

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

**HEATHER GASKILL, C.M.T.
Certificate No.: 0019-008610**

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”), consisting of two members of the Board and one member of the Massage Therapy Advisory Committee met on April 3, 2014, in Henrico County, Virginia, to inquire into evidence that Heather Gaskill, C.M.T., may have violated certain laws and regulations governing massage therapy practice in Virginia. Ms. Gaskill was present and was not represented by counsel.

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

FINDINGS OF FACT

1. Heather Gaskill, C.M.T., was issued Certificate No. 0019-008610 to practice massage therapy in the Commonwealth of Virginia on December 1, 2009. Said certificate expires on November 30, 2014.
2. By letter dated March 10, 2014, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Ms. Gaskill notifying her that an informal conference would be held on April 3, 2014. The Notice was sent by certified and first class mail to 1532 Lincoln Way, Apt. 203, McLean, Virginia 22102, the address of record on file with the Board of Nursing.
3. Between March 12, 2013 and March 14, 2013, following the termination of her employment with Calvert Rejuvenations Spa, Herndon, Virginia, Ms. Gaskill accessed the spa’s client booking system, using the receptionist’s username and password, to obtain client information. This action resulted in her conviction of misdemeanor computer trespassing in the Fairfax County, Virginia, General District Court.

4. Ms. Gaskill stated that her sole purpose for accessing the computer system was to make sure that her scheduled clients were notified that she would not be performing their services.

5. Ms. Gaskill acknowledged that she should not have accessed the computer system, and acknowledged that she violated the ethical boundaries of massage therapy practice.

CONCLUSIONS OF LAW

Finding of Fact No. 3 constitutes a violation of § 54.1-3007(2), (5) and (8) of the Code and 18 VAC 90-50-90(2)(i) of the Regulations Governing the Certification of Massage Therapists and Section VII of the National Certification Board for Therapeutic Massage & Bodywork Code of Ethics.

ORDER


On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Heather Gaskill, C.M.T. is hereby REPRIMANDED.
2. Ms. Gaskill shall maintain a course of conduct in her 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, Ms. Gaskill may, not later than 5:00 p.m., on **June 9, 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 she 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:


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

ENTERED:  May 6, 2014

This Order shall become final on **June 9, 2014**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 
~~Certified True Copy~~
By 
Virginia Board of Nursing