

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: KIM M. HOLLIMAN, C.M.T. REINSTATEMENT APPLICANT
Certificate No.: 0019-005326

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Kim M. Holliman, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Holliman's application for reinstatement of her 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. Kim M. Holliman was issued Certificate No. 0019-005326 to practice as a massage therapist by the Virginia Board of Nursing on May 13, 2005. Said certificate expired on November 30, 2009.
2. By application received August 13, 2015, Kim M. Holliman applied for reinstatement of her certificate to practice as a massage therapist in the Commonwealth of Virginia. She included evidence that she had completed 24 hours of continuing education.
3. Between December 1, 2009, and October 2013, Ms. Holliman practiced as a massage therapist at Remedies Medi Spa, Suffolk, Virginia, when she was not certified to do so.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of §§ 54.1-3007(2), (3) and (5) and 54.1-3008(A)(2) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-50-70(D) and 18 VAC-90-50-90(2)(b), (h) and (i) of the Regulations Governing the Certification of Massage Therapists ("Regulations"), as set forth in § II of the National Certification Board for Therapeutic Massage and Bodywork Code of Ethics.

2. Ms. Holliman otherwise meets the requirements of 18 VAC-90-50-80 of the Regulations.

CONSENT

Kim M. Holliman, 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 application for reinstatement of her certificate 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. The application of Kim M. Holliman for reinstatement of her certificate to practice as a massage therapist is hereby APPROVED. Ms. Holliman shall be issued an unrestricted certificate to practice as a massage therapist in the Commonwealth of Virginia.
2. Kim M. Holliman is hereby REPRIMANDED.
3. Ms. Holliman shall pay a MONETARY PENALTY of One Hundred Fifty Dollars (\$150.00) to the Board within 90 days of the entry of this Order.

3. Ms. Holliman 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.

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 P. Douglas
Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing
ENTERED: November 5, 2015

SEEN AND AGREED TO:

Kim Holliman
Kim M. Holliman

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

Subscribed and sworn to before me, Renee Brown, a Notary Public, this 29th day of October, 2015.

My commission expires 02/28/18

Registration Number 7606445

Renee Brown
NOTARY PUBLIC

Renee Brown
Notary Public
Reg # 7606445
Commonwealth Of Virginia
My Commission Expires February 28, 2018

Certified True Copy
By *[Signature]*
Virginia Board of Nursing