

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

CURTIS ALEXANDER HALL, C.M.T.
Certificate No.: 0019-008918

CONSENT ORDER

Pursuant to §§ 22-4019, 2.2-4021 and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was held before a Special Conference Committee ("Committee") of the Board of Nursing ("Board"), consisting of two members of the Board and one member of the Massage Therapy Advisory Board, on August 28, 2013, in Henrico County, Virginia, to inquire into evidence that Curtis A. Hall, C.M.T., may have violated certain laws and regulations governing the practice of massage therapy in Virginia. Mr. Hall was present and was represented by Ann Sullivan, Esquire.

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

FINDINGS OF FACT

1. Curtis A. Hall, C.M.T., was issued Certificate No. 0019-008918 to practice massage therapy by the Virginia Board of Nursing on April 21, 2010. Said certificate expired on October 31, 2012, was renewed on May 16, 2013, and is set to expire on October 31, 2014.
2. By letter dated July 31, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Hall notifying him that an informal conference would be held on August 28, 2013. The Notice was sent by certified and first class mail to 711 Little Neck Road, Virginia Beach, Virginia 23452, the address of record on file with the Board of Nursing.
3. During the course of his employment with Salon @31st Day Spa, Virginia Beach, Virginia, on April 19, 2013, while providing Patient A with a massage, Mr. Hall kissed Patient A on the mouth. At

the informal conference, Mr. Hall stated that “emotions got high,” and he did not recognize this, and that he moved impulsively and went against his better judgment by kissing Patient A. When asked how he would avoid this kind of temptation in a future session with a client, he stated that he would back away and take a few deep breaths or cancel the massage. He also stated that he would see a counselor about impulsivity and take an ethics class once a year.

4. Between November 1, 2012 and April 19, 2013, Mr. Hall practiced massage therapy without a valid certificate, as his certificate had expired on October 31, 2012, and was not renewed until May 16, 2013. Mr. Hall stated that he was reminded that he needed to renew his certificate, then he procrastinated and did not get the help he needed to complete the task, and then he did not complete the necessary paperwork. Mr. Hall had the required educational credits to be recertified.

5. He was noted by a psychiatrist to have executive function problems including impulsivity, cognitive anxiety, and avoidance of completion of tasks. Mr. Hall has been under the care of mental health professionals and psychiatrists, but he stopped taking prescribed medications and is not currently receiving any treatment. He stated that he has been weaning himself off benzodiazepines without medical supervision using holistic methods such as yoga, diet and meditation. Mr. Hall had previously received training in the weaning process from benzodiazepines when he successfully completed an outpatient program in Virginia Beach in October 2010. Since then he was prescribed a new medication, Ativan, which he believes had similar adverse side effects and he discontinued it utilizing these methods. He last saw his psychiatrist in January 2013.

CONCLUSIONS OF LAW

1. 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)(d) and (i) of the Regulations Governing the Certification of Massage Therapists

("Regulations"), as referenced in § XIV of the Code of Ethics of the National Certification Board for Therapeutic Massage and Bodywork.

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(3) and 54.1-3008(A)(7) of the Code.
3. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(6) of the Code.

CONSENT

Curtis A. Hall, C.M.T., 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 a formal fact finding hearing 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 a formal hearing;
5. He neither admits nor denies the Findings of Fact and Conclusions of Law contained herein but 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 right to practice massage therapy in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. Certificate No. 0019-008918 of Curtis A. Hall, C.M.T., is SUSPENDED for a period of three months.
2. The certificate will be recorded as suspended and no longer current
3. At such time as the suspension is concluded, Mr. Hall shall petition the Board for reinstatement of his certificate, an administrative proceeding will be convened to determine whether he can resume the safe and competent practice of massage therapy. Mr. Hall shall be responsible for any fees that may be required for the reinstatement and renewal of the certificate prior to issuance of the certificate to resume practice.

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

Jane Ingalls
 Jane Ingalls, R.N., Ph.D.
 President, Virginia Board of Nursing

ENTERED: November 20, 2013

SEEN AND AGREED TO:

Curtis A. Hall
 Curtis A. Hall, C.M.T.

COMMONWEALTH OF VIRGINIA,
 COUNTY/CITY OF Norfolk, TO WIT:



Certified True Copy

By [Signature]
 Virginia Board of Nursing

Subscribed and sworn to before me, Michelle Sutherland a Notary Public, this
6 day of November, 2013.

My commission expires 11/30/2017.

Registration Number 7563300.

Michelle Sutherland
NOTARY PUBLIC

Certified True Copy
By [Signature]
Virginia Board of Nursing