



1 may be considered in any future disciplinary action by the Board against Applicant.

2 5. Applicant understands this Consent Agreement deals with this matter  
3 involving allegations that Applicant engaged in conduct that would subject Applicant to  
4 discipline under the Board's statutes and rules. The investigation into these allegations  
5 against Applicant shall be concluded upon the Board's adoption of this Consent  
6 Agreement.

7  
8 6. Applicant understands that this Consent Agreement does not constitute a  
9 dismissal or resolution of any other matters currently pending before the Board, if any,  
10 and does not constitute any waiver, express or implied, of the Board's statutory authority  
11 or jurisdiction regarding any other pending or future investigation, action or proceeding.

12 7. All admissions Applicant makes in this Consent Agreement are made solely for  
13 the final disposition of this matter, and any related administrative proceedings or civil  
14 litigation involving the Board and Applicant. This Consent Agreement is not intended to  
15 be used for any other regulatory agency proceedings, or civil or criminal proceedings,  
16 whether in the State of Arizona or any other state or federal court, except related to the  
17 enforcement of the Consent Agreement itself.

18  
19 8. Applicant understands that acceptance of this Consent Agreement does not  
20 preclude any other agency, subdivision, or officer of this State from instituting any other  
21 civil or criminal proceedings with respect to the conduct that is the subject of this  
22 Consent Agreement.

23 9. Respondent understands that any violation of this Consent Agreement may be  
24 adjudicated an act of unprofessional conduct pursuant to A.R.S. § 32-4253(23).

25 10. Applicant acknowledges and agrees that, upon signing this Consent Agreement  
26 and returning this document to the Board's Executive Director, Applicant may not revoke  
27 Applicant's acceptance of the Consent Agreement or make any modifications to the  
28 document regardless of whether the Consent Agreement has been signed by the

1 Executive Director. Any modification to this original document is ineffective and void  
2 unless mutually agreed by the parties in writing.

3 11. This Consent Agreement is effective becomes effective when signed by the  
4 Executive Director on behalf of the Board.

5 12. If a court of competent jurisdiction rules that any part of this Consent Agreement  
6 is void or otherwise unenforceable, the remainder of the Consent Agreement shall remain  
7 in full force and effect.

8 13. Applicant understands that this Consent Agreement is a public record that may  
9 be publicly disseminated as a formal action of the Board and may be reported as required  
10 by law to the National Practitioner Data Bank or other such databases.

11 14. Applicant agrees that the Board adopts the following Findings of Fact,  
12 Conclusions of Law and Order.  
13

14  
15 **ACCEPTED AND AGREED BY APPLICANT/RESPONDENT:**

16  
17  
18 

19 Diana Nabil Carrillo  
20 Applicant/Respondent

21  
22  
23  
24  
25  
26  
27 Dated: 03/08/2020

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1 **FINDINGS OF FACT**

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

4 2. On November 20, 2019, Applicant applied for a license as a massage therapist in  
5 the State of Arizona.

6 3. At the Board's regular meeting on December 16, 2019, it reviewed Applicant's  
7 application and her 2017 criminal conviction that was disclosed during the application  
8 process.  
9

10 4. Applicant disclosed that on August 5, 2019, she pled guilty to Solicitation to  
11 Commit Narcotic Drug Possession for Sale, in violation of A.R.S. § 13-3408(A)(2), a  
12 class four felony, and was sentenced to two (2) years supervised probation in CR2017-  
13 114666-001 that began August 5, 2019.

14 5. At the December 16, 2019 meeting, the Board voted to approve the application for  
15 a massage therapy license upon the execution of this Consent Agreement in order to  
16 monitor Respondent's conduct through probation and additional training.  
17

18 **CONCLUSIONS OF LAW**

19 1. The Board possesses jurisdiction over the subject matter and Applicant pursuant  
20 to A.R.S. § 32-4201 *et seq.*

21 2. The conduct and circumstances described in the Findings of Fact constitute  
22 grounds for discipline pursuant to A.R.S. § 32-4222(G) ("The board may deny an  
23 application for a license if the applicant committed an act that would subject a person  
24 licensed under this chapter to disciplinary action") as it relates to A.R.S. 32-  
25 4253(4) ("Being convicted of a felony or other offense involving moral turpitude or any  
26 conviction for prostitution, solicitation or another similar offense. A conviction by a court  
27 of competent jurisdiction is conclusive evidence of the commission of the crime.").  
28

1 **ORDER**

2 Upon the execution of this order, Applicant, Diana Nabil Carrillo's, application for  
3 a massage therapy license is approved and license number MT-14952 is hereby issued  
4 and immediately placed on **probation for two (2) years**. During the term of probation,  
5 Respondent is required to complete the following terms and conditions:  
6

7 **1. Continuing Education.**

8 **Within six (6) months** of the effective date of this Order, Respondent shall  
9 complete six (6) hours of live, in-person, continuing education instruction in the area of  
10 ethics. The continuing education hours shall be in addition to the hours required for  
11 renewal of Respondent's massage therapist license under A.R.S. § 32-4225. Respondent  
12 shall seek and obtain pre-approval of her continuing education instruction from Board  
13 staff. Respondent shall provide proof of successful completion of the required hours to  
14 Board staff.

15 **2. Termination of Probation.**

16 Respondent's probation under this Order shall run concurrently with the term of  
17 supervised probation in CR2017-114666-001. Respondent may petition the Board for  
18 early termination (1) if Respondent completes all requirements this Order and (2) the  
19 superior court terminates her supervised probation in CR2017-114666-001 for successful  
20 completion. Failure of Respondent to request that the Board terminate her probation early  
21 or at the conclusion of the two (2) year probationary term shall cause her probation to  
22 continue beyond the time referenced above and until such time as Respondent makes a  
23 written request and provides the necessary documentation.  
24

25 **3. General Provisions.**

26 a. Respondent shall pay all necessary fees throughout the term of  
27 Respondent's probation to maintain her massage therapy license in active status.  
28

b. Throughout the term of probation, Respondent is required to personally appear

1 before the Board when requested to do so by the Board or its staff.

2 c. Respondent shall comply with all terms and conditions of supervised  
3 probation in CR2017-114666-001.

4 d. Respondent shall personally appear before the Board when requested  
5 to do so by the Board or its staff.

6 e. Respondent shall obey all federal and state laws and rules governing  
7 the practice of massage therapy.

8 f. Respondent shall pay all costs associated with complying with this  
9 Order.

10 g. If Respondent violates this Order in any way or fails to fulfill the requirements  
11 of this Order, the Board, after giving the Respondent notice and an opportunity to be  
12 heard, may revoke, suspend or take other disciplinary actions against Respondent's  
13 license.  
14

15 DATED this 13<sup>TH</sup> day of March, 2020.

16  
17 ARIZONA STATE BOARD OF MASSAGE  
18 THERAPY

19 (Seal)

20 By: 

21 Thomas Augheron  
22 Executive Director  
23  
24

25 ORIGINAL of the foregoing filed  
26 this 13<sup>th</sup> day of March, 2020, with:

27 Arizona State Board of Massage Therapy  
28 1740 West Adams, Suite 3401  
Phoenix, Arizona 85007

1 EXECUTED COPY of the foregoing mailed/mailed  
2 this 13<sup>th</sup> day of March, 2020, to:

3 Diana Nabil Carrillo  
4 18831 North 25<sup>th</sup> Place  
5 Phoenix, Arizona 85050  
6 Respondent

7 COPY of the foregoing emailed  
8 This 13<sup>th</sup> day of March, 2020, to:

9 Sabrina Khan  
10 Assistant Attorney General  
11 2005 North Central Avenue  
12 Phoenix, Arizona 85007  
13 Attorney for the Board



14 #8424327v1

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