



COMMONWEALTH of VIRGINIA

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

David E. Brown, D.C.
Director

Virginia Board of Nursing
Jay P. Douglas, M.D., M.P.H.

NOTICE OF INFORMAL CONFERENCE

March 3, 2015

Roger Simpson, C.M.T. Reinstatement Applicant
3 Owens Court
Potomac Falls, Virginia 20165

CERTIFIED MAIL
9414 7266 9904 2003 2620 22

Re: VA Certification No. 0019-004158
Suspension Date: November 20, 2013

Dear Mr. Simpson:

This is official notification that an informal conference will be held pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), on **April 1, 2015 at 9:00 a.m.** at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. You may be represented by an attorney at the conference. This informal conference will be convened as a public meeting pursuant to § 2.2-3700 et seq. of the Code.

The Special Conference Committee ("Committee"), which is comprised of at least two members of the Virginia Board of Nursing ("Board"), will receive and act upon your application for the reinstatement of your certificate to practice massage therapy in the Commonwealth of Virginia, which suspended by an Order of the Board entered November 20, 2013 ("Board's Order") and will inquire into evidence that grounds may exist to deny said application.

Specifically, during the course of your employment with and ownership of Northern Virginia Massage Center ("NVMC"), Vienna, Virginia:

1. You may have violated §54.1-3007(2) and (5) of the Code and 18 VAC 90-50-90(2)(a) of the Regulations Governing the Certification of Massage Therapists ("Regulations") in that, between November 2013 and May 2014, by your own admission, you provided seated massages to clients. In addition, the client agreement you have with your clients indicates that they will utilize the services of NVMC therapists and that NVMC will provide therapeutic massage. Your certificate to practice massage therapy was suspended by Board Order entered November 20, 2013.

2. You may have violated §54.1-3007(2) and (5) of the Code and 18 VAC 90-50-90(1)(c) of the Regulations in that on December 9, 2013, your website staff link detailed your massage techniques and types of available massage sessions; however, your certificate to practice massage therapy was suspended in November, 2013.

The burden rests on you to demonstrate that you are prepared to resume the safe and competent practice of massage therapy.

Roger Simpson, C.M.T. Reinstatement Applicant

After the informal conference, the Committee is authorized by § 54.1-2400(10) of the Code to take any of the following actions:

- The Committee may reinstate your certificate to practice massage therapy in the Commonwealth without restriction;
- The Committee may reinstate your certificate and place you on probation for such time as it may designate and subject to such terms and conditions as it may deem appropriate, reprimand you, or impose a monetary penalty;
- The Committee may deny your application for reinstatement of your certificate; or
- The Committee may modify a previous order.

Further, the Committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing.

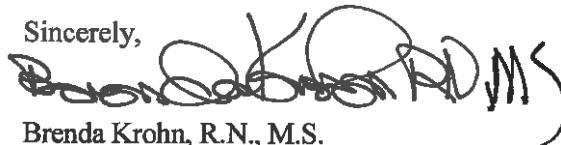
If you fail to appear at the informal conference, the Committee may proceed to hear the case in your absence and may take any of the actions outlined above. At least ten days prior to the scheduled date of the conference, please inform this office at (804) 367-4515, or in writing at the address listed above, of your telephone number and whether you intend to appear at the informal conference.

To facilitate this proceeding, you should submit five copies of any documents you wish the Committee to consider to the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, by March 24, 2015. Your documents may not be submitted by facsimile or email.

You have the right to the information on which the Board will rely in making its decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Committee and will be considered by the Committee when discussing any allegations with you and when deliberating on your case. **These documents are enclosed only with the original notice sent by certified mail, which you may be required to claim at the post office. Please bring these documents with you to the informal conference.**

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of nursing and other healing arts in Virginia cited in this notice, can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

Sincerely,



Brenda Krohn, R.N., M.S.
Deputy Executive Director

BK/lba

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Special Conference Committee Members
Wendy Deaner, Adjudication Specialist
Sharron Squires, Senior Investigator (Case No. 154216)
Marian McLean, Senior Investigator (Case No. 161000)

ALLEGATION SUMMARY WORK SHEET

Page numbers of the documents that most clearly support the allegations are referenced here and are not intended to be inclusive, in that page numbers for mitigating circumstances are not listed. Further, there may be additional supporting documents in the report that are not referenced here.

Name	Roger Simpson, C.M.T. Reinstatement Applicant	License(s)	0019-004158 (Suspended)
Case No(s)	161000	A.k.a.	
Previous Cases	150633		

ALLEGATIONS	SUPPORTING PAGE NUMBERS
<p>During the course of your employment with and ownership of Northern Virginia Massage Center ("NVMC"), Vienna, Virginia:</p> <p>1. You may have violated §54.1-3007(2) and (5) of the Code and 18 VAC 90-50-90(2)(a) of the Regulations Governing the Certification of Massage Therapists ("Regulations") in that, between November 2013 and May 2014, by your own admission, you provided seated massages to clients. In addition, the client agreement you have with your clients indicates that they will utilize the services of NVMC therapists and that NVMC will provide therapeutic massage. Your certificate to practice massage therapy was suspended by Board Order entered November 20, 2013.</p>	<ul style="list-style-type: none"> • 41, 45, 60-61
<p>2. You may have violated §54.1-3007(2) and (5) of the Code and 18 VAC 90-50-90(1)(c) of the Regulations in that on December 9, 2013, your website staff link detailed your massage techniques and types of available massage sessions; however, your certificate to practice massage therapy was suspended in November, 2013.</p>	<ul style="list-style-type: none"> • 46

The above notes do not include mitigating factors, which you may note below for your later use:
