

STATE OF IOWA

BEFORE THE IOWA BOARD OF EXAMINERS FOR MASSAGE THERAPY

IN THE MATTER OF THE	*	
APPLICATION FOR LICENSURE OF:	*	AGREEMENT AND
	*	CONSENT ORDER
	*	
Shanel Niedert	*	
APPLICANT	*	

The Iowa Board of Examiners for Massage Therapy (Board) and Shanel Niedert (Applicant) enter into this Agreement and Consent Order (Agreement) pursuant to Iowa Code sections 17A.10, 152C.3, and 272C.3 (2003).

1. On May 23, 2006, Applicant made application for a license to practice massage therapy.

2. As a part of her application for licensure, the applicant marked yes to question number 10 relating to having ever been convicted, found guilty of or entered a plea of guilty or no contest to a felony or misdemeanor crime. This Agreement shall resolve any pending investigation regarding that matter.

3. Any failure by Respondent to comply with the terms and conditions of this Agreement may subject Respondent to licensee disciplinary action which could be initiated by the Board through the filing of a statement of charges with a hearing to be held on the merits.

4. This Agreement is subject to approval by the Board:

a. If the Board fails to approve this Agreement it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter;

b. If the Board approves this Agreement, it shall fully dispose of all issues in this matter.

5. This Agreement is a public record available for copying and inspection pursuant to Iowa Code chapters 22 (2003) and 272C.

IT IS THEREFORE ORDERED:

6. Upon approval of this Agreement by the Board, Applicant shall be granted a massage therapy license subject to compliance with the terms of this agreement. The execution date is that date which accompanies the Board Chairperson or designee's signature. The applicant shall comply with the following terms:

- a. Applicant shall fully comply with all relevant statutes and administrative rules in the course of her practice as a licensed massage therapist including compliance with all license renewal and continuing education requirements;
- b. Within six (6) months of the execution of this Agreement, Applicant shall complete at least one continuing education course in ethics. Applicant must submit to the Board an official certificate of completion or signed letter from the program sponsor verifying that Ms. Niedert has taken and completed the required continuing education course. The certificate of completion or signed letter shall include the name of the course and course hours.
- c. In the event the Applicant violates or fails to comply with any of the terms or provisions of this Consent Agreement, the Board may initiate appropriate action to revoke or suspend the applicant's license or to impose on this licensee discipline as authorized in Iowa Code sections 272C.4, 5, 10 (1997) and administrative rules 645 IAC 134.
- d. This Consent Agreement is voluntarily submitted by the applicant to the Board for consideration.
- e. This consent agreement is a public record available for inspection and copying in accordance with Iowa Code section 272C.3(4).
- f. This Agreement is subject to approval by the Board. If the Board fails to approve this Agreement, it shall be of no force or effect on either party.

WHEREFORE, the terms of this consent agreement are agreed to and this settlement is entered into by the Iowa Board of Examiners for Massage Therapy and the Applicant.

This agreement and consent order is approved by the board on December 20, 2006.