

0019-013846

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: CHANA MOLINI, C.M.T. APPLICANT

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 receive and act upon Chana Molini's application for certification to practice massage therapy in the Commonwealth of Virginia. The case was presented by Wendy Deaner, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Molini was present and was represented by Margaret Hardy, Esquire. 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. Chana Molini submitted an application to practice as a certified massage therapist in the Commonwealth of Virginia, which was received by the Board on September 30, 2014.
2. Chana Molini was issued License No. 0001-180774 to practice professional nursing by the Virginia Board of Nursing on October 1, 2002. Said license was summarily suspended by Order of the Board entered May 11, 2011, and indefinitely suspended by Order of the Board entered July 27, 2011.
3. On July 20, 2011 the Board held a Formal Hearing with regard to allegations of abuse of a child while in the care of Ms. Molini. As evidenced in the Board Order entered July 27, 2011, during the course of her employment as a registered nurse with Maxim Healthcare Services, Charlottesville, Virginia, while assigned to care for a special needs child, at North Fork Middle School, Quicksburg, Virginia, on February 10, 2011, Ms.

Molini spoke harshly to and threatened the child, who had a hard time holding his head up, and she roughly pushed the child's head back. Additionally, while changing the child's diaper, Ms. Molini spoke harshly to him and roughly separated his legs with her hands. Furthermore, by her own admission, Ms. Molini grabbed the leg of another child and proceeded to drag him across the classroom floor and into the hallway.

4. On May 11, 2011, Ms. Molini was convicted of one count of assault and battery in the Shenandoah County, Virginia, Juvenile and Domestic Relations Court, in relation to the February 10, 2011 incident. Ms. Molini was sentenced to 30 days in jail with 30 days suspended contingent upon one year of good behavior.

5. At the formal hearing, Ms. Molini testified that she understood that her actions in Finding of Fact No. 3 were a poor choice. She stated that she has never hurt a client or patient. At the hearing, Ms. Molini testified that she now knows that her actions were wrong. Ms. Molini stated she does not want to work in a school or hospital setting, and that she would not need to as a massage therapist.

6. Ms. Molini intends to practice massage therapy in her home studio and to solicit work from local OB-GYN's in order to offer massage services to pregnant women. She told the Board that she ultimately desires to perform cranial sacral therapy.

7. Ms. Molini provided letters of support, including a letter from her counselor, who supported a healthy mental status evaluation for her.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of §54.1-3007(3), (5) and (8) of the Code.
2. Ms. Molini otherwise meets the requirements of §54.1-3029 of the Code.

ORDER

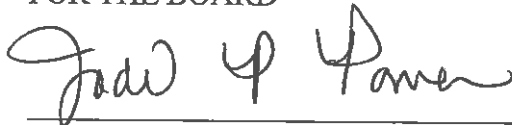
WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:


1. The application of Chana Molini for certification to practice as a massage therapist is hereby APPROVED. Ms. Molini shall be issued an unrestricted certificate to practice as a certified massage therapist in the Commonwealth of Virginia.

2. Ms. Molini shall maintain a course of conduct in her capacity as a certified massage therapist commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

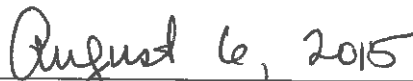
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

FOR THE BOARD





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



ENTERED

Certified True Copy

By 

Virginia Board Of Nursing

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.