

1 MARK BRNOVICH
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

7 **BEFORE THE ARIZONA STATE BOARD OF MASSAGE THERAPY**
8

9 In the Matter of

10 **HARRISON KINGSLEY, LMT,**
11 Holder of License No. MT-00932P
As a Massage Therapist
12 In the State of Arizona

Board Case No. 15-125

**CONSENT AGREEMENT
FOR SURRENDER**

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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.*, Harrison Kingsley
18 ("Respondent"), holder of Massage Therapist License Number MT-00932P in the State
19 of Arizona, and the Board enter into the following Recitals, Findings of Fact,
20 Conclusions of Law and Order ("Consent Agreement") as a final disposition of this
21 matter.

22 **RECITALS**

23 1. Respondent has read and understands this Consent Agreement and has had
24 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
25 opportunity to discuss this Consent Agreement with an attorney.
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 15-125 involving allegations that Respondent engaged in conduct that would
13 subject him to discipline under the Board's statutes and rules. The investigation into
14 these allegations against Respondent shall be concluded upon the Board's adoption of
15 this Consent Agreement.

16 6. Respondent understands that this Consent Agreement does not constitute
17 any waiver, express or implied, of the Board's statutory authority or jurisdiction
18 regarding any future investigation, action or proceeding.

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

23 8. Respondent acknowledges and agrees that, upon signing this Consent
24 Agreement and returning this document to the Board's Executive Director, he may not
25 revoke his acceptance of the Consent Agreement or make any modifications to the
26

1 document regardless of whether the Consent Agreement has been signed by the
2 Executive Director. Any modification to this original document is ineffective and void
3 unless mutually agreed by the parties in writing.

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

7 10. Respondent understands that this Consent Agreement is a public record that
8 may be publicly disseminated as a formal action of the Board and may be reported as
9 required by law to the National Practitioner Data Bank and the Healthcare Integrity and
10 Protection Data Bank.

11 11. Respondent agrees that the Board will adopt the following Findings of Fact,
12 Conclusions of Law and Order.

13
14 ACCEPTED AND AGREED BY RESPONDENT

15
16 Harrison Kingsley
17 Harrison Kingsley

Dated: 1-22-16

18
19 **FINDINGS OF FACT**

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

22 2. Respondent is the holder of license number MT-00932P to practice as a
23 Massage Therapist in the State of Arizona.
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1 ORIGINAL OF THE FORGOING FILED
this 16th day of January, 2016, with:

2
3 Arizona State Board of Massage Therapy
1700 West Washington, Suite 250
Phoenix, Arizona 85007

4 EXECUTED COPY OF THE FOREGOING MAILED
5 BY CERTIFIED MAIL
this 16th day of January, 2016, to:

6 Harrison Kingsley
7 Address of Record
Respondent

8 EXECUTED COPY OF THE FOREGOING MAILED
9 this 16th day of January, 2016, to:

10 Tracey Westerhausen, Esq.
11 DEBUS KAZAN & WESTERHAUSEN
335 E. Palm Lane
12 Phoenix, Arizona 85004
Attorney for Respondent

13 Elizabeth A. Campbell
14 Assistant Attorney General
1275 W. Washington Street, CIV/LES
15 Phoenix, Arizona 85007
Attorney for the Board

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