

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: JUAN DELA TORRE, C.M.T.
Certificate No.: 0019-009738

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”), Juan Dela Torre, C.M.T., who holds Certificate No. 0019-009738 to practice as a massage therapist in Virginia, which expired on September 30, 2013, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on January 29, 2014, at 10:00 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. Dela Torre will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Mr. Dela Torre 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. Dela Torre 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. Dela Torre 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 Juan Dela Torre, 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 Massage Envy, Arlington, Virginia, on or about May 17, 2013, while providing Client A with a massage, he penetrated Client A's vagina with his fingers.

FOR THE BOARD


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

ENTERED: January 6, 2014