

SEP 16 2019

BY: _____

BEFORE THE STATE OF ARIZONA BOARD OF ATHLETIC TRAINING

In the Matter of:

Board Case No.: 2018-AT-0010

JACOB TAFOYA,
Holder of License No. ATR-000648
As an Athletic Trainer
In the State of Arizona,

**CONSENT AGREEMENT FOR
VOLUNTARY SURRENDER**

CONSENT AGREEMENT

In the interest of prompt and judicious settlement of this case, and consistent with the public interest, statutory requirements and responsibilities of the Arizona State Board of Athletic Training ("Board") pursuant to A.R.S. § 32-4101, *et. seq.*, and Jacob Tafoya, ("Respondent"), holder of Athletic Trainer's License No. ATR-000648 in the State of Arizona, and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement" or "Order") as the final disposition of this matter.

RECITALS

1. Respondent has read and understands this Consent Agreement and has had the opportunity to discuss this Consent Agreement with an attorney or has waived the opportunity to discuss this Consent Agreement with an attorney.

2. Respondent understands that he has a right to a public administrative hearing concerning this matter, at which hearing he could present evidence and cross-examine witnesses. By entering into this Consent Agreement, Respondent knowingly and voluntarily relinquishes all right to such an administrative hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or any other administrative and/or judicial action, concerning the matters set forth herein.

1 3. Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.
2 Respondent understands that this Consent Agreement or any part of the agreement may
3 be considered in any future disciplinary action by the Board.

4 4. Respondent understands that this Consent Agreement does not constitute a
5 dismissal or resolution of any other matters currently pending before the Board, if any,
6 and does not constitute any waiver, express or implied, of the Board's statutory authority
7 or jurisdiction regarding any other pending or future investigation, action or proceeding.

8 5. All admissions made by Respondent in this Consent Agreement are made
9 solely for the final disposition of this matter, and any related administrative proceedings
10 or civil litigation involving the Board and Respondent. Therefore, any admissions made
11 by Respondent in this Consent Agreement are not intended for any other use, such as in
12 the context of another regulatory agency's proceedings, or civil or criminal proceedings,
13 whether in the State of Arizona or in any other state or federal court.

14 6. While Respondent neither admits nor denies the following Findings of Fact and
15 Conclusions of Law, Respondent acknowledges that, should this matter proceed to
16 hearing, the Board would be able to establish by a preponderance of the evidence that
17 Respondent engaged in conduct which would subject him to discipline under the Board's
18 statutes or rules. Therefore, Respondent has agreed to enter into this Consent Agreement
19 as an economical and practical means of resolving this case.

20 7. Respondent acknowledges and agrees that, upon signing this Consent Agreement
21 and returning this document to the Board's Executive Director, he may not revoke his
22 acceptance of the Consent Agreement or make any modifications to the document
23 regardless of whether the Consent Agreement has been signed by the Executive Director.
24 Any modification to this original document is ineffective and void unless mutually agreed
25 by the parties in writing.

26 8. This Consent Agreement becomes effective when it is signed by the Executive

1 Director on behalf of the Board.

2 9. Respondent shall assert no claim that the Board or its legal representative was
3 prejudiced by its review and discussion of this document or any records relating thereto,
4 if this matter proceeds to a formal administrative hearing.

5 10. If a court of competent jurisdiction rules that any part of this Consent Agreement
6 is void or otherwise unenforceable, the remainder of the Consent Agreement shall remain
7 in full force and effect.

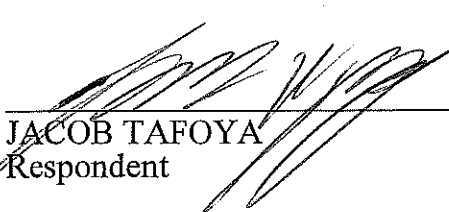
8 11. Respondent understands that this Consent Agreement is a public record that may
9 be publicly disseminated as a formal action of the Board and may be reported as required
10 by law to the National Practitioner Data Bank and the Healthcare Integrity and Protection
11 Data Bank.

12 12. Respondent understands that any violation of this Consent Agreement may result
13 in disciplinary action.

14 13. The Consent Agreement becomes effective when it is signed by the Executive
15 Director on behalf of the Board.

16 14. Respondent agrees that the Board adopts the following Findings of Fact,
17 Conclusions of Law and Order.

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19 **ACCEPTED AND AGREED** this 31 day of August, 2019 by:

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24 **JACOB TAFOYA**
25 Respondent
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I disposed of the framed License over a month ago and do not have it to return.

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FINDING OF FACT

1. On September 17, 2018, Respondent entered into a plea agreement for a class 6, undesignated felony, for a domestic violence offense in the Superior Court of Pinal County, CR2018-01143.

CONCLUSIONS OF LAW

1. The Board is the duly constituted authority for licensing and regulating the practice of athletic training in the State of Arizona pursuant to A.R.S. § 32-4101, et seq.

2. The Board possesses jurisdiction over the subject matter and the Respondent pursuant to A.R.S. § 32-4101, et seq.

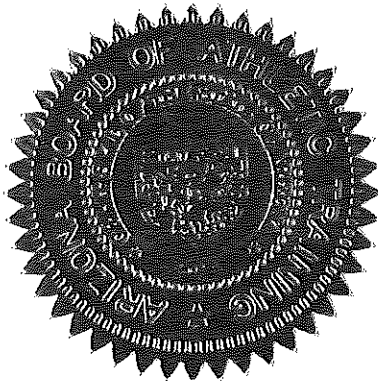
3. The Board may accept the voluntary surrender of a license pursuant to A.R.S. § 32-4156(7).

4. The conduct and circumstances described above constitutes a violation of A.R.S. § 32-4153(6) (“Committing a felony or a misdemeanor involving moral turpitude.”).

ORDER

Based upon the above Findings of Fact and Conclusions of Law, **IT IS HEREBY ORDERED** that Respondent shall voluntarily surrender license number ATR-000648 for the practice of athletic training in the State of Arizona.

DATED this 18th day of September 2019.



ARIZONA STATE BOARD OF
ATHLETIC TRAINING


By: Karen Whiteford
KAREN WHITEFORD
Executive Director

1 ORIGINAL of the foregoing filed
2 this 18th day of September, 2019, with:

3 State of Arizona Board of Athletic Training
4 1740 West Adams Street, Suite 3407
5 Phoenix, AZ 85007

6 EXECUTED COPY of the foregoing mailed U.S. Certified and Regular Mail and E-Mail
7 this 11th day of October, 2019, to:

8 Jacob Tafoya

9 
Respondent

10 COPY of the foregoing electronically mailed
11 this 11th day of October, 2019, to:

12 Sabrina Khan
13 Assistant Attorney General
14 2005 North Central Avenue, SGD/LES
15 Phoenix, AZ 85004
16 Attorneys for the Board

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