

BEFORE THE BOARD OF MASSAGE THERAPY
OF THE STATE OF IOWA

IN THE MATTER OF)	Case No.: MT 12-005
)	
DAVID NORTH)	ORDER IMPOSING
RESPONDENT.)	CIVIL PENALTY

COMES NOW the Board of Massage Therapy of the State of Iowa (“Board”) and states as follows:

1. Respondent David North is an individual residing in the State of Iowa.
2. Respondent performed massage therapy as it is defined by Iowa Code section 152C.1(3) (2013).
3. Respondent acknowledged practicing Shiatsu massage and other forms of massage in the Atlantic News Telegraph.
4. Respondent is not licensed to provide massage therapy pursuant to Iowa Code chapter 152C.
5. Only persons qualified by the laws of Iowa and licensed pursuant to Iowa Code chapter 152C may provide massage therapy for compensation.
6. The practice of “massage therapy” includes the performance for compensation of massage, myotherapy, massotherapy, bodywork, bodywork therapy, or therapeutic massage including hydrotherapy, superficial hot and cold applications, vibration and topical applications, or other therapy which involves manipulation of the muscle and connective tissue of the body, excluding osseous tissue, to treat the muscle tonus system for the purpose of enhancing health, muscle relaxation, increasing range of motion, reducing stress, relieving pain, or improving circulation. Iowa Code § 152C.1(3).

7. Respondent violated Iowa Code section 152C.5 by practicing massage therapy without a valid license.

8. As authorized by Iowa Code section 152C.4, the Board may, by order, impose a civil penalty upon a person who practices as a massage therapist without a license in an amount not to exceed \$1,000 for each offense. Each day of continued violation after an order by the Board constitutes a separate offense, with a maximum penalty of \$10,000.

9. The Board sent a Notice of Possible Action and Opportunity for Hearing to Respondent dated December 4, 2012. Respondent did not request a hearing on the matter.

IT IS THEREFORE ORDERED that Respondent shall be assessed a civil penalty in the amount of \$1,000. This civil penalty shall be paid within thirty (30) days of the Board's approval of this Order, and shall be made payable to the Treasurer of Iowa and mailed to the Board Executive Pierce Wilson, Bureau of Professional Licensure, Lucas State Office Building 5th Floor, 321 E. 12th, Des Moines, Iowa 50319-0075. All civil penalty payments shall be deposited into the State of Iowa general fund.

If the civil penalty is imposed and not paid within thirty (30) days of entry of this Order, the Board shall notify the Attorney General and the Attorney General may commence an action to recover the amount of the penalty, including reasonable attorney fees and costs, or the matter may be sent to the State's offset program.

Dated this 1st day of July, 2013

IOWA BOARD OF MASSAGE THERAPY



Jill Ellsworth, Chairperson
Iowa Board of Massage Therapy
Lucas State Office Building, 5th Floor
321 East 12th Street
Des Moines, Iowa 50319-0075

Copy to:

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