

**BEFORE THE ARIZONA BOARD OF MASSAGE THERAPY**

In the Matter of:

VANESSA ODOM, LMT

Board Case No 12-111

**FINDINGS OF FACT, CONCLUSIONS OF  
LAW AND ORDER**

License No. MT-06349  
As a Massage Therapist  
In the State of Arizona

Pursuant to Notice of Hearing Number 12-111 (Notice) this matter came before the Arizona Board of Massage Therapy (Board) on November 26, 2012.

Dennis Beye, president, presided at the meeting with Board members Victoria Bowman, John Ortega, Diane Pruetz, and Earl Duskey in attendance.

The State was represented by the Office of the Attorney General, Elizabeth Campbell, Assistant Attorney General, Licensing and Enforcement Section. Christopher Munns, of the Solicitor General's Section of the Attorney General's Office was present and available to provide independent legal advice to the Board. (Respondent) was not present. The Board, after considering the testimony and evidence presented, hereby issues the following Findings of Fact, Conclusions of Law, and Order.

**AUTHORITIES AND JURISDICTION**

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-06349, which allows her to practice as a massage therapist in the state of Arizona.
3. Under A.R.S. § 32-4201, *et seq.*, the Board possesses jurisdiction over the matter and over Respondent as a licensee of the Board.

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**FINDINGS OF FACT**

1. On September 5, 2012, Respondent was convicted of Facilitation to Commit Illegal Control of an Enterprise, a class 6 felony, in Maricopa County Superior Court (Court) case number CR2011-005314.

2. Respondent failed to notify the Board that she had been charged with the offense within 10 days after the charge was filed. The Board was kept informed of the status of the case by Scottsdale police officers.

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**CONCLUSIONS OF LAW**

1. The felony conviction described above in the Findings of Fact, paragraph 1, is grounds for discipline under A.R.S. § 32-42-53(A)(4) (Being convicted of a felony or other offense involving moral turpitude or conviction for prostitution, solicitation or another similar offense. A conviction by a court of competent jurisdiction is conclusive evidence of the commission of the crime).

2. The conduct described in the Findings of Fact, paragraph 2, constitutes unprofessional conduct under A.R.S. § 32-3208(A) and (D), which provide that it is unprofessional conduct for a health professional who has been charged with a misdemeanor involving conduct that may affect patient safety or a felony after receiving or renewing a license or certificate to fail to notify the health professional's regulatory board in writing within ten working days after the charge is filed.

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**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, the Board **IT IS HEREBY ORDERED** that Respondent's license number **MT-06349 IS REVOKED**.

**RIGHT TO PETITION FOR REHEARING OR REVIEW**

Respondent has the right to petition for a rehearing or review of this Order. Pursuant to A.R.S. §

1 41-1092.09 and A.A.C. R4-15-401(A), the petition must be filed with the Board within thirty-  
2 five (35) days from the date of mailing if the Order was served by certified mail. The petition  
3 must set forth legally sufficient reasons for granting the rehearing or review pursuant to A.A.C.  
4 R4-15-401(C). The timely filing of a motion for rehearing or review shall stay the enforcement  
5 of the Board's Order. If a motion for rehearing or review is not filed, the Board's Order becomes  
6 effective thirty-five (35) days after it is mailed, unless pursuant to A.A.C. R4-15-401(F), the  
7 Board has expressly found good cause to believe that this Order shall be effective immediately.  
8 upon the issuance and has so stated in this Order.

9 Dated and signed this 27<sup>th</sup> day of November, 2012.

10 ARIZONA BOARD OF MASSAGE THERAPY

11 By: Kathleen Phillips

12 Kathleen Phillips  
13 Deputy Director  
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15 ORIGINAL OF THE FOREGOING FILED  
16 this 27<sup>th</sup> day of November, 2012 with the:

17  
18 Arizona State Board of Massage Therapy  
19 1400 West Washington, Suite 300  
20 Phoenix, AZ 85007  
21

22 EXECUTED COPY OF THE FOREGOING MAILED  
23 BY CERTIFIED & REGULAR FIRST-CLASS MAIL  
24 this 27<sup>th</sup> day of November, 2012, to:

25  
26 Vanessa Odom  
27 1743 E. Constitution Drive  
28 Chandler, Arizona 85225  
29 Respondent  
30

31 COPY OF THE FOREGOING MAILED  
32 this 27<sup>th</sup> day of November, 2012, to:

33  
34 Christopher Munns  
35 Assistant Attorney General  
36 1275 W. Washington Street, CIV/SGO  
37 Phoenix, Arizona 85007

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Elizabeth Campbell  
Assistant Attorney General  
1275 W. Washington Street, CIV/LES  
Phoenix, Arizona 85007

Notifications/Mailings completed by Kathleen Phillips \_\_\_\_\_

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