



# COMMONWEALTH of VIRGINIA

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Director

*Department of Health Professions*

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Virginia Board of Nursing  
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Executive Director

Board of Nursing (804) 367-4515  
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## NOTICE OF INFORMAL CONFERENCE

January 7, 2014

Andrew Myers, C.M.T. Applicant  
41601 Swiftwater Drive  
Leesburg, Virginia 20176

**CERTIFIED MAIL**  
**7196 9008 9111 9190 5985**

Dear Mr. Myers:

This letter is official notification that an informal conference of the Virginia Board of Nursing ("Board") will be held, pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(7) of the Code of Virginia (1950), as amended ("Code"), on **February 3, 2014, at 9:00 a.m.**, in the offices of the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233. You may be represented by an attorney at the informal conference. The informal conference committee, which is comprised of at least two members of the Board, will consider your application for certification by examination to practice as a massage therapist and will inquire into allegations that grounds may exist to deny your application.

Specifically, you may have violated § 54.1-3007(4) of the Code in that on or about December 5, 2012, in the Prince William County, Virginia, Circuit Court, you were convicted of statutory burglary while armed and abduction, both felonies.

The burden rests on you, as the applicant, to demonstrate that you meet the requirements of § 54.1-3029 of the Code.

After consideration of all information, the committee may:

1. Approve your application for certification by examination; or
2. Recommend to the Board that your application be approved with a reprimand, a monetary penalty, or terms and conditions, which may include placing you on probation; or
3. Recommend to the Board that your application be denied; or
4. Refer the matter to a formal hearing of the Board.

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The recommendation of the committee will be presented to a quorum of the Board. The Board may accept or modify the recommendation, or reject the recommendation and move the case to a formal hearing. If you do not agree with the decision of the Board, you may request a formal administrative hearing before the Board.

Please advise the Board of your intention to be present at the informal conference. This can be done by calling our offices at (804) 367-4515 or sending us a letter at the address listed above.

You have a right to the information that will be relied on by the committee in making a decision. Therefore, I enclose a copy of the documents that will be distributed to the committee and will be considered when discussing the allegations with you and when deliberating upon your case. These documents are enclosed only with the original notice sent by certified mail and must be claimed at the post office.

To facilitate this proceeding, you should submit five copies of any documents you wish the committee to consider to the Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, by January 27, 2014. Your documents may not be submitted by facsimile or e-mail.

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of nursing and other healing arts in Virginia cited in this notice, can be found on the Internet at <http://leg1.state.va.us>. To access this information, please click on the *Code of Virginia* for statutes and *Virginia Administrative Code* for regulations.

In the event of inclement weather, please be advised that Board of Nursing hearings will be held unless state offices are closed. Please listen to television or radio announcements to provide information about official state closings or delays. If there is a delayed opening, hearings will begin at the time of the agency opening. A recorded announcement pertaining to closings or delays will also be available by calling the main telephone number for the Department of Health Professions at (804) 367-4400.

Sincerely,



Brenda Krohn, R.N., M.S.  
Deputy Executive Director

BK/lba

Enclosures

cc: Anne G. Joseph, Deputy Director, Administrative Proceedings Division  
Committee members  
James E. Rutkowski, Adjudication Specialist (Case No. 154465)