

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       EMILY BRACY, C.M.T.  
              License No.: 0019-005476**

**ORDER**

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on July 16, 2015, in Henrico County, Virginia, to inquire into evidence that Emily Bracy, C.M.T., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on September 16, 2014, and to inquire into evidence that Ms. Bracy may have violated certain laws governing massage therapy practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Bracy was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Emily Bracy, C.M.T., was issued Certificate No. 0019-005476 to practice massage therapy in the Commonwealth of Virginia on July 27, 2005. Said certificate was indefinitely suspended by Order of the Board entered September 16, 2014, with the suspension stayed contingent upon certain terms and conditions.

By letter dated April 8, 2015, the stay was rescinded and Ms. Bracy's certificate to practice massage therapy was suspended.

2. Based upon the representations of Cynthia E. Gaines, Adjudication Specialist, and Commonwealth's Exhibit No. 1, the Notice of Formal Hearing and Affidavit of Mailing, the presiding officer

ruled that adequate notice was provided to the respondent and the hearing proceeded in her absence.

3. On March 23, 2015, Ms. Bracy was dismissed from the Health Practitioners' Monitoring Program ("HPMP") for noncompliance with her program contract. Specifically, Ms. Bracy failed to comply with all treatment recommendations, including medication therapy.

4. Ms. Bracy did not make the psychiatric and therapy appointments recommended by the HPMP. She was left three voicemail messages requesting contact from the HPMP, but she did not respond.

5. Ms. Bracy submitted a letter to the Board that was rambling and contained irrelevant information.

### CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 3 constitutes a violation of Term 4(a) of the Board's Order entered September 16, 2014, and § 54.1-3007(6) of the Code.

### ORDER

WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Certificate No. 0019-005476 issued to Emily Bracy to practice massage therapy in the Commonwealth of Virginia is hereby REVOKED.

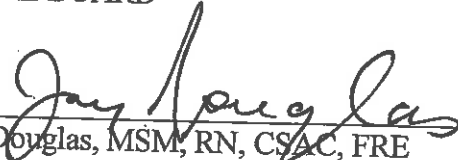
2. The certificate privilege of Ms. Bracy will be recorded as REVOKED and no longer current. Pursuant to § 54.1-2408.2 of the Code, should Ms. Bracy seek reinstatement of her certificate after three years, she shall be responsible for any fees that may be required for the reinstatement of her certificate prior to issuance of her certificate to resume practice. The reinstatement of Ms. Bracy's certificate shall require the affirmative vote of three-fourths of the members at a meeting of the Board.

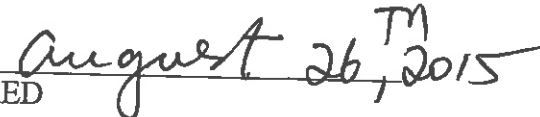
3. At such time as Ms. Bracy shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of massage therapy.

4. Ms. Bracy is hereby REPRIMANDED.

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 on request.

FOR THE BOARD

  
\_\_\_\_\_  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director  
Virginia Board of Nursing

  
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ENTERED

**NOTICE OF RIGHT TO APPEAL**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, MSM, RN, CSAC, FRE, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By   
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Virginia Board Of Nursing