

1 3. Respondent acknowledges and agrees that, upon signing this Consent Agreement
2 and returning this document to the Board's Executive Director, he may not revoke his
3 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
5 Director. Respondent understands that the foregoing Consent Agreement shall not
6 become effective until the Executive Director signs it on behalf of the Board. Any
7 modification to this original document is ineffective and void unless approved by the
8 Board.

9 4. Respondent understands that this Consent Agreement does not constitute a
10 dismissal or resolution of other matters currently pending before the Board, if any, and
11 does not constitute any waiver (express or implied) of the Board's statutory authority or
12 jurisdiction regarding any other pending or future investigation, action, or proceeding.
13 Respondent also understands that acceptance of this Consent Agreement does not
14 preclude any other agency, subdivision, or officer of this state from instituting other civil
15 or criminal proceedings with respect to the conduct that is the subject of this Consent
16 Agreement.

17 5. All admissions Respondent makes in this Consent Agreement are made solely for
18 the final disposition of this matter, and any related administrative proceedings or civil
19 litigation involving the Board and Respondent. This Consent Agreement is not intended
20 to be used for any other regulatory agency proceedings, or civil or criminal proceedings,
21 whether in the State of Arizona or any other state or federal court, except related to the
22 enforcement of the Consent Agreement itself.

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

26 7. Respondent shall assert no claim that the Board or its legal representative was
27 prejudiced by its review and discussion of this document or any records relating thereto
28 if this matter proceeds to a formal administrative hearing.

1 8. Respondent understands that this Consent Agreement is a public record that may
2 be disseminated as a formal action of the Board, and shall be reported as required by law
3 to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data
4 Bank.

5 9. Respondent denies the following Findings of Fact and Conclusions of Law,
6 Respondent acknowledges that, should this matter proceed to hearing, the Board would
7 be able to establish by a preponderance of the evidence that Respondent engaged in
8 conduct which would subject him to discipline under the Board's statutes or rules.
9 Therefore, Respondent has agreed to enter into this Consent Agreement as an
10 economical and practical means of resolving this case.

11 10. Respondent understands that this Consent Agreement may be used for purposes
12 of determining sanctions in future disciplinary proceedings.

13 11. Respondent understands that any violation of this Consent Agreement may
14 constitute a basis for discipline and is considered unprofessional conduct.

15 12. The Board issues the following Findings of Fact, Conclusions of Law, and Order:
16

17 **ACCEPTED AND AGREED BY RESPONDENT**

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20 _____
21 Christopher Sampson
22 Respondent

Dated: 1-29-2020

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FINDINGS OF FACT

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

2. Respondent is the holder of license number MT-12265 to practice as a Massage Therapist in the State of Arizona.

3. On or about December 6, 2019, Client MM filed a complaint with the Board alleging unprofessional conduct during a massage Client MM had with Respondent at Hand and Stone.

4. Client MM alleged Respondent did not adhere to proper massage techniques and made an inappropriate comment when performing the massage.

5. Respondent was terminated from Hand and Stone as a result Client MM's complaint to management.

6. Respondent engaged in unprofessional conduct during the massage with Client MM.

7. As a result of this matter, Respondent agreed to voluntarily surrender his massage therapy license in the State of Arizona.

CONCLUSIONS OF LAW

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

2. The Board may accept the surrender of a license from a person, pursuant to A.R.S. § 32-4254(O)(2), who admits in writing to any of the following: (2) Having committed an act subject to discipline pursuant to this Chapter. (Citations Omitted).

3. The conduct and circumstances described in the Findings of Fact constitutes a violation of A.R.S. § 32-4253(A)(16) ("Failing to adhere to the recognized standards and ethics of the massage therapy profession.") as defined in Arizona Administrative Code, Section R4-15-103(1)..

1 **ORDER**

2 Based upon the above Findings of Fact and Conclusions of Law, the parties agree
3 that Respondent hereby **VOLUNTARILY SURRENDERS** License Number MT-12265
4 to practice as a Massage Therapist in the State of Arizona.
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6 DATED this 31st day of January, 2020.
7

8 ARIZONA STATE BOARD OF MASSAGE
9 THERAPY

10 (Seal)

11
12
13 By: Thomas Augherton
14 Thomas Augherton
15 Executive Director
16

17 ORIGINAL of the foregoing filed
18 this 31st day of January, 2020, with:

19 Arizona State Board of Massage Therapy
1740 West Adams, Suite 3401
20 Phoenix, AZ 85007

21 EXECUTED COPY of the foregoing mailed/emailed
22 this 31st day of January, 2020, to:

23 Christopher Sampson
11026 North 28th Drive #55
24 Phoenix, AZ 85029
Respondent

25 Sara Stark, Esq.
26 Chelle Law
11811 North Tatum Boulevard, Suite 3031
27 Phoenix, AZ 85028
sara.stark@chellelaw.com
28 *Attorney for Respondent*

1 COPY of the foregoing emailed
this 31st day of January, 2020, to:

2 Sabrina Khan
3 Assistant Attorney General
4 2005 North Central Avenue
5 Phoenix, Arizona 85007
Sabrina.Khan@azag.gov
6 *Attorneys for the State of Arizona*

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