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7 Attorneys for the Arizona State Board of Massage Therapy

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

10 In the Matter of

11 **SANDRA BROWN,**

12 Holder of License No. MT-00607
As a Massage Therapist
13 In the State of Arizona

Board Case No. 12-102

**CONSENT AGREEMENT
FOR SURRENDER**

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.*, Sandra Brown
18 ("Respondent"), holder of Massage Therapist License Number MT-00607 in the State of
19 Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions
20 of Law and Order ("Consent Agreement") as a final disposition of this matter.

21 **RECITALS**

22 1. Respondent has read and understands this Consent Agreement and has had
23 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
24 opportunity to discuss this Consent Agreement with an attorney.
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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 Deputy 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 Deputy
3 Director. Any modification to this original document is ineffective and void unless
4 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 Deputy 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 agrees that the Board will adopt the following Findings of Fact,
21 Conclusions of Law and Order.

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1 ACCEPTED AND AGREED BY RESPONDENT

2 
3 Sandra Brown

Date: 5-13-13

4 **FINDINGS OF FACT**

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

7 2. Respondent is the holder of license number MT-00607 to practice as a
8 Massage Therapist in the State of Arizona. Respondent has been licensed as a massage
9 therapist in Arizona since August 2004.

10 3. From November 2008 to September 2011, Respondent was associated with
11 the Goddess Temple in Phoenix, Arizona. While associated with the Goddess Temple,
12 Respondent engaged in sexual activity with patrons of the Goddess Temple. Patrons of
13 the Goddess Temple provided monetary "donations" to the Goddess Temple for sexual
14 services received.
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16 4. Respondent's conduct constitutes grounds for discipline under A.R.S. § 32-
17 4253(A)(16) (failing to adhere to the recognized standards and ethics of the massage
18 therapy profession).
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20 **CONCLUSIONS OF LAW**

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

23 2. The Board possesses statutory authority to enter into a consent agreement
24 with a massage therapist and accept the surrender of an active license from a massage
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1 therapist who admits to having committed an act which would subject her to discipline
2 under the Board's statutes or rules. A.R.S. § 32-4254(N)(2).

3 **ORDER**

4 IT IS HEREBY ORDERED THAT License Number MT-00607 issued to Sandra
5 Brown to practice as a massage therapist in the State of Arizona is hereby surrendered.

6
7 DATED this 21st day of May, 2013.

8
9 ARIZONA STATE BOARD OF MASSAGE
10 THERAPY

11 (Seal)

12 By:



13 KATHLEEN PHILLIPS
14 Deputy Director
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1 ORIGINAL OF THE FORGOING FILED
this 21st day of May, 2013, with:

2 Arizona State Board of Massage Therapy
3 1700 West Washington, Suite 250
4 Phoenix, Arizona 85007

5 EXECUTED COPY OF THE FOREGOING MAILED
BY CERTIFIED MAIL

6 this 21st day of MAY, 2013, to:

7 Sandra Brown
8 Address of Record
9 Respondent

10 EXECUTED COPY OF THE FOREGOING MAILED
11 this 21st day of May, 2013, to:

12 Shannon L. Peters, Esq.
13 JOY BERTRAND ESQ. LLC
14 PO Box 2734
15 Scottsdale, Arizona 85252
16 Attorney for Respondent

17 Elizabeth A. Campbell
18 Assistant Attorney General
19 1275 W. Washington Street, CIV/LES
20 Phoenix, Arizona 85007
21 Attorney for the Board

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23 _____
24 #2921623