

IN THE MATTER OF

HEATHER ANN OSBORNE

CMT APPLICANT

CASE NO. 08-019M

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BEFORE THE MARYLAND
BOARD OF CHIROPRACTIC
EXAMINERS

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PRE-CHARGE CONSENT ORDER

Background

On March 27, 2008, the Maryland Board of Chiropractic Examiners (the "Board") received an application from Heather Ann Osborne (the "Respondent"). On Ms. Osborne's application, she failed to disclose that she had been sentenced to probation before judgment for possession of marijuana. Subsequently, the Board's conducting its own investigation of this matter. The Board had reason to believe that the Respondent should be issued a license and serve one year of probation.

In lieu of issuing Charges against the Respondent for violation of the Maryland Chiropractic Act, Md. Code Ann., Health Occ. §§ 3-101 *et seq.*, the Board has voted to enter into this Pre-Charge Consent Order with the Respondent as a resolution of this matter.

FINDINGS OF FACT

1. Ms. Osborne applied for a license to become a Certified Massage Therapist on or about March 27, 2008.
2. On July 3, 2007, Ms. Osborne was stopped by police officer in Anne Arundel County, Maryland. The officer conducted a search of Ms. Osborne's car and found marijuana and drug paraphernalia.
3. On September 12, 2007, Ms. Osborne received probation before judgment and was sentenced to one year of probation for driving under the influence. The charges relating to drug possession were placed on the "STET" docket.

4. Ms. Osborne will have completed all the terms of her probation on or about September 12, 2008.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent has violated Md. Code Ann., Health Occ. §§3-5A--09(11) and 3-5A--11(a).

ORDER

Based on an affirmative vote of a quorum of the Board, it is this 19th day of June, 2008, hereby:

ORDERED that the Respondent's license to practice massage therapy be issued and that the licensee serve twelve months of probation; and be it further

ORDERED that during this probationary period, the Respondent shall be tested randomly for illegal drugs at a time and manor chosen by the Board;

ORDERED that the Respondent shat practice in accordance with the laws and regulations governing the practice of Massage Therapy in Maryland; and be it further

ORDERED that the Respondent shall at all times cooperate with the Board and all treatment providers in the monitoring, supervision, and investigation of the Respondent's compliance with the terms and conditions of this Consent Order; and be it further,

ORDERED that the Respondent shall be responsible for all costs associated with this Consent Order; and be it further,

ORDERED that this is a formal order of the Maryland Board of Chiropractic Examiners and as such is a public document pursuant to the Maryland Annotated Code, State Government Article, Section 10-617(h).

JUN 19 2008

Date _____



Duane R. Sadula
Chair, Board of Chiropractic Examiners

CONSENT

1. By signing this Consent, I submit to the foregoing Consent Order as a resolution of this matter in lieu of formal charges, which process would have afforded me the right to a full evidentiary hearing. I consent and submit to the foregoing Findings of Fact, Conclusions of Law, and Order as if made after a full evidentiary hearing in which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and to all other substantive and procedural protections provided by law.
2. By signing this Consent, I waive any rights I may have had to contest the findings and determinations contained in this Consent Order.
3. I acknowledge the legal authority and the jurisdiction of the Board to enter and enforce this Consent Order.
4. I sign this Consent Order freely and voluntarily, after having had the opportunity to consult with counsel. I fully understand the language, meaning, and effect of this Consent Order.

6/14/2008
Date:

Heather Ann Osborne
Heather Ann Osborne, CMT Applicant

STATE OF MARYLAND
COUNTY/CITY OF Baltimore :

I hereby certify that on this 16th day of JUNE, 2008, before me, a Notary Public of the State of Maryland and County/City aforesaid, Heather Ann Osborne personally appeared and made an oath in due form that the foregoing Consent was her voluntary act and deed.

Dawn Corson

Notary Public

DAWN M. CORSON

My commission expires:

NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires September 10, 2011