

BEFORE THE IOWA BOARD OF MASSAGE THERAPY

IN THE MATTER OF THE STATEMENT) No. 09-006
OF CHARGES AGAINST)
)
Scott Carlson,)
License No. 02940) **SETTLEMENT AGREEMENT**
) **AND FINAL ORDER**
Respondent.)

COMES NOW the Iowa Board of Massage Therapy (the Board) and Scott Carlson (“Respondent”), and pursuant to Iowa Code sections 17A.10 and 272C.3(4), enter into the following Settlement Agreement and Final Order of the contested case currently on file against the Respondent:

1. On April 5, 2002, the Board issued Respondent Iowa Massage Therapy License No.02940. Respondent’s license is active.
2. A Notice of Hearing and Statement of Charges was filed against the Respondent on June 2, 2009. A contested case hearing in this matter is scheduled for September 1, 2009.
3. The Board has jurisdiction over the parties and subject matter of the Notice of Hearing and Statement of Charges.
4. Execution of this Settlement Agreement and Final Order constitutes the resolution of this contested case. Respondent has a right to a hearing on the charges, but waives the right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily agreeing to this Settlement Agreement and Final Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following contested case hearing.
5. Respondent is freely and voluntarily entering into this Settlement Agreement and Final Order and agrees that the State’s counsel may present this agreement to the Board.

6. This agreement is subject to approval of the Board. If the Board approves this agreement, it becomes the final disposition of this matter. If the Board fails to approve this agreement, it shall be of no force or effect to either party.

7. This agreement shall be part of Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

8. This Settlement Agreement and Final Order is a public record available for inspection and copying upon execution in accordance with the requirements of Iowa Code Chapter 22 and 272C. The Notice of Hearing is also a public record that became available for inspection and copying the date it was filed in accordance with the requirements of Chapters 17A, 22, and 272C.

IT IS THEREFORE ORDERED:

9. Respondent admits to the allegations contained in Counts I through IV of the Statement of Charges.

10. Respondent will complete twelve (12) hours of continuing education applicable to massage therapy that fit into Category A as described in 645 Iowa Administrative Code section 133.3(2)(a) and one hour of ethics continuing education within six months from issuance of this order. These hours of continuing education may not be used for future license renewal or in satisfaction of any other settlement agreement obligation.

11. Respondent must submit course completion certificates to the Board within six months of the issuance of this order.

12. The Board or its designee may verify Respondent's compliance with the provisions of this Order through an examination of Board records or by conducting unannounced

inspections and investigations of the Respondent.

13. Respondent agrees to comply with all laws and rules regarding massage therapy and recognizes that any future violation of applicable rules or statutes may subject the Respondent to further disciplinary action by the Board, including suspension or revocation of Respondent's license.

14. Any failure by Respondent to comply with the terms and conditions of this Order may subject the Respondent to further disciplinary action by the Board, including suspension or revocation of Respondent's licenses.

15. The Board's approval of this agreement shall constitute a **FINAL ORDER** of the Board.

AGREED AND ACCEPTED:

This settlement agreement and final order is approved by the board on November 4, 2009.