

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: LIONELL D. FAULKNER, SR., C.M.T. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Lionell D. Faulkner, Sr., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Faulkner's application for certification as a massage therapist in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. By application received December 15, 2014, Lionell D. Faulkner applied for certification by examination as a massage therapist in the Commonwealth of Virginia.
2. On March 9, 2011, Mr. Faulkner was convicted in the Circuit Court for Chesterfield County, Virginia, of one count of Grand Larceny from the person, a felony. He was sentenced to five years incarceration, with all five years suspended for a period of ten years, he was to remain on good behavior, and he was to pay court costs and attorney's fees. Mr. Faulkner paid all costs on October 24, 2011.
3. On December 11, 2014, Mr. Faulkner passed the Massage & Bodywork Licensing Examination ("MBLEx").

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(4) of the Code of Virginia (1950), as amended ("Code").
2. Mr. Faulkner otherwise meets the requirements of § 54.1-3029 of the Code.

CONSENT

Lionell D. Faulkner, Sr., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He 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. He 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. He waives all such right to an informal conference ;
5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. He consents to the entry of the following Order affecting his application for certification 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. The application of Lionell D. Faulkner, Sr. for certification to practice as a massage therapist is hereby APPROVED. Mr. Faulkner shall be issued an unrestricted certification to practice as a massage therapist in the Commonwealth of Virginia.
2. Lionell D. Faulkner, Sr. is hereby REPRIMANDED.
3. Mr. Faulkner shall maintain a course of conduct in his capacity as a 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, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: April 6th, 2015

SEEN AND AGREED TO:

Lionell D. Faulkner Sr.
Lionell D. Faulkner, Sr.

Certified True Copy
By [Signature]
Virginia Board of Nursing

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

Subscribed and sworn to before me, Lorawan C. Kelly, a Notary Public, this 30th day of March, 2015.

My commission expires 11/30/2016.

Registration Number 7216814.

[Signature]
NOTARY PUBLIC

