



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite 300  
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Virginia Board of Nursing  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director

Board of Nursing (804) 367-4515  
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January 13, 2015

Wayne M. Smith, C.M.T. Applicant  
5677 James Madison Parkway  
King George, Virginia 22485

**CERTIFIED MAIL**  
**9414726699042003261599**

**RE: Notice of Formal Hearing  
January 26, 2015**

Dear Mr. Smith:

Enclosed is a Notice of Hearing and Statement of Particulars. The hearing will be held before the Virginia Board of Nursing ("Board") on **January 26, 2015, at 1:00 p.m.**, at the offices of the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. Should you wish to subpoena witnesses, requests for subpoenas must be made in writing in accordance with the enclosed Instructions for Requesting Subpoenas.

You have the right to information on which the Board will rely in making its decision. Prior to the hearing, it is the Board's intention to distribute the enclosed documents to the members of the Board who will conduct the hearing. **These documents are enclosed only with the original notice sent by certified mail, which you may be required to claim at the post office.** If you have any objections to the materials, please notify the Board of Nursing in writing, at 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, **before January 20, 2015**. A copy of any written objections must also be sent to Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division, at the same address. If you do not object to this proposed distribution **before January 20, 2015**, the Board will assume that you have no objection to the Board members' prior review of the documents. Failure to object to the distribution prior to the hearing will not affect your right to contest any information contained in these documents at the hearing.

Further, to facilitate this hearing, the Board requests that you provide to Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, **15 copies of any documents you intend to introduce into evidence at least ten (10) business days before the hearing.**

**Please advise us whether you plan to be present for the hearing no later than January 20, 2015.**

Sincerely,



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

Enclosures

cc: Members of the Board of Nursing  
Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Frank Pedrotty, Senior Assistant Attorney General  
Cynthia E. Gaines, Adjudication Specialist