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JAN 15 2014
VA BOARD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

CARL E. NELSON, C.M.T. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Carl E. Nelson, as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Nelson's application for certification by examination to practice as a massage therapist in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Carl E. Nelson submitted an application for certification by examination to practice massage therapy which was received by the Board on October 9, 2013.
2. On August 21, 2009, Mr. Nelson was sentenced to two years of incarceration following his conviction of three felony counts of possession of narcotics with the intent to distribute and two felony counts of possession of narcotic production equipment in the Circuit Court for Charles County, Maryland.
3. On March 31, 2010, Mr. Nelson was sentenced to 20 years of incarceration, with 17 years suspended, following his conviction of one felony count of manufacturing narcotics for distribution in the Circuit Court for Charles County, Maryland.
4. Mr. Nelson provided a letter from his probation officer dated September 27, 2013, stating that he was currently in compliance with the conditions of his supervision.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 2 and 3 constitute a violation of § 54.1-3007(4) of the Code of Virginia (1950), as amended ("Code").
2. Mr. Nelson otherwise meets the requirement of § 54.1-3029 of the Code.

CONSENT

Carl E. Nelson, by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against him;
4. He waives all such right to an informal conference;
5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. He consents to the entry of the following Order affecting his application for certification by examination to practice massage therapy in Virginia.

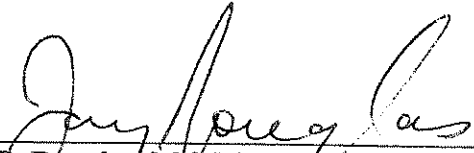
ORDER

WHEREFORE, it is hereby ORDERED:

1. The application of Carl E. Nelson for certification by examination to practice massage therapy is APPROVED. Mr. Nelson shall be issued an unrestricted certificate to practice as a massage therapist in the Commonwealth.
2. Mr. Nelson is hereby REPRIMANDED.
3. Mr. Nelson 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 upon request.

FOR THE BOARD


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

ENTERED: January 27th, 2014

SEEN AND AGREED TO:

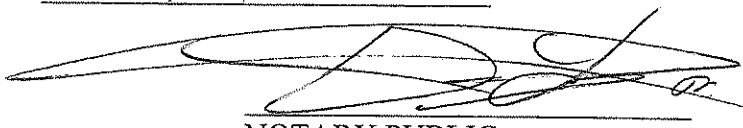

Carl E. Nelson

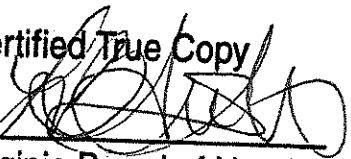
COMMONWEALTH OF VIRGINIA, Martland (circled)
COUNTY/CITY OF Charles, TO WIT:

Subscribed and sworn to before me, David Lipshaw Jr., a Notary Public, this 15 day of Jan, 2014.

My commission expires July 27th 2015

Registration Number N/A


NOTARY PUBLIC

Certified True Copy
By 
Virginia Board of Nursing

DAVID LIPSHAW JR.
Notary Public-Maryland
St. Mary's County
My Commission Expires
July 27, 2015