

**VIRGINIA**

**BEFORE THE BOARD OF NURSING**

**IN RE: LEVI D. WEST, C.M.T. APPLICANT**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021 and 54.1-2400(7) of the Code of Virginia (1950), as amended, ("Code"), an informal conference was held before an Informal Conference Committee of the Board of Nursing ("Committee"), consisting of two members of the Board of Nursing and one member of the Massage Therapy Advisory Committee, met on April 3, 2014, in Henrico County, Virginia, to receive and act upon the application of Levi D. West for certification by examination as a massage therapist in the Commonwealth of Virginia and to inquire into evidence that he may have violated certain laws governing massage therapy practice in Virginia. Mr. West was present and was not represented by legal counsel.

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

**FINDINGS OF FACT**

1. Levi D. West submitted an application for certification by examination to practice massage therapy which was received by the Board on October 21, 2013.
2. By letter dated March 10, 2014, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. West notifying him that an informal conference would be held on April 3, 2014. The Notice was sent by certified and first class mail to 1 Grant Allen Court, Hampton, Virginia 23666, the address of record on file with the Board of Nursing.
3. On March 23, 2012, Mr. West was convicted of felony driving under the influence, third or subsequent offense in five years, in the Circuit Court of the City of Norfolk, Virginia.
4. Mr. West provided evidence of completion of the Inner Reflections Substance Abuse

Program on May 24, 2012. This program is an 8-10 week jail based intensive outpatient program for chemically dependent inmates. Mr. West stated that he attends Alcoholics Anonymous once or twice a month and has a strong support system that includes a co-worker, who is a recovering alcoholic, at a local restaurant, where he has been employed for four years.

5. Mr. West stated that he has maintained his sobriety since September 2011.

6. On October 10, 2013, Mr. West was released from supervised probation. He will remain on unsupervised probation until June 10, 2017.

### CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(4) of the Code.

2. The Committee concludes that Mr. West otherwise meets the requirements of § 54.1-3029 of the Code.

### ORDER

On the basis of the foregoing, the Virginia Board of Nursing hereby ORDERS:

1. The application of Levi D. West for certification by examination to practice massage therapy is hereby APPROVED. Mr. West shall be issued an unrestricted certificate to practice as a massage therapist in the Commonwealth.


2. Mr. West shall maintain a course of conduct in his capacity as a massage therapist 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 on request.

Pursuant to Section 54.1-2400(10) of the Code, Mr. West may, not later than 5:00 p.m., on **July 3**,

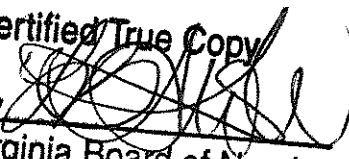
2014, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:

  
So Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director, Virginia Board of Nursing

ENTERED: May 30, 2014

This Order shall become final on **July 3, 2014**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy  
By   
Virginia Board of Nursing