in the State of Arizona.

8 2. On April 22, 2014, Respondent was convicted of aggravated assault, a class  
9 6 undesignated felony, in Maricopa County Superior Court Case No. CR2013-452409  
10 and was placed on probation for two years.

11 **CONCLUSIONS OF LAW**

12 1. The Board possesses jurisdiction over the subject matter and over  
13 Respondent pursuant to A.R.S. § 32-4201 *et seq.*

14 2. The conduct and circumstances described in the Findings of Fact is grounds  
15 for discipline under A.R.S. § 32-4253(A)(4) (being convicted of a felony).

16 **ORDER**

17 Based upon the above Findings of Fact and Conclusions of Law, the Board issues  
18 the following Order:

19 1. Respondent's Massage Therapist License No. MT-01505P, is immediately  
20 placed on **PROBATION** until the Board terminates the probation as set forth in  
21 paragraph 1(a) below, subject to the following terms and conditions:

22 a. After completion of the Respondent's criminal probation in  
23 Maricopa County Superior Court Case No. CR2013-452409, Respondent  
24 shall request in writing that the Board terminate her probation.  
25 Respondent's request for termination will be considered at a regularly  
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1 scheduled Board meeting. Respondent is required to personally appear at  
2 that Board meeting. Respondent's probationary period will continue until  
3 Respondent's request for termination is received and the Board terminates  
4 the probation.

5 b. Throughout the term of Respondent's probation, Respondent shall  
6 furnish all massage therapy employers with a copy of this Consent  
7 Agreement.

8 c. Respondent shall pay all necessary fees and complete all continuing  
9 education requirements throughout the term of her probation to maintain  
10 Massage Therapist License No. MT-01505P.

11 d. Throughout the term of Respondent's probation, Respondent shall  
12 personally appear before the Board when requested to do so by the Board  
13 or Board staff.

14 e. Respondent shall obey all federal and state laws and rules governing  
15 the practice of Massage Therapists.

16 3. Respondent shall pay all costs associated with complying with this Consent  
17 Agreement.

18 4. If Respondent violates this Order in any way or fails to fulfill the  
19 requirements of this Order, the Board, after giving the Respondent notice and the  
20 opportunity to be heard, may revoke, suspend or take other disciplinary actions against  
21 Respondent's license. The issue at such a hearing will be limited solely to whether this  
22 Order has been violated.

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1 DATED this 3<sup>rd</sup> day of July, 2014.

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9 ORIGINAL OF THE FORGOING FILED

10 This 3<sup>rd</sup> day of July, 2014, with:

11 Arizona State Board of Massage Therapy

12 1400 West Washington, suite 300

13 Phoenix, Arizona 85007

14 EXECUTED COPY OF THE FORGOING MAILED BY CERTIFIED MAIL

15 This 3<sup>rd</sup> day of July, 2014 to:

16 Elizabeth Bradford

17 Address of Record

18 Respondent

19 EXECUTED COPY OF THE FOREGOING MAILED

20 This 3<sup>rd</sup> day of July, 2014, to:

21 Elizabeth A. Campbell

22 Assistant Attorney General

23 1275 W. Washington Street, CIV/LES

24 Phoenix, Arizona 85007

25 Attorney for the Board

26 S. Conger



ARIZONA STATE BOARD OF MASSAGE  
THERAPY

By: Kathleen Phillips

KATHLEEN PHILLIPS

Executive Director

S. Conger