

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: JOHN MAXWELL ABERG-RIGER, C.M.T.**  
**Certificate Number: 0019-012376**  
**Issue Date: April 21, 2014**  
**Expiration Date: November 30, 2017**  
**Case Number: 172883**

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**NOTICE OF INFORMAL CONFERENCE  
AND STATEMENT OF ALLEGATIONS**

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**You are hereby notified that an Informal Conference has been scheduled before the Board of Nursing ("Board") regarding your certificate to practice massage therapy in the Commonwealth of Virginia.**

<b>TYPE OF PROCEEDING:</b>	This is an informal conference before a Special Conference Committee of the Board of Nursing.
<b>DATE AND TIME:</b>	<b>August 8, 2016 9:00 A.M.</b>
<b>PLACE:</b>	Virginia Department of Health Professions Perimeter Center - 9960 Mayland Drive 2 <sup>nd</sup> Floor - Virginia Conference Center Henrico, Virginia 23233

**LEGAL AUTHORITY AND JURISDICTION:**

1. This informal conference is being held pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10). This proceeding will be convened as a public meeting pursuant to Virginia Code § 2.2-3700.

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

- Exonerate you;
- Reprimand you;
- Require you to pay a monetary penalty;
- Place you on probation and/or under terms and conditions;
- Refer the matter to the Board of Nursing for a formal administrative hearing;
- Offer you a consent order for suspension or revocation of your certificate in lieu of a formal hearing.

**ABSENCE OF RESPONDENT AND RESPONDENT’S COUNSEL:**

If you fail to appear at the informal conference, the Committee 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 Committee 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 Committee and will be considered by the Committee 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 informal conference.**

**FILING DEADLINES:**

1. Deadline for filing exhibits: **July 29, 2016**. Submit 5 copies of all documents you want the Board to consider to Latasha Austin, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Exhibits may not be sent by facsimile or e-mail.
2. Deadline for filing motions, including motions for continuance or objections to exhibits, in writing, to Brenda Krohn at the above address: **July 29, 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.

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**STATEMENT OF ALLEGATIONS**

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The Board of Nursing alleges that:


1. At all times relevant hereto, John Maxwell Aberg-Riger, C.M.T. was certified to practice massage therapy in the Commonwealth of Virginia.

2. John Maxwell Aberg-Riger, C.M.T. violated Virginia Code § 54.1-3007(2), (5), and (8), 18 VAC 90-50-90(2)(d) and (i) of the Regulations Governing the Certification of Massage Therapists, and Sections VII, XII, XIV, and XVI of the Code of Ethics of the National Certification Board for Therapeutic Massage and Bodywork in that during the course of his employment with Massage Envy, Charlottesville, Virginia:

a. On or about February 18, 2016, while providing a massage to Client A, he caressed Client A's breasts and pulled her underwear down, exposing her genitals. Further, on or about February 19, 2016, he contacted Client A by email.

b. On or about February 24, 2016, while providing a massage to Client B, he touched Client B's breasts, exposed her genitals while massaging her legs, and touched her genitals through a sheet. Further, he asked Client B for her telephone number and email address.

See Confidential Attachment I for the names of the clients referenced above.

  
Brenda Krohn, R.N., M.S.  
Deputy Executive Director  
Virginia Board of Nursing

July 11, 2016  
Date