

Certified True Copy

By [Signature]
Virginia Board of Nursing



RECEIVED

JAN 10 2013

COMMONWEALTH of VIRGINIA

VA BD OF NURSING

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

January 10, 2013

Yan Gao
3008 Patrick Henry Drive, Apt. 101
Roanoke, VA 22044

RE: Certificate No.: 0019-009952

Dear Ms. Gao:

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 1/10/13

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your certificate to practice as a certified massage therapist in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered January 10, 2013. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate suspended, shall be guilty of a felony. Please return your certificate to Jay Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your certificate, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your certificate shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your certificate, contact Jay Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

[Signature]
Arne W. Owens, Chief Deputy Director
Department of Health Professions

Enclosures
Case # 147121

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

**IN RE: YAN GAO, C.M.T.
Certificate No.: 0019-009952**

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Arne W. Owens, Chief Deputy Director of the Virginia Department of Health Professions, received and acted upon evidence that the State of Florida Board of Massage Therapy accepted the voluntary surrender, in lieu of further disciplinary action, from Yan Gao, C.M.T., of her license to practice massage therapy in the State of Florida by a Final Order dated December 21, 2012. A certified copy of the Final Order (with attachment) is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the certificate of Yan Gao, C.M.T., to practice as a certified massage therapist in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the certificate of Yan Gao, C.M.T., will be recorded as suspended and no longer current. Should Ms. Gao seek reinstatement of her certificate pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her certificate prior to issuance of her certificate to resume practice.

Pursuant to Sections 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 a public record and shall be made available for public inspection and copying upon request.

A handwritten signature in cursive script, appearing to read "Arne W. Owens", written over a horizontal line.

Arne W. Owens, Chief Deputy Director
Department of Health Professions

ENTERED: 1/10/2013



COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions

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CERTIFICATION OF DUPLICATE RECORDS

I, Arne W. Owens, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Final Order (with attachment) dated December 21, 2012, regarding Yan Gao, C.M.T., is a true copy of the records received from the State of Florida Board of Massage Therapy.

A handwritten signature of Arne W. Owens in cursive script, written over a horizontal line.

Date: 1/10/2013

Arne W. Owens

FILED DATE - DEC 26 2012

Department of Health

By: [Signature]
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF MASSAGE THERAPY

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2012-11888

License No.: MA61845

YAN GAO,

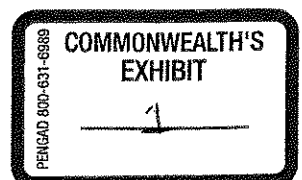
Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF MASSAGE THERAPY (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on December 19, 2012, by telephone conference call for consideration of Respondent's voluntary relinquishment (attached hereto as Exhibit A). Upon consideration of the voluntary relinquishment, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the voluntary relinquishment is accepted as a resolution of this case.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.



DONE AND ORDERED this 21st day of December,
2012.

BOARD OF MASSAGE THERAPY

Paula Mark for
Anthony Jusevitch,
Executive Director for
Karen Goff Ford, Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to YAN GAO, 3008 Patrick Henry #101, Falls Church VA 22044; and by interoffice delivery to Lee Ann Gustafson, Senior Assistant Attorney General, Department of Legal Affairs, PL-01 The Capitol, Tallahassee FL 32399-1050, and by interoffice delivery to Manshi Shah, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265 this 26th day of December, 2012.

Angel Sanders

Deputy Agency Clerk

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK **Angel Sanders**
DATE **OCT 08 2012**

STATE OF FLORIDA
BOARD OF MASSAGE THERAPY

Received
SEP 18 2012
MQA ISU DOH

DEPARTMENT OF HEALTH,
Petitioner,

v.

DOH Case No. 2012-11888

YAN GAO, L.M.T.

Respondent.

Yan Gao /

VOLUNTARY RELINQUISHMENT OF LICENSE

Respondent YAN GAO, L.M.T., License No. 61845, hereby voluntarily relinquishes Respondent's license to practice Massage in the State of Florida and states as follows:

1. Respondent's purpose in executing this Voluntary Relinquishment is to avoid further administrative action with respect to this cause. Respondent understands that acceptance by the Board of Massage Therapy (hereinafter the Board) of this Voluntary Relinquishment shall be construed as disciplinary action against Respondent's license pursuant to Section 456.072(1)(f), Florida Statutes.

2. Respondent agrees to voluntarily cease practicing massage therapy immediately upon executing this Voluntary Relinquishment. Respondent further agrees to refrain from the practice of massage therapy

until such time as this Voluntary Relinquishment is presented to the Board and the Board issues a written final order in this matter.

3. In order to expedite consideration and resolution of this action by the Board in a public meeting, Respondent, being fully advised of the consequences of so doing, hereby waives the statutory privilege of confidentiality of Section 456.073(10), Florida Statutes, and waives a determination of probable cause, by the Probable Cause Panel, or the Department when appropriate, pursuant to Section 456.073(4), Florida Statutes, regarding the complaint, the investigative report of the Department of Health, and all other information obtained pursuant to the Department's investigation in the above-styled action. By signing this waiver, Respondent understands that the record and complaint become public record and remain public record and that information is immediately accessible to the public. Section 456.073(10) Florida Statutes.

4. Upon the Board's acceptance of this Voluntary Relinquishment, Respondent agrees to waive all rights to seek judicial review of, or to otherwise challenge or contest the validity of, this Voluntary Relinquishment and of the Final Order of the Board incorporating this Voluntary Relinquishment.

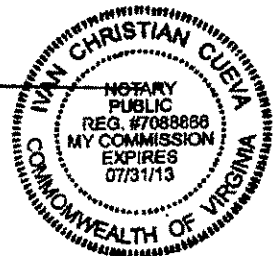
5. Petitioner and Respondent hereby agree that upon the Board's acceptance of this Voluntary Relinquishment, each party shall bear its own attorney's fees and costs related to the prosecution or defense of this matter.

6. Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent in connection with the Board's consideration of this Voluntary Relinquishment. Respondent agrees that consideration of this Voluntary Relinquishment and other related materials by the Board shall not prejudice or preclude the Board, or any of its members, from further participation, consideration, or resolution of these proceedings if the terms of this Voluntary Relinquishment are not accepted by the Board.

DATED this 11 day of September, 2012.

Yan Gao
YAN GAO, L.M.T.

VA
STATE OF FLORIDA
COUNTY OF: Fairfax



Before me, personally appeared Yan Gao, whose identity is known to me by VA DRIVER LICENSE (type of Identification) and who, under oath, acknowledges that his/her signature appears above. Sworn to and subscribed before me this 11 day of September, 2012.

My Commission Expires: July 31, 2013

Ivan Cueva
NOTARY PUBLIC