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

In the Matter of

ZHONG HUI WANG, LMT

Holder of License No. MT-16220
As a Massage Therapist
In the State of Arizona

Board Case No. 18-104

**CONSENT AGREEMENT
(SUSPENSION/PROBATION)**

In the interest of a prompt and judicious settlement of this case, consistent with the public interest, statutory requirements and the responsibilities of the Arizona State Board of Massage Therapy ("Board") under A.R.S. § 32-4201, *et. seq.*, Zhong Hui Wang ("Respondent"), holder of Massage Therapist License Number MT-16220 in the State of Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final disposition of this matter.

RECITALS

1. Respondent has read and understands this Consent Agreement and has had the opportunity to discuss this Consent Agreement with an attorney, or has waived the opportunity to discuss this Consent Agreement with an attorney.

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

1 3. Respondent affirmatively agrees that this Consent Agreement shall be
2 irrevocable.

3 4. Respondent understands that this Consent Agreement or any part of the
4 agreement may be considered in any future disciplinary action by the Board.

5 5. Respondent understands this Consent Agreement deals with Board case
6 number 18-104 involving allegations that Respondent engaged in conduct that would
7 subject her to discipline under the Board's statutes and rules. The investigation into these
8 allegations against Respondent shall be concluded upon the Board's adoption of this
9 Consent Agreement.

10 6. Respondent understands that this Consent Agreement does not constitute a
11 dismissal or resolution of any other matters currently pending before the Board, if any,
12 and does not constitute any waiver, express or implied, of the Board's statutory authority
13 or jurisdiction regarding any other pending or future investigation, action or proceeding.

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

18 8. Respondent acknowledges and agrees that, upon signing this Consent
19 Agreement and returning this document to the Board's Executive Director, Respondent
20 may not revoke acceptance of the Consent Agreement or make any modifications to the
21 document regardless of whether the Consent Agreement has been signed by the
22 Executive Director. Any modification to this original document is ineffective and void
23 unless mutually agreed by the parties in writing.

24 9. This Consent Agreement is effective only when signed by the Executive
25 Director on behalf of the Board.

26

1 10. 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 11. Respondent 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 or other such databases.

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

9
10 ACCEPTED AND AGREED BY RESPONDENT

11
12 

13 Zhong Hui Wang

Dated: 02-19-18

14 **FINDINGS OF FACT**

15 1. On July 13, 2017, Respondent provided massage therapy services to client
16 RG, a female, at H R Foot Massage in Tucson, Arizona.

17 2. Respondent had provided RG with massages on multiple occasions prior to
18 July 13, 2017.

19 3. Without prior, signed, written consent, Respondent massaged RG's breasts.

20 4. Subsequent to the massage, Respondent presented RG with a consent form
21 for the breast exam, which Respondent signed.

22 **CONCLUSIONS OF LAW**

23 1. The conduct and circumstances described above in Factual Allegations
24 constitute grounds for discipline pursuant to A.R.S. § 32-4253(A)(6) (engaging in any act
25 or practice in violation of this chapter or any board rule).

- 1 (4) Respondent shall obey all federal and state laws and rules governing the
- 2 practice of Massage Therapists.
- 3 (5) Respondent shall pay all costs associated with complying with this Consent
- 4 Agreement.
- 5 (6) If Respondent violates this Order in any way or fails to fulfill the requirements
- 6 of this Order, the Board, after giving the Respondent notice and the
- 7 opportunity to be heard, may revoke, suspend or take other disciplinary actions
- 8 against Respondent's license. The issue at such a hearing will be limited solely
- 9 to whether this Order has been violated.

10 IT IS FURTHER ORDERED that Respondent may apply for early termination of
11 his suspension once he has completed his continuing education probationary
12 requirements. Respondent must make a written request to the Board for early termination
13 and must appear before the Board in person when it considers his request.

14 DATED this 26th day of February, 2018.

15 ARIZONA STATE BOARD OF MASSAGE
16 THERAPY

16 (Seal)

17 By: 
18 RYAN EDMONSON
19 Executive Director

19 ORIGINAL OF THE FORGOING FILED
20 this 26th day of February, 2018, with:

21 Arizona Board of Massage Therapy
22 1740 W. Adams St., 3rd Floor
23 Phoenix, Arizona 85004

23 COPY OF THE FOREGOING MAILED
24 REGULAR FIRST-CLASS MAIL
25 this 26th day of February, 2018, to:

1 Zhong Hui Wang
2 4193 E. Wading Pond Drive
3 Tucson, AZ 85712

3 Ron Reyna
4 2730 E. Broadway Blvd., Suite 130
5 Tucson, AZ 85716
6 ron@reynalawfirm.com
7 lady@reynalawfirm.com

8 By:  _____

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