

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: PATRICIO JUAN GOMEZ-FORONDA, CMT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Patricio Juan Gomez-Foronda, C.M.T., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Gomez-Foronda's certificate to practice as a massage therapist.

FINDINGS OF FACT

1. Patricio J. Gomez-Foronda, C.M.T., was issued Certificate No. 0019-001882 to practice as a massage therapist by the Virginia Board of Nursing on August 4, 1999. Said certificate expired on March 31, 2003, and was reinstated on February 16, 2007. Said certificate is currently set to expire on July 31, 2009.

2. During the course of his employment with The Spa of the Tides Inn, Irvington, Virginia, Mr. Gomez-Foronda practiced massage therapy without a certificate from April 1, 2003, through February 15, 2007.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of §§ 54.1-111(2), (3), and (4) and 54.1-3008(7) of the Code of Virginia (1950), as amended, ("Code").

CONSENT

Patricio Juan Gomez-Foronda, C.M.T., by affixing his signature hereon, agrees to the following:

1. Mr. Gomez-Foronda has been advised to seek advice of counsel prior to signing this document;

2. Mr. Gomez-Foronda acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. Mr. Gomez-Foronda acknowledges that he 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 him;

4. Mr. Gomez-Foronda waives all such right to an informal conference;

5. Mr. Gomez-Foronda admits to the Findings of Fact contained herein and waives his right to contest such Findings of Fact in any subsequent proceeding before the Board;

6. Mr. Gomez-Foronda consents to the entry of the following Order affecting his 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. Patricio Juan Gomez-Foronda is hereby REPRIMANDED.

2. Mr. Gomez-Foronda shall pay a MONETARY PENALTY of \$500.00 to the Board within 60 days of the entry of this Order.

3. Mr. Gomez-Foronda shall maintain a course of conduct in his 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, R.N., M.S.M., C.S.A.C.
Executive Director, Virginia Board of Nursing

ENTERED: June 12th, 2008

SEEN AND AGREED TO:

Patricio Juan Gomez-Foronda
Patricio Juan Gomez-Foronda, C.M.T.



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

Subscribed and sworn to before me, MICHELE C. HUTTON, a Notary Public, this 3rd day of June, 2008.

My commission expires 4-30-12.

Registration Number 348257.

Michele C. Hutton
NOTARY PUBLIC

Certified True Copy
By *agraham*
Virginia Board of Nursing