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

9 In the Matter of

10
11 **JORDAN A. SELETSTEWA,**
12 Applicant for Licensure as a
13 Massage Therapist in the
State of Arizona

**CONSENT AGREEMENT FOR
LICENSURE WITH PROBATION**

14 **CONSENT AGREEMENT**

15 As Jordan Seletstewa ("Applicant") has made application to the Arizona State
16 Board of Massage Therapy (the "Board") for licensure as a massage therapist and,
17 consistent with the public interest, statutory requirements and the responsibilities of the
18 Board under A.R.S. § 32-4201, *et. seq.*, the Board and Applicant enter into the following
19 Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") for
20 licensure with suspension and probation.
21

22 **RECITALS**

23 1. Applicant 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. Applicant understands that he has a right to a public administrative hearing
2 concerning this matter, at which hearing he could present evidence and cross examine
3 witnesses. By entering into this Consent Agreement, Applicant knowingly and
4 voluntarily relinquishes all right to an administrative hearing, as well as all rights of
5 rehearing, review, reconsideration, appeal, judicial review or any other administrative
6 and/or judicial action, concerning the matters set forth herein.

7 3. Applicant affirmatively agrees that this Consent Agreement shall be
8 irrevocable.

9 4. Applicant acknowledges and agrees that, upon signing this Consent
10 Agreement and returning this document to the Board's Executive Director, he may not
11 revoke his acceptance of the Consent Agreement or make any modifications to the
12 document regardless of whether the Consent Agreement has been signed by the
13 Executive Director. Any modification to this original document is ineffective and void
14 unless mutually agreed by Applicant and the Board in writing.

15 5. Applicant understands that the Consent Agreement shall not become
16 effective unless and until signed by the Board's Executive Director on behalf of the
17 Board.

18 6. This Consent Agreement is subject to the approval of the Board and is
19 effective only when accepted by the Board and signed by the Executive Director. In the
20 event that the Board does not approve this Consent Agreement, it is withdrawn and shall
21 be of no evidentiary value and shall not be relied upon nor introduced in any action by
22 any party, except that the parties agree that should the Board reject this Consent
23 Agreement and this case proceeds to hearing, Applicant shall assert no claim that the
24 Board was prejudiced by its review and discussion of this document or any records
25 relating thereto.

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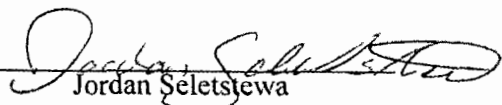
1 7. If a court of competent jurisdiction rules that any part of this Consent
2 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
3 shall remain in full force and effect.

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

8 9. Applicant understands that any violation of this Consent Agreement may
9 result in disciplinary action. A.R.S. § 32-4253(A)(23).

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

12 ACCEPTED AND AGREED BY JORDAN SELETSTEWA

13
14 
15 Jordan Seletstewa

Dated: 2/13/14

16
17 **FINDINGS OF FACT**

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

20 2. At its February 3, 2014 meeting, the Board considered Applicant's
21 application for licensure as a massage therapist in the State of Arizona.

22 3. Applicant was convicted of two counts of Theft, both Class 6 Designated
23 Felonies, on February 24, 2010.

24 4. Being convicted of a felony is grounds for disciplinary action and denial of
25 licensure. A.R.S. §§ 32-4222(G) and -4253(A)(4).
26

1 CONCLUSIONS OF LAW

2 1. The Board possesses jurisdiction over the subject matter and over
3 Applicant pursuant to A.R.S. § 32-1901 *et seq.*

4 2. The Board, having heard the statements made by Applicant, finds that
5 Applicant currently meets the requirements for licensure under A.R.S. § 32-4222, subject
6 to the terms of this Consent Agreement.

7 ORDER

8 Based upon the above Findings of Fact and Conclusions of Law, IT IS HEREBY
9 ORDERED AS FOLLOWS:

10 1. Subject to the terms of this Order, Applicant is hereby issued a license to
11 practice massage therapy in Arizona.

12 2. Applicant's license is immediately placed on PROBATION for one (1)
13 year.

14 3. During the term of PROBATION, Applicant shall successfully complete
15 and provide proof of successful completion of 6 hours of Continuing Education ("CE") in
16 ethics. These CE hours shall be in addition to the hours required for the renewal of
17 Applicant's license and must be pre-approved by Board staff.

18 4. Throughout the term of Applicant's suspension and probation, Applicant
19 shall personally appear before the Board when requested to do so by the Board or Board
20 staff.

21 5. Applicant shall obey all federal and state laws and rules governing the
22 practice of Massage Therapists.

23 6. One (1) year after the beginning of Applicant's probationary period,
24 Applicant shall request in writing that the Board terminate the probation. Applicant's
25 request for termination will be considered at a regularly scheduled Board meeting.
26

1 Applicant is required to personally appear at that Board meeting. Applicant's
2 probationary period will continue until Applicant's request for termination is received
3 and the Board terminates the probation.

4 7. Applicant shall pay all costs associated with complying with this Consent
5 Agreement, including specifically the costs of the CE.

6 8. If Applicant violates this Order in any way or fails to fulfill the
7 requirements of this Order, the Board, after giving notice and the opportunity to be heard,
8 may revoke, suspend or take other disciplinary actions against the license. The issue at
9 such a hearing will be limited solely to whether this Order has been violated.

10 DATED this 30th day of February 2014.

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ARIZONA STATE BOARD OF MASSAGE
THERAPY

By: Kathleen Phillips
KATHLEEN PHILLIPS,
Executive Director

1 ORIGINAL OF THE FORGOING FILED
this 20th day of February, 2014, with:

2 Arizona State Board of Massage Therapy
3 1400 West Washington, Suite 300
Phoenix, Arizona 85007

4 EXECUTED COPY OF THE FOREGOING MAILED
5 this 20th day of February, 2014, to:

6 Jordan Seletstewa
Address of Record

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

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11 #3486603

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