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7 Attorneys for the Arizona Board of Massage Therapy

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

9
10 In the Matter of

11 **KERRY PARISI,**
12 Holder of License No. MT-06713
As a Massage Therapist
13 In the State of Arizona

Board Case No. 11-108

**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 Board of
17 Massage Therapy ("Board") under A.R.S. § 32-4201, *et. seq.*, Kerry Parisi
18 ("Respondent"), holder of Massage Therapist License Number MT-06713 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.

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1 2. Respondent understands that she has a right to a public administrative
2 hearing concerning this matter at which hearing she 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 her.

11 5. Respondent understands this Consent Agreement deals with Board Case
12 No. 11-108 involving allegations of unprofessional conduct against Respondent. The
13 investigation into these allegations against Respondent shall be concluded upon the
14 Board's adoption of this Consent Agreement.

15 6. Respondent understands that this Consent Agreement does not constitute a
16 dismissal or resolution of any other matters currently pending before the Board, if any,
17 and does not constitute any waiver, express or implied, of the Board's statutory authority
18 or jurisdiction regarding any other pending or 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, she may not
25 revoke her acceptance of the Consent Agreement or make any modifications to the
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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. This Consent Agreement is subject to the approval of the Board and is
5 effective only when accepted by the Board and signed by the Executive Director. In the
6 event that the Board does not approve this Consent Agreement, it is withdrawn and shall
7 be of no evidentiary value and shall not be relied upon nor introduced in any action by
8 any party, except that the parties agree that should the Board reject this Consent
9 Agreement and this case proceeds to hearing, Respondent shall assert no claim that the
10 Board was prejudiced by its review and discussion of this document or any records
11 relating thereto.

12 10. If a court of competent jurisdiction rules that any part of this Consent
13 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
14 shall remain in full force and effect.

15 11. Respondent understands that this Consent Agreement is a public record that
16 may be publicly disseminated as a formal action of the Board and may be reported as
17 required by law to the National Practitioner Data Bank and the Healthcare Integrity and
18 Protection Data Bank.

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

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22 ACCEPTED AND AGREED BY RESPONDENT

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25 Kerry Parisi

26 Dated: 6.21.11

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FINDINGS OF FACT

1. The Board is the duly constituted authority for licensing and regulating
message therapists in the State of Arizona.

2. On May 4, 2011, Respondent was convicted of facilitation to commit
illegal control of an enterprise, a misdemeanor, in Maricopa County Superior Court Case
No. CR2011-005314-013.

3. Respondent's conviction constitutes grounds for discipline under A.R.S. §
32-4253(A)(4) (Being convicted of a felony or other offense involving moral turpitude or
any 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).

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CONCLUSIONS OF LAW

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

2. The Board possesses statutory authority to enter into a consent agreement
with a massage therapist and accept the surrender of an active license from a massage
therapist who admits to having committed an act which would subject her to discipline
under the Board's statutes or rules. A.R.S. § 32-4254(N)(2).

ORDER


IT IS HEREBY ORDERED THAT License Number MT-06713 issued to Kerry
Parisi to practice as a massage therapist in the State of Arizona is hereby surrendered.

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1 DATED and effective this 25 day of July, 2011.

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3 ARIZONA BOARD OF MASSAGE THERAPY

4 SEAL

5 
6 Craig Runbeck, N.D.
Executive Director

7 ORIGINAL OF THE FORGOING FILED
8 this 25th day of July, 2011, with:

9 Arizona Board of Massage Therapy
10 1400 West Washington, Suite 300
Phoenix, Arizona 85007

11 EXECUTED COPY OF THE FOREGOING MAILED
12 BY CERTIFIED MAIL
this 25th day of July, 2011, to:

13 Kerry Parisi
14 6025 E. Anaheim St.
Mesa, Arizona 85205
Respondent

15 EXECUTED COPY OF THE FOREGOING MAILED
16 this 25th day of July, 2011, to:

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

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20 _____
#2011887