

FILED DATE **MAY 11 2018**

Department of Health

By: *Angela Sanders*
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF MASSAGE THERAPY

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2016-28331
DOAH CASE NO.: 17-2964P
LICENSE NO.: MA 63779

JORGE L. PRUNEDA,

Respondent.

FILED
2018 MAY 14 PM 3:07
DIVISION OF ADMINISTRATIVE HEARINGS

FINAL ORDER

THIS CAUSE came before the BOARD OF MASSAGE THERAPY (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on April 19, 2018, in Tallahassee, Florida, 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. Petitioner was represented by Raj Misra, Assistant General Counsel. Respondent was not present.

Upon review of the Recommended Order, the argument of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions.

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 464, Florida Statutes.

2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

PENALTY

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

The license of JORGE L. PRUNEDA is REVOKED.

The licensee must pay an administrative fine of \$3,500.00 within 90 days of the date this Final Order is filed. Payment shall be made to the Board of Massage Therapy and mailed to, DOH-Compliance Management Unit, 4052 Bald Cypress Way, Bin C-76 Tallahassee, Florida 32399-3276, Attention: Massage Therapy Compliance Officer. Payment must be made by cashier's check or money order ONLY. Personal checks will not be accepted.

RULING ON MOTION TO ASSESS COSTS

The Board granted Petitioner's motion to bifurcate the assessment of investigative costs in this matter, and retains jurisdiction to assess those costs.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

