

STATE OF IOWA

BEFORE THE IOWA BOARD OF EXAMINERS FOR MASSAGE THERAPY

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IN THE MATTER OF THE	*	
APPLICATION FOR LICENSURE OF:	*	AGREEMENT AND
	*	CONSENT ORDER
	*	
COLLIN WIRT	*	
APPLICANT	*	

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

1. On November 3, 2005, Applicant made application for a license to practice massage therapy.
2. As a part of his application for licensure, the applicant marked yes to question number 10 relating to a felony or misdemeanor crime. The offences in question were misdemeanors. 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 a period of probation to end upon completion of compliance with the terms of this agreement. The probationary period shall commence on the execution date of this Agreement. The execution date is that date which accompanies the Board Chairperson or designee's signature. During the probationary period, applicant shall comply with the following terms:

a. Applicant shall fully comply with all relevant statutes and administrative rules in the course of his 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 three (3) contact hours of counseling with a licensed social worker, psychologist, marital or family therapist, mental health counselor or psychiatrist in the area of anger management. Applicant must submit to the Board a letter from the counselor who has provided the anger management counseling services stating that Mr. Wirt has received three contact hours of anger management counseling services, date of services and the counselor's original signature as proof of Mr. Wirt's complying with this requirement.

c. Within fifteen (15) days of the execution of this Agreement and on a quarterly basis thereafter, Applicant shall notify the Board in writing as to the status of his employment as a massage therapist in the state of Iowa. All written notifications required by this provision shall include:

(1). The period of time covered by the report;

(2). The name and address of Applicant's places of employment as a massage therapist including any business or establishment owned or operated by Applicant;

(3). Applicant's date of hire as a massage therapist, and, if applicable, the date his employment terminated.

d. Applicant shall notify the Board within 15 days of the termination, either voluntarily or involuntarily, of his employment as a massage therapist in the state of Iowa. Failure by Applicant to timely and truthfully notify the Board of his current employment status shall constitute a violation of this Agreement.

e. 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.

f. Upon full compliance with the terms and conditions set forth in this Consent Agreement and upon expiration of the period of probation, applicant's license shall be restored to its full privileges free and clear of the terms of probation.

g. This Consent Agreement is voluntarily submitted by the applicant to the Board for consideration.

h. This consent agreement is a public record available for inspection and copying in accordance with Iowa Code section 272C.3(4).

i. 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 January 6, 2006.**