



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

Department of Health Professions
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Virginia Board of Nursing
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January 10, 2006

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

CERTIFIED MAIL
71603901984887275765

RE: License No. 0019-004158, Expires October 31, 2007

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 **February 14, 2006, at 10:30 a.m.**, in the offices of the Department of Health Professions, 6603 West Broad Street, Fifth Floor, Richmond, Virginia. You may be represented by an attorney at the Informal Conference.

The Special Conference Committee, which is comprised of two or three members of the Virginia Board of Nursing, will inquire into allegations that you may have violated § 54.1-3007(2) of the Code, and 18 VAC 90-50-90(2)(d) and (i) of the Regulations Governing the Certification of Massage Therapists, in that:

1. During the course of your employment with Northern Virginia Massage Center, Vienna, Virginia, on or about June 10, 2005, you inappropriately touched Client A's genital area while giving a massage.

After the conference, the conference committee is authorized to take the following actions:

1. If the committee finds that there is insufficient evidence to warrant further action or that the charges are without foundation, the committee shall notify you by mail that your record has been cleared of any charge which might affect your right to practice as a massage therapist in the Commonwealth;
2. The committee may place your license on probation with such terms as it may deem appropriate;
3. The committee may reprimand you;
4. The committee may impose a monetary penalty pursuant to § 54.1-2401 of the Code; or


5. The committee may refer the case to the Board of Nursing or a panel thereof for a formal hearing. If the Conference Committee is of the opinion that a suspension or revocation of your license may be justified, the committee may offer you a consent order in lieu of a formal hearing.

At least ten (10) days prior to the scheduled date of the conference, please inform this office of your telephone number and whether you intend to appear at the conference. This can be done by calling our offices at (804)-662-9075 or by sending us a letter at the address listed above. If you fail to appear at the informal conference, the Special Conference Committee may proceed to hear the case in your absence, and may take any of the actions outlined above.

You have the right to information that will be relied upon by the Board in making a decision. Therefore, I have enclosed a copy of the documents that will be distributed to the members of the Special Conference Committee and which will be considered by the Committee when discussing the allegations with you and deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail, and must be claimed at the post office. Please bring these documents with you to the informal conference. If you have any additional documents to be presented to the Special Conference Committee, please bring five (5) copies of each document with you.

Also, enclosed are copies of the relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws and regulations relating to the practice of massage therapy in Virginia that are cited in this notice.

Sincerely,



Susan Bell Rosen, R.N., F.N.P., J.D.
Deputy Executive Director, Discipline

SBR/rew
Enclosures

cc: Robert A. Nebiker, Director, Department of Health Professions
James L. Banning, Director, Administrative Proceedings Division
Anne G. Joseph, Deputy Director, Administrative Proceedings Division
Committee members
Rachel E. Welch, Adjudication Specialist
Pamela Kincheloe, Senior Investigator (Case No. 103799)