

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: SOON JA KIM, C.M.T.
License Number: 0019-003046
Issue Date: November 29, 2001
Expiration Date: October 31, 2017
Case Number: 170378

**AMENDED NOTICE OF FORMAL ADMINISTRATIVE HEARING
AND STATEMENT OF ALLEGATIONS**

You are hereby notified that a Formal Hearing has been scheduled before the Board of Nursing ("Board") regarding your certificate to practice as a massage therapist in the Commonwealth of Virginia.

TYPE OF PROCEEDING:	This is a formal administrative hearing before a panel of the Board of Nursing.
DATE AND TIME:	November 16, 2016 11:00 A.M.
PLACE:	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 nd Floor - Virginia Conference Center Henrico, Virginia 23233

LEGAL AUTHORITY AND JURISDICTION:

1. This formal hearing is being held pursuant to Virginia Code §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

2. At the conclusion of the proceeding, the Board is authorized to take any of the following actions:

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Continue you on probation and/or under terms and conditions;
- Suspend your certificate;
- Revoke your certificate.

ABSENCE OF RESPONDENT AND RESPONDENT'S COUNSEL:

If you fail to appear at the formal hearing, the Board may proceed to hear this matter in your absence and may take any of the actions outlined above.

RESPONDENT'S LEGAL RIGHTS:

You have the right to the information on which the Board will rely in making its decision, to be represented by counsel at this proceeding, to subpoena witnesses and/or documents, and to present relevant evidence on your behalf.

COMMONWEALTH'S EXHIBIT:

Enclosed is a copy of the documents that will be distributed to the members of the Board and will be considered by the Board when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the formal hearing.**

FILING DEADLINES:

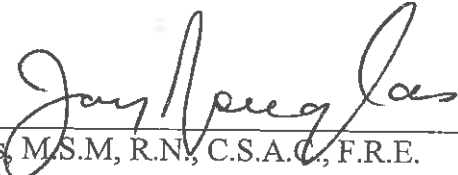
1. Deadline for filing exhibits: **October 27, 2016**. Submit 15 copies of all documents you want the Board to consider to Darlene Graham, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail. Please note that any documentation or evidence that you previously submitted for an informal conference must be resubmitted for consideration by the Board at the formal hearing.

2. Deadline for filing motions, including motions for continuance or objections to exhibits, in writing, to Darlene Graham at the above address: **October 27, 2016**. NOTE: Failure to object to the distribution prior to the proceeding will not affect your right to contest any information contained in these documents at the proceeding.

STATEMENT OF ALLEGATIONS

The Board of Nursing alleges that:

1. At all times relevant hereto, Soon Ja Kim, C.M.T. was certified to practice as a massage therapist in the Commonwealth of Virginia.
2. Pursuant to an Order of the Board entered on August 28, 2009 (“Board’s Order”), Ms. Kim’s certificate was reinstated and she was placed on probation with terms and conditions.
3. Ms. Kim violated Term No. 5 of the Board’s Order, which required her to practice massage therapy in a Board-approved setting, in that on or about October 27, 2015, Ms. Kim reported that she had started her own massage therapy business; however, she failed to seek or obtain the Board’s approval of this employment.
4. Ms. Kim violated Term No. 6 of the Board’s Order, which required her to submit quarterly self-reports, in that of the 26 required reports, 11 were not received in a timely manner and 3 were never received.



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

October 13TH, 2016
Date