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**BEFORE THE ARIZONA BOARD
OF MASSAGE THERAPY EXAMINERS**

In the Matter of

Board Case No.

MI KYONG CRAMER, LMT

21-148

Holder of License No. MT-13631
As a Massage Therapist
In the State of Arizona

**CONSENT AGREEMENT AND ORDER
FOR SURRENDER OF MASSAGE
THERAPY LICENSE**

In the interest of a prompt and judicious settlement of this case, consistent with the public interest, statutory requirements and the responsibilities of the Arizona State Board of Massage Therapy (Board) pursuant to A.R.S. § 32-4201, *et. seq.*, Mi Kyong Cramer (Respondent), holder of Massage Therapist License Number MT-13631 in the State of Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law and Order for Voluntary Surrender of licensure (Consent Agreement) as a final disposition of this matter.

RECITALS

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

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

3. While Respondent neither admits nor denies the following Findings of Fact and Conclusions of Law, Respondent acknowledges that, should this matter proceed to hearing, the

1 Board could establish by a preponderance of the evidence that Respondent engaged in conduct
2 which, if found to have committed in the future, could be used to order discipline under the
3 Board's statutes or rules. Therefore, Respondent has agreed to enter into this Consent Agreement
4 as an economical and practical means of resolving this case.

5 4 Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.

6 5. Respondent understands that this Consent Agreement or any part of the agreement
7 may be considered in any future disciplinary action by the Board against Respondent.

8 6. Respondent understands this Consent Agreement deals with Board case number
9 21-148 involving allegations that Respondent engaged in conduct that would subject Respondent
10 to discipline under the Board's statutes and rules. The investigation into these allegations against
11 Respondent shall be concluded upon the Board's adoption of this Consent Agreement.

12 7. Respondent understands that this Consent Agreement does not constitute a
13 dismissal or resolution of any other matters currently pending before the Board, if any, and does
14 not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction
15 regarding any other pending or future investigation, action or proceeding.

16 8. Notwithstanding any language in this Consent Agreement and Order, this Consent
17 Agreement and Order does not preclude in any way any other State agency or officer or political
18 subdivision of this state from instituting proceedings, investigating claims, or taking legal action
19 as may be appropriate now or in the future relating to this matter or other matters concerning
20 Respondent, including but not limited to, violations of Arizona's Consumer Fraud Act.
21 Respondent acknowledges that, other than with respect to the Board, this Consent Agreement
22 and Order makes no representations, implied or otherwise, about the views or intended actions of
23 any other state agency or officer or political subdivisions of the State relating to this matter or
24 other matters concerning Respondent.

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

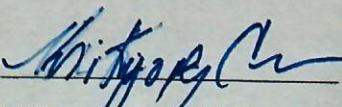
7 10. The Consent Agreement is subject to the Board's approval, and will be effective
8 only when the Board accepts it by signature below. In the event the Board in its discretion does
9 not approve this Consent Agreement, this Consent Agreement is withdrawn and shall be of no
10 evidentiary value, nor shall it be relied upon or introduced in any disciplinary action by any party
11 hereto, except that Respondent agrees that should the Board reject this Consent Agreement and
12 this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by
13 its review and discussion of this document or of any records relating thereto.

14 11. This Consent Agreement is effective only when signed by the Executive Director
15 on behalf of the Board.

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

19 13. Respondent understands that this Consent Agreement constitutes disciplinary
20 action and is a public record that may be publicly disseminated as a formal action of the Board
21 and may be reported as required by law to the National Practitioner Data Bank or other such
22 databases.

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

1 **ACCEPTED AND AGREED BY RESPONDENT**2
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4 Mi Kyong Cramer, LMTDated: Sep 15, 20225 **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. Respondent is the holder of license number MT-13631 to practice as a Massage
9 Therapist in the State of Arizona.10 3. On January 14, 2020, the Board received information from an officer from the
11 Tempe Police Department, that the Respondent had been arrested on October 30, 2019, during a
12 prostitution sting at Oriental Massage located in Tempe, Arizona. The officer is an undercover
13 detective who was responsible for the sting operation at Oriental Massage. The Respondent was
14 arrested for the following: Employee of a House of Prostitution; Prostitution; Money
15 Laundering; Illegal Control/Conducting an Illegal Enterprise and Conspiracy. Respondent was
16 not subsequently prosecuted by the state of Arizona.17 4. On October 30, 2019, during the serving of the search warrants the Respondent
18 was contacted by police officers at Oriental Massage. The Respondent indicated that she would
19 speak to the police officers if she was not charged with a crime. At that time the police detained,
20 but ceased speaking with the Respondent.21 5. The Respondent was employed at Oriental Massage, determined to be a house of
22 prostitution by the Tempe Police Department following an undercover operation and execution
23 of search warrants. Respondent claims that even though she is a licensed massage therapist she
24 was only responsible for cleaning the facility and was not engaged in acts of prostitution.
25 However, the police investigation discovered lingerie in the massage rooms, a VIP room with a
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1 bathtub, hand sanitizer dispensers filled with lubricants, hundreds of condoms and finger
2 condoms and the absence of female customers.

3 6. The Respondent, as a licensed massage therapist, was required to report any
4 information regarding violations or potential violations of the massage practice act to the Board.
5 The Respondent did not report the violations to the Board as required by statute and rule.
6 Furthermore, by not reporting and continuing to work as the cleaner for Oriental Massage,
7 Respondent aided and abetted any individuals at the establishment who were performing sexual
8 acts or receiving proceeds from those sexual acts.

9 7. The Respondent has requested this Consent Agreement for Voluntary Surrender.

10 **CONCLUSIONS OF LAW**

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

13 2. The Board possesses statutory authority to enter into a consent agreement with a
14 massage therapist and accept the surrender of an active license from a massage therapist who
15 admits to having committed an act, which would subject the licensee to discipline under the
16 Board's statutes or rules. *See* A.R.S. § 32-4254(O)(2).

17 3. The conduct and circumstances described above constitute grounds for discipline
18 pursuant to A.R.S. § 32-4253(A)(6), which states, "engaging in any act or practice in violation of
19 this chapter or any board rule or aiding, abetting or assisting any other person in the violation of
20 these provisions or rules."

21 4. The conduct and circumstances described above constitute grounds for discipline
22 pursuant to A.R.S. § 32-4253(A)(10), which states, "engaging in conduct that could result in
23 harm or injury to the public."

24 **ORDER**

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IT IS HEREBY ORDERED THAT License Number 13631 issued to Mi Kyong Cramer, LMT shall be **VOLUNTARILY SURRENDERED** upon the acceptance of this consent agreement by the Respondent and the thereafter signing of this Order by the Executive Director of the Board at the approval of the Board.

IT IS FURTHER ORDERED that the Respondent may not apply to the Board for licensure for at least five calendar years from the issuance date of this Order, as specified in A.R.S. § 32-4222 (A).

DATED this 15 day of September, 2022.

ARIZONA STATE BOARD OF MASSAGE
THERAPY

mm Augustin

By: _____
Thomas Augherton
Executive Director

1 ORIGINAL OF THE FORGOING FILED
this _ _day of September 2022, with:
2
3 Arizona State Board of Massage Therapy
1740 West Adams, Suite 3401
Phoenix, Arizona 85007
4
5 EXECUTED COPY OF THE FOREGOING MAILED/E-MAILED
this _ day of September_2022, to:
6 Mi Kyong Cramer
Address of Record
7 *Respondent*
8 Copy of the foregoing emailed
this day of September, 2022, to:
9
10 Seamus Monaghan, AAG
2005 North Central Avenue, SGD/LES
Phoenix, Arizona 85004
11 *Attorney for the Board*
12 By: _____
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