

## BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: HELENA LAVERN DRAKE, L.M.T. APPLICANT  
License Number:  
Case Number: 178735

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**CONSENT ORDER**

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**JURISDICTION AND PROCEDURAL HISTORY**

The Virginia Board of Nursing ("Board") and Helena LaVern Drake, as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Drake's application for licensure by endorsement to practice massage therapy in the Commonwealth of Virginia.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Helena LaVern Drake submitted an application for license by examination to practice massage therapy in the Commonwealth of Virginia on December 16, 2016. Ms. Drake holds an active certificate to practice massage therapy in California, and expired licences in Pennsylvania and Maryland.
2. Ms. Drake violated Virginia Code § 54.1-2007(4) in that on August 12, 2010, in the Circuit Court for Harford County, Maryland, she was convicted of burglary – first degree and conspiracy to commit burglary – first degree, both felonies. She was sentenced to 15 years incarceration, with all but 18 months suspended, placed on probation, and ordered to pay restitution to the victim.
3. Ms. Drake otherwise meets the requirements of Virginia Code § 54.1-3029(C).

**CONSENT**

Helena LaVern Drake, by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my application for licensure to practice massage therapy in the Commonwealth of Virginia.

#### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The application of Helena LaVern Drake for licensure to practice massage therapy in the Commonwealth of Virginia is APPROVED. Ms. Drake shall be issued an unrestricted license.
2. Helena LaVern Drake is REPRIMANDED.
3. Helena LaVern Drake shall comply with all laws and regulations governing the practice of massage therapy in the Commonwealth of Virginia.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

Jay Douglas  
Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director  
Virginia Board of Nursing

ENTERED: April 11<sup>TH</sup> 2017

SEEN AND AGREED TO:

[Signature]  
Helena LaVern Drake

COMMONWEALTH OF VIRGINIA  
COUNTY/CITY OF Virginia, TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this  
30 day of March, 2017.



[Signature]  
Notary Public

My commission expires: 05/31/2020

Registration No.: 7709158

Certified True Copy  
By [Signature]  
Virginia Board of Nursing