

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

In the Matter of:

MONIQUE RACHELLE POOLE
Holder of License No. **MT-14419**

BOARD CASE NO. 18-102

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

DECISION AND ORDER

RESPONDENT

On February 26, 2018, 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. Monique Rachelle Poole, LMT, (“Respondent”) did not appear. Assistant Attorney General, Mary DeLaat Williams, 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 October 6, 2016, Respondent pled guilty to Aggravated DUI-Third in case number CR2016-114188.
2. On April 12, 2016, the National Certification Board for Therapeutic Massage and Bodywork (“NCBTMB “) revoked Respondent’s certification.
3. Respondent did not notify the Board regarding the October 6, 2016, charges or conviction.
4. Respondent was previously convicted of DUIs on December 21, 2006 (Illinois), May 17, 2011, and August 6, 2013, as well as Disorderly Conduct on February 18, 2011.

1 **CONCLUSIONS OF LAW**

2 1. The conduct and circumstances described above constitute grounds for discipline
3 pursuant to A.R.S. § 32-4253(A)(1) (failing to maintain the requirements for an original license
4 under A.R.S. § 32-4222(A)).

5 2. The conduct and circumstances described above constitute grounds for discipline
6 pursuant to A.R.S. § 32-4253(A)(6) (engaging in any act or practice in violation of this chapter or
7 any board rule).

8 3. The conduct and circumstances described above constitute grounds for discipline
9 pursuant to A.R.S. § 32-4253(A)(10) (engaging in conduct that could result in harm to the public).

10 4. The conduct and circumstances described above constitute grounds for discipline
11 pursuant to A.R.S. § 32-4253(A)(16) (failing to adhere to the recognized standards and ethics of
12 the massage therapy profession).

13 5. The conduct and circumstances described above constitute grounds for discipline
14 pursuant to A.R.S. § 32-3208 (requiring health professionals to disclose certain felony charges to
15 the Board within ten days)

16 6. The conduct and circumstances described above constitute grounds for discipline
17 pursuant to A.R.S. § 32-4253(A)(3) (using alcohol to the extent that it affects professional
18 competency).

19 **ORDER**

20 Based on the foregoing, the Board **REVOKES** the Respondent’s massage therapy license
21 no. MT-14419.

22 **NOTICE OF APPEAL RIGHTS**

23 Respondent is hereby notified that she has the right to petition for a rehearing or review by
24 filing a petition with the Board's Executive Director within thirty (30) days after service of this
25 Order. A.R.S. § 41-1092.09. The petition must set forth legally sufficient reasons for granting a
26 rehearing. A.A.C. R4-15-401(C). Service of this Order is effective on the date of personal delivery

1 or five days after the date of mailing. If a motion for rehearing is not filed, the Board's Order
2 becomes effective thirty (30) days after it is mailed to the Respondent. Respondent is further
3 notified that the filing of a motion for rehearing is required to preserve any rights of appeal to the
4 Superior Court.

5 DATED this 7th day of March, 2018

6 ARIZONA STATE BOARD OF MASSAGE THERAPY

7 By: 
8 Ryan P. Edmonson, Executive Director

9 Original Decision and Order
10 filed this 7th day of March 2018 with the:

11 Arizona State Board of Massage Therapy
12 1740 West Adams Street, Suite 3401
13 Phoenix, Arizona 85007

14 Copy of the foregoing sent via
15 Regular and Electronic mail this
16 7th day of March 2018 to:

17 Monique Rachelle Poole
18 7667 West Meadowbrook Avenue
19 Phoenix, Arizona 85033
20 moniquerachel1@yahoo.com

21 Copy of the foregoing sent via
22 Electronic mail this 7th day of March 2018 to:

23 Michael Raine, Assistant Attorney General
24 Office of Arizona Attorney General – SGD/LES
25 2005 North Central Avenue
26 Phoenix, Arizona 85067
michael.raine@azag.gov

Mary DeLaat Williams
Licensing & Enforcement Section
Office of the Attorney General - SGD/LES
2005 North Central Avenue
Phoenix, Arizona 85067
maryd.williams@azag.gov

By: 