

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MICHELLE LOUISE STEVANS, C.M.T.
Certificate Number: 0019-013861
Case Number: 172437

RATIFICATION AND ORDER

On November 16, 2016, a panel of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Michelle Louise Stevans, C.M.T. submitted written comments.

In consideration whereof, the Board of Nursing **ACCEPTS** the attached Recommended Findings of Fact and Conclusions of Law of the Agency Subordinate and **ADOPTS** the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.

Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Stevans's health records or health services.

Pursuant to Virginia Code § 54.1-2400(10), Ms. Stevans may, not later than 5:00 p.m., on January 2, 2017, notify Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD


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

Certified True Copy

By 
Virginia Board of Nursing

ENTERED AND MAILED ON:

November 30th, 2016

This Order shall become final on January 2, 2017, unless a request for a formal administrative hearing is received as described above.

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: MICHELLE LOUISE STEVANS, C.M.T.
Certificate Number: 0019-013861
Case Number: 172437

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), Allison Gregory, M.S., R.N., F.N.P.-B.C., serving as Agency Subordinate of the Virginia Board of Nursing ("Board"), held an informal conference on August 16, 2016 in Henrico County, Virginia, to inquire into evidence that Michelle Louise Stevans, C.M.T. may have violated certain laws and regulations governing the practice of massage therapy in the Commonwealth of Virginia.

Ms. Stevans appeared at this proceeding and was not represented by legal counsel.

Upon consideration of the evidence, the Agency Subordinate makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated July 18, 2016, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Stevans notifying her that an informal conference would be held on August 16, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

Recommended Findings of Fact and Conclusions of Law

1. Michelle Louise Stevans, C.M.T. was issued Certificate Number 0019-013861 to practice massage therapy on August 13, 2015, which is scheduled to expire on August 31, 2017. At all times relevant to the findings herein, said certificate was in full force and effect. Michelle Louise

Stevans, C.M.T. was also issued License Number 0002-036767 to practice practical nursing on November 22, 1985, which is scheduled to expire on August 31, 2017.

2. Ms. Stevans violated Virginia Code § 54.1-3007(6) in that she is unsafe to practice as a massage therapist due to mental illness as evidenced by the following:

a) On February 20, 2016, Ms. Stevans was admitted to the Southern Regional Medical Center, Emporia, Virginia ("SRMC") under a temporary detention order with a diagnosis of schizophrenia. Ms. Stevans was discharged on February 29, 2016 with a recommendation to obtain outpatient psychiatric care.

b) On March 24, 2016, Ms. Stevans presented to the emergency department at the Fairfax INOVA Hospital, Fairfax, Virginia ("INOVA") complaining of exposure to military-grade radiation. Ms. Stevans was admitted to the inpatient psychiatric unit with a diagnosis of schizophrenia-unspecified and psychosis.

c) On March 25, 2016, Ms. Stevans was placed under a temporary detention order after she demanded to be released from INOVA. Ms. Stevans was discharged from INOVA to Northern Virginia Mental Health treatment for further inpatient treatment on March 31, 2016.

3. At the informal conference, Ms. Stevans repeatedly asserted that the SRMC hospital record was "inaccurate" and had been misconstrued against her. Ms. Stevans denied the diagnosis of schizophrenia in the SRMC record. According to Ms. Stevans, she was having a temporary ischemic attack ("TIA") and that her "temporary" mental status was due to a bad reaction to her prescribed dextroamphetamine. She admitted that her account is inconsistent with the SRMC record and could not explain why the SRMC notes differed.

4. Ms. Stevans also denied the diagnosis of schizophrenia-unspecified and psychosis from her March 24, 2016 ER visit and subsequent admission. She denied INOVA's characterization of her

presenting complaint. Ms. Stevans stated that she presented to INOVA inquiring whether she could be tested for radon or carbon dioxide exposure and asked if there were any military personnel who could conduct the testing.

5. Ms. Stevans stated that she is receiving mental health treatment with a social worker at the Fairfax Community Services Board. She stated that she is currently on a waiting list for an appointment with a psychiatrist and is seeing a nurse practitioner for medications. She stated that she has been treated for anxiety since 1995 and that the issues that lead to her hospitalizations were due to a medication reaction causing stroke like symptoms. At the time of the interview with the DHP investigator, Ms. Stevans' treating mental health provider was unable to ascertain if she was safe to practice.

6. Ms. Stevans was employed by Massage Luxe, Williamsburg, Virginia, as a massage therapist from December 3, 2015 to January 10, 2016, when her employment was terminated for job abandonment. Ms. Stevans explained at the informal conference that she left the job because Massage Luxe did not have enough clients for her.

7. Ms. Stevans was employed by Octo Pharma Plasma Donation Center from February 1, 2016 to March 13, 2016, when her employment was terminated for job abandonment.

8. Ms. Stevans is currently unemployed.

9. Pursuant to Virginia Code § 54.1-2400.2(K), the Board considered whether to disclose or not disclose Ms. Stevans' health records or health services.

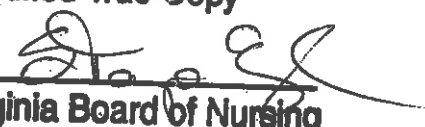
Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Agency Subordinate recommends that the Board issue an Order as follows:

1. The certificate issued to Michelle Louise Stevans to practice massage therapy in the Commonwealth of Virginia is INDEFINITELY SUSPENDED.
2. The certificate of Michelle Louise Stevans will be recorded as SUSPENDED.
3. Should Michelle Louise Stevans seek reinstatement of her certificate, an administrative proceeding shall be convened to consider such application. At such time, the burden shall be on Michelle Louise Stevans to demonstrate that she is safe and competent to return to the practice of massage therapy. Michelle Louise Stevans shall be responsible for any fees that may be required for the reinstatement and/or renewal of the certificate prior to issuance of the certificate to resume practice.

Reviewed and approved on September 29, 2016
By Allison Gregory, M.S., R.N., F.N.P.-B.C.
Agency Subordinate

Certified True Copy

By 
Virginia Board of Nursing