

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

In the Matter of:

ADAM J. HEISLER, LMT
Holder of License No. **MT-20036**

BOARD CASE NO. 17-119

For the Practice as a Massage Therapist
In the State of Arizona

DECISION AND ORDER

RESPONDENT

On October 23, 2017, during a regularly scheduled board meeting, the Arizona State Board of Massage Therapy (“Board”) held an Administrative Hearing to hear evidence, testimony and arguments regarding this case. Assistant Attorney General Michael Raine represented the State. Adam J. Heisler, LMT, (“Respondent”) appeared on his own behalf. Assistant Attorney General, Marc H. Harris, of the Licensing and Enforcement Section of the Attorney General’s Office, appeared in person to provide independent legal advice to the Board. After hearing all of the evidence and arguments presented by the parties, the Board issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On April 10, 2017, while working at the Scottsdale Spa, in Fountain Hills, Arizona, Respondent slapped the buttocks of a massage therapist co-worker, AJ, with a towel, while the two were waiting to perform massage therapy services for two clients.

2. AJ was lying face down on a massage table at the time of the incident, looking at her cell phone.

3. AJ exclaimed "Whoa! None of that!" to Respondent in response to his action.

4. In a response to AJ's complaint on April 13, 2017, Respondent admitted to the incident, although he claimed that he had used a rolled up towel to hit AJ's buttocks instead of a bare hand.

1 **NOTICE OF APPEAL RIGHTS**

2 Respondent is hereby notified that he has the right to petition for a rehearing or review by
3 filing a petition with the Board's Executive Director within thirty (30) days after service of this
4 Order. A.R.S. § 41-1092.09. The petition must set forth legally sufficient reasons for granting a
5 rehearing. A.A.C. R4-1-114(C). Service of this Order is effective on the date of personal delivery
6 or five days after the date of mailing. If a motion for rehearing is not filed, the Board's Order
7 becomes effective thirty (30) days after it is mailed to the Respondent. Respondent is further
8 notified that the filing of a motion for rehearing is required to preserve any rights of appeal to the
9 Superior Court.

10 DATED this 16th day of November, 2017

11 ARIZONA STATE BOARD OF MASSAGE THERAPY

12
13 By: 
14 Ryan P. Edmonson, Executive Director

15 Original Decision and Order
16 filed this 16th day of November 2017 with the:

17 Arizona State Board of Massage Therapy
18 1400 West Washington, Suite 300
19 Phoenix, AZ 85007

20 Copy of the foregoing sent via
21 Regular and Electronic mail this
22 16th day of November 2017 to:

23 Adam J. Heisler, DPM
24 18 W. Concorda Dr., #103
25 Tempe, AZ 85282
26 ajheisman26@gmail.com

Copy of the foregoing sent via
Electronic mail this 16th day of November 2017 to:

Michael Raine, Assistant Attorney General
Office of Arizona Attorney General – SGD/LES
1275 West Washington Street
Phoenix, AZ 85007
michael.raine@azag.gov

1 Marc H. Harris
2 Licensing & Enforcement Section
3 Office of the Attorney General - SGD/LES
4 1275 West Washington
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