

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**JENNIFER ELDER, C.M.T.
Certificate No.: 0019-007487**

CONSENT ORDER

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was held before a Special Conference Committee ("Committee") of the Board of Nursing ("Board") and a member of the Massage Therapy Advisory Board on August 5, 2014, in Henrico County, Virginia, to inquire into evidence that Jennifer Elder, C.M.T., may have violated certain laws governing the practice of massage therapy. Ms. Elder was present and was not represented by counsel.

Upon consideration of the evidence presented, the Committee adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Jennifer Elder, C.M.T., was issued Certificate No. 0019-007487 to practice massage therapy in the Commonwealth of Virginia on June 9, 2008. Said certificate expired on July 31, 2014.
2. By letter dated July 1, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Elder notifying her that an informal conference would be held on August 5, 2014. The Notice was sent by certified and first class mail to 217 Wright Avenue, Colonial Heights, Virginia 23834, the address of record on file with the Board of Nursing.
3. On December 10, 2013, Ms. Elder was admitted to Southside Regional Medical Center, Petersburg, Virginia, and diagnosed with depression and suicidal ideations. At the time of her admission, Ms. Elder tested positive for cocaine. Further, she has been diagnosed with post traumatic stress disorder

and bipolar disorder. Finally, by her own admission, Ms. Elder abused her prescribed Adderall (C-II) and klonopin (C-IV).

4. Ms. Elder stated that she stopped working as a massage therapist in August 2013. She stated that the events referenced above did not happen while she was practicing.

5. Ms. Elder stated that she allowed her certificate to expire because she does not plan to return to massage therapy practice. She stated that she is currently employed in construction and also works in retail.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(6) of the Code.

CONSENT

Jennifer Elder, C.M.T., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she 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 her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice massage therapy 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 right of Jennifer Elder to renew Certificate No. 0019-007487 to practice massage therapy in the Commonwealth of Virginia is hereby INDEFINITELY SUSPENDED.

2. At such time as Ms. Elder shall petition the Board for reinstatement of her certificate, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of massage therapy. Ms. Elder shall be responsible for any fees that may be required for the reinstatement and renewal of the certificate prior to issuance of the certificate to resume practice.

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.

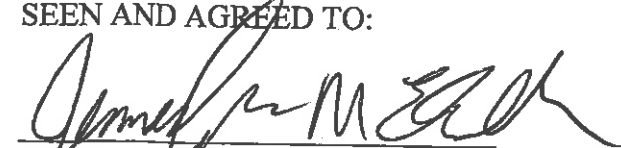
FOR THE BOARD



Jane Ingalls, R.N., Ph.D.
President, Virginia Board of Nursing

ENTERED: 11-18-14

SEEN AND AGREED TO:



Jennifer Elder, C.M.T.

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Colonial Heights TO WIT:

Subscribed and sworn to before me, Lisa C. Sheppard a Notary Public, this 6th day of October, 2014.

My commission expires 11-30-17

Registration Number #198859



NOTARY PUBLIC



Certified True Copy

By: 

Virginia Board of Nursing