



State of Arizona
Governor
Janice K. Brewer

Arizona State Board of Massage Therapy

1400 W. Washington, Ste. 300 ♦ Phoenix, AZ 85007
Voice Telephone: 602-542-8604 ♦ Fax: 602-542-8804
Website: www.massageboard.az.gov ♦ Dr. Craig Runbeck, Executive
Director

March 29, 2011

Baron Gelwicks
4805 W. New World Drive
Glendale, Arizona 85302

Dear Mr. Gelwicks:

I am writing this letter to notify you that on March 28, 2011, the Arizona State Board of Massage Therapy (Board) voted to release you from probation. This means you are able to practice fully under your Arizona massage therapy license.

If you have any questions, please call me at the number listed above.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Phillips".

Kathleen Phillips
Deputy Director



State of Arizona
Governor: Janice K. Brewer

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January 5, 2011

Baron Gelwicks
4805 W New World Dr
Glendale, Arizona 85302

Re: Approval of on line classes for Business only

Mr. Baron Gelwicks;

This letter is notification that Mr. Baron Gelwicks has received permission from Deputy Director Kathleen Phillips to take the required 16 hours for "Business" on line to fulfill the requirements set down by the Board as a sanction, he must complete the 6 hours of ethics in class.

Mr. Gelwicks was notified by phone of the approval by myself, Investigator Conger, on this date, January 5, 2011.

Should you have any questions please contact me at 602-542-8604.

Thank you

Stanley Conger
Investigator III
Arizona State Board of Massage Therapy
1400 W Washington, Suite 300
Phoenix, Arizona 85007
602-542-8604

cc: File

1 TERRY GODDARD
Attorney General
2 (Firm State Bar No. 14000)

3 ELIZABETH A. CAMPBELL
Assistant Attorney General
4 State Bar No. 018311
1275 W. Washington, CIV/LES
5 Phoenix, Arizona 85007-2997
Tel: (602) 542-7681
6 Fax: (602) 364-3202

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RECEIVED

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 **BARON GELWICKS,**

12 Holder of License No. MT-07689
As a Massage Therapist
13 In the State of Arizona

Board Case No. 10-111

**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.*, Baron Gelwicks
18 ("Respondent"), holder of Massage Therapist License Number MT-07689 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.
25
26

1 2. Respondent understands that he has a right to a public administrative
2 hearing concerning this matter, at which hearing he 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 him.

11 5. Respondent understands this Consent Agreement deals with Board case
12 number 10-111 involving allegations that Respondent engaged in conduct that would
13 subject him 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, he may not
26

1 revoke his 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.

24 ...

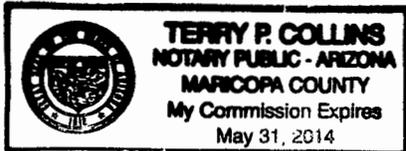
25 ...

1 ACCEPTED AND AGREED BY RESPONDENT

2
3 Baron Gelwicks
4 Baron Gelwicks

Dated: 11/2/2010

5 Subscribed and sworn to before me in the County of MARICOPA, State of ARIZONA,
6 this 12th day of NOVEMBER, 2010, by Baron Gelwicks.



7 Terry Collins
8 NOTARY PUBLIC

9 My Commission expires: 5/31/2014

10 **FINDINGS OF FACT**

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

13 2. Respondent is the holder of license number MT-07689 to practice as a
14 Massage Therapist in the State of Arizona.

15 3. On or about June 23, 2010, Respondent was convicted of counterfeit marks,
16 a class 6 undesignated felony, in Maricopa County Superior Court Case Number
17 CR2009-176953-002. Based upon his conviction, Respondent was placed on probation
18 in his criminal case for 18 months (the "Criminal Probation").

19 4. Respondent failed to report being charged with a felony within ten working
20 days after the charge was filed as required by A.R.S. § 32-3208(A). However,
21 Respondent did promptly report his felony conviction to the Board.
22

23 ...

24 ...

1 b. After completion of the continuing education required by paragraph
2 1(a) above, Respondent shall request in writing that the Board terminate his
3 probation. Respondent's request for termination will be considered at a
4 regularly scheduled Board meeting. Respondent is required to personally
5 appear at that Board meeting. Respondent's probationary period will
6 continue until Respondent's request for termination is received and the
7 Board terminates the probation.

8 c. Throughout the term of Respondent's probation, Respondent shall
9 furnish all massage therapy employers with a copy of this Consent
10 Agreement.

11 d. Respondent shall pay all necessary fees and complete all continuing
12 education requirements throughout the term of his probation to maintain
13 Massage Therapist License No. MT-07689.

14 e. Throughout the term of Respondent's probation, Respondent shall
15 personally appear before the Board when requested to do so by the Board
16 or Board staff.

17 f. Respondent shall obey all federal and state laws and rules governing
18 the practice of Massage Therapists.

19 2. Respondent shall pay all costs associated with complying with this Consent
20 Agreement.

21 3. If Respondent violates this Order in any way or fails to fulfill the
22 requirements of this Order, the Board, after giving the Respondent notice and the
23 opportunity to be heard, may revoke, suspend or take other disciplinary actions against
24 Respondent's license. The issue at such a hearing will be limited solely to whether this
25 Order has been violated.
26

1 DATED this ~~16th~~ day of November 2010.
2 23rd PK

3 ARIZONA STATE BOARD OF MASSAGE
4 THERAPY

5 (Seal)

6 By: Craig Runbeck
7 CRAIG RUNBECK, N.D.
8 Executive Director

9 ORIGINAL OF THE FORGOING FILED
10 this 8th day of November, 2010, with:

11 Arizona State Board of Massage Therapy
12 1700 West Washington, Suite 250
13 Phoenix, Arizona 85007

14 EXECUTED COPY OF THE FOREGOING MAILED
15 BY CERTIFIED MAIL
16 this 8th day of November, 2010, to:

17 Baron Gelwicks
18 4805 W. New World Drive
19 Glendale, Arizona 85302
20 Respondent

21 EXECUTED COPY OF THE FOREGOING MAILED
22 this 8th day of November, 2010, to:

23 Elizabeth A. Campbell
24 Assistant Attorney General
25 1275 W. Washington Street, CIV/LES
26 Phoenix, Arizona 85007
Attorney for the Board

#989486