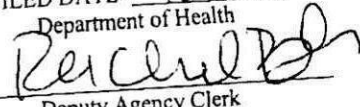


Final Order No. DOH-07-2778-01-MOA  
FILED DATE - 12/24/07  
Department of Health  
By:   
Deputy Agency Clerk

STATE OF FLORIDA  
BOARD OF MASSAGE THERAPY

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2004-27897  
License No.: MA 13944

ELHAM KHARABI-MOGHADDAM,

Respondent.

\_\_\_\_\_ /

**FINAL ORDER**

This matter appeared before the Board of Massage Therapy at a duly-noticed public meeting on October 25, 2007, in West Palm Beach, Florida, pursuant to Sections 120.569 and 120.57(1), Florida Statutes, for the purpose of considering the Administrative Law Judge's Recommended Order, a copy of which is attached hereto as Exhibit A, in the above-styled cause. At the hearing, Petitioner was represented by Allison Dudley, Assistant General Counsel, Department of Health. Respondent was represented by Louise R. Caro, Esquire.

Respondent filed Exceptions to the Recommended Order. A copy of those Exceptions is attached to and incorporated by reference. After reviewing the complete record accompanying the Recommended Order, the Recommended Order, the Exceptions, and being fully advised in the premises, the Board rejected all of the requested exceptions, finding for each exception that there is competent and substantial evidence to support the findings of fact in the Recommended Order.

**FINDINGS OF FACT**

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

2. There is competent substantial evidence to support the findings of fact.

### CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 480, Florida Statutes.
2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

### DISPOSITION

Upon a complete review of the record in this case, the Board determines that the disposition recommended by the Administrative Law Judge be ACCEPTED. WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED that:

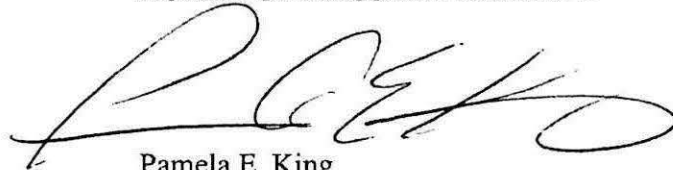
1. Respondent's license is hereby suspended for 6 months from the date of this Final Order. Further, Respondent must obtain a PRN evaluation and appear before the Board prior to reinstatement of his license.
2. Following the suspension, Respondent's license shall be on probation for 2 years subject to terms to be set by the Board at his required appearance.
3. Respondent shall pay an administrative fine in the amount of \$1,000.00 to the Board within 30 days of the date this Final Order is filed.
4. Respondent shall pay \$11,704.75 costs of investigation and prosecution to the Board, within 1 year of the date this Final Order is filed.
5. Respondent is hereby issued a reprimand.
6. Payment of fines and costs shall be made to the Board of Massage Therapy and mailed to, DOH-Client Services, P.O. Box 6320, Tallahassee, Florida 32314-6320, Attention: Massage

Therapy Compliance Officer.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

**DONE AND ORDERED** this 21<sup>st</sup> day of December, 2007.

BOARD OF MASSAGE THERAPY

A large, stylized handwritten signature in black ink, appearing to read 'P. King'.

Pamela E. King  
Executive Director *on behalf of*  
Dave Quiring, CHAIR

**NOTICE OF APPEAL RIGHTS**

PURSUANT TO SECTION 120.68 FLORIDA STATUTES, A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW UNLESS WAIVED. PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF THE NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEALS, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to Elham Kharabi-Moghaddam, 2809 Bird avenue, Suite 1A, Cocnut grove, Florida 33133; and Louise R. Caro, Esquire, 3683 Avocado Avenue, Coconut Grove, Florida 33133; by interoffice mail to Daniel Biggins, Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; to S.J. DiConcilio, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-3265 this 24 day of December, 2007.

*Kellee Dawkins*

**Deputy Agency Clerk**