BEFORE THE IOWA BOARD OF MASSAGE THERAPY OF THE STATE OF IOWA

In the Matter of)	CASE NO. MT 11-022
CARLA DACON)	COMBINED STATEMENT OF
License No. 03960)	CHARGES, INFORMAL
)	SETTLEMENT AGREEMENT,
Respondent.)	AND CONSENT ORDER

The Iowa Board of Massage Therapy (Board) and Carla Dacon (Respondent), enter into this Combined Statement of Charges, Informal Settlement Agreement, and Consent Order (Agreement) pursuant to Iowa Code sections 17A.10(2), 272C.3(4), and chapter 645 Iowa Administrative Code 12.1.

- 1. The Board issued Respondent license number 03960 on June 7, 2005, to practice massage therapy in the State of Iowa. Respondent's license is currently active and expires June 15, 2013.
- 2. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 152C, and 272C. Licenses issued by the Board are subject to the laws of the State of Iowa and the administrative rules promulgated by the Board. Method of disciplines is stated at 645 IAC chapter 134.3.

STATEMENT OF CHARGES

Count I

3. Respondent is charged pursuant to Iowa Code section 147.55(9) (2011) with violating 645 Iowa Administrative Code rule 134.2(21) for failing to meet the continuing education requirement for licensure.

FACTUAL CIRCUMSTANCES

4. Respondent failed a continuing education audit.

SETTLEMENT AGREEMENT

- 5. Respondent has a right to receive notice of the charge and to request a hearing before the Board on the merits of the charge, but waives her right to notice and a hearing and all attendant rights, including the right to appeal or seek judicial review of the Board's actions, by freely and voluntarily entering into this Agreement. This Agreement shall constitute the final order of the Board in this case.
- 6. Respondent is freely and voluntarily entering into this Agreement.

 Respondent agrees that the State's counsel may present this agreement to the Board and may have *ex parte* communications with the Board while presenting it.
- 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. In the event Respondent violates or fails to comply with any of the terms of this Agreement, the Board may impose other licensee discipline in accordance with Iowa Code section 147.55(9).
- 9. This Agreement is subject to approval by the Board. If the Board does not 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.
 - 10. This Agreement is a public record.
- 11. This Agreement shall not be binding as to any new complaints received by the Board.

CONSENT ORDER

IT IS THEREFORE ORDERED:

12. Respondent is hereby CITED for failing to met the continuing education requirements for licensure, and WARNED that her failure to comply with the law governing the practice of massage therapy in Iowa could result in further discipline against her Iowa massage therapy license, including suspension or revocation.

WHEREFORE, the terms of this Statement of Charges Informal Settlement
Agreement, and Consent Order are agreed to and accepted by the Iowa Board of
Massage Therapy and Respondent.

Carla Dacon

CHAIRPERSON, IOWA BOARD OF MASSAGE THERAPY

Copies to:

Meghan Gavin Assistant Attorney General Iowa Attorney General's Office 2nd Floor Hoover Bldg. Des Moines, IA 50319 ATTORNEY FOR THE STATE

Carla Dacon 832 19th Street Rock Island, IL 61201 RESPONDENT