

FEB 09 2016

DHP

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**LISA MILHOAN-BARNHART, C.M.T.
Certificate No.: 0019-003110**

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Lisa Milhoan-Barnhart, C.M.T., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Milhoan-Barnhart's certificate to practice as a massage therapist in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Lisa Milhoan-Barnhart, C.M.T. was issued Certificate No. 0019-003110 to practice as a massage therapist by the Virginia Board of Nursing on January 17, 2002. Said certificate expired on May 31, 2015, was renewed on September 25, 2015, and will expire on May 31, 2017.
2. Between June 1 and September 24, 2015, Ms. Milhoan-Barnhart worked as a massage therapist at Keswick Hall Spa, Charlottesville, Virginia, when her certificate was expired.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of §§ 54.1-3007(2), (3) and (5) and 54.1-3008(A)(7) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-50-70(D) and 18 VAC-90-50-90(2)(b) and (h) of the Regulations Governing the Certification of Massage Therapists.

CONSENT

Lisa Milhoan-Barnhart, C.M.T., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;

2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice as a massage therapist in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Lisa Milhoan-Barnhart, C.M.T. shall pay a MONETARY PENALTY of One-Hundred Dollars (\$100.00) to the Board within 90 days of the entry of this Order.
2. Ms. Milhoan-Barnhart shall maintain a course of conduct in her capacity as a massage therapist commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.
3. Any violation of the terms and conditions of this Order or of any law or regulation affecting the practice of massage therapists in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the certificate of Ms. Milhoan-Barnhart and an administrative proceeding shall be convened to determine whether such certificate shall be suspended or revoked.

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

FOR THE BOARD

Jay Douglas

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

ENTERED: February 10th, 2016

SEEN AND AGREED TO:

Lisa Milhoan-Barnhart
Lisa Milhoan-Barnhart, C.M.T.

Certified True Copy

By *[Signature]*
Virginia Board of Nursing

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

Subscribed and sworn to before me, Jessica M Drewry, a Notary Public, this 4 day of February, 2016.

My commission expires February 28, 2019.

Registration Number 7114466.

Jessica M Drewry
NOTARY PUBLIC

