

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:       GARY A. SITES, C.M.T.**  
**Certificate No.: 0019-010231**

**ORDER OF SUMMARY SUSPENSION**

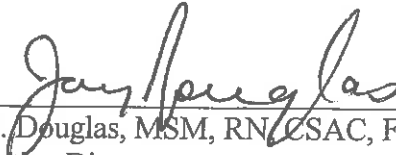
Pursuant to §§ 54.1-110 and § 54.1-2408.1 of the Code of Virginia (1950), as amended (“Code”), a quorum of the Board of Nursing (“Board”) met by telephone conference call on October 20, 2014, after a good faith effort to convene a regular meeting of the Board had failed. The purpose of the meeting was to receive and act upon certain information indicating that Gary A. Sites, C.M.T., may have violated certain laws and regulations relating to the practice of massage therapy in the Commonwealth of Virginia, as more fully set forth in the attached “NOTICE OF HEARING and STATEMENT OF PARTICULARS,” which is attached hereto and incorporated by reference herein.

WHEREUPON, pursuant to its authority under § 54.1-2408.1(A) of the Code, the Board concludes that a substantial danger to public health or safety warrants this action and ORDERS that the certificate of Gary A. Sites, C.M.T., Certificate No. 0019-010231, to practice massage therapy in the Commonwealth of Virginia is hereby SUSPENDED. It is further ORDERED that a hearing be convened forthwith to receive and act upon evidence in this case and that the Executive Director of the Board shall be authorized to execute this Order and all other documents, notices and orders on behalf of the Board necessary to bring this matter to a hearing.

Upon entry of this Order, the certificate of Gary A. Sites, C.M.T., will be recorded as suspended and no longer current.

Pursuant to § 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 a public record and shall be made available for public inspection or copying on request.

FOR THE BOARD



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

Entered: October 24<sup>th</sup>, 2014

Certified True Copy

By   
Virginia Board Of Nursing

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE: GARY A. SITES, C.M.T.  
Certificate No.: 0019-010231**

**NOTICE OF HEARING**

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Gary A. Sites, C.M.T., who, prior to its summary suspension by the Board of Nursing (“Board”) on October 24, 2014, held Certificate No. 0019-010231 to practice as a massage therapist in Virginia, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board. The hearing will be held on November 17, 2014, at 9:00 a.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Mr. Sites will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Mr. Sites has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on his behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Mr. Sites desires any witnesses to appear on his behalf, he must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

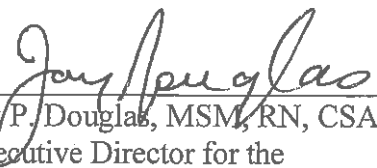
The purpose of the hearing is to inquire into evidence that Mr. Sites may have violated certain laws and regulations governing massage therapy practice in Virginia, as more fully set forth in the Statement of Particulars below.

**STATEMENT OF PARTICULARS**

The Board alleges that Gary A. Sites, C.M.T., may have violated § 54.1-3007(2), (5), and (8) of the Code and 18 VAC 90-50-90(2)(d) and (i) of the Regulations Governing the Certification of Massage

Therapists, as referenced in § XIV of the Code of Ethics of the National Certification Board for Therapeutic Massage and Bodywork, in that during the course of his employment with the Boar's Head Inn, Charlottesville, Virginia, on or about July 28, 2014, while providing a fellow female employee with a massage, he touched the employee's genitals and placed his mouth on the employee's breast without her consent.

FOR THE BOARD

  
\_\_\_\_\_  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director for the  
Board of Nursing

ENTERED: October 24<sup>th</sup>, 2014