



Nevada State Board of Massage Therapy

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Reno, NV 89502

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Website: <http://massagetherapy.nv.gov>

PROCEDURES TO FOLLOW WHEN FILING A COMPLAINT

1. You are the Complainant. You must state all the facts concerning the incident you are reporting. Use full names of people; give the complete address for the location of the incident, relevant dates and times. Please provide the full details of the incident. The person you are making this complaint against is the Respondent.
2. Please print or have the form typewritten. It is essential that we be able to read the complaint.
3. Review the enclosed statutes and attempt to determine what the Respondent has violated. If you cannot find a corresponding statute or regulation or you do not understand the statutes or regulations, the office will provide assistance.
4. Once your complaint is completed you will send the complaint and all supporting evidence to the address listed above. Upon receipt, the complaint will be reviewed and assigned for investigation.

NOTE: The investigation can take up to ninety (90) days. After the investigation is completed, the entire file will be reviewed by the Board Attorney to determine if a hearing should be held. If a hearing is scheduled, you will be notified and will be called to testify before the Board. In any event, you will be notified as to the disposition of the matter.

DISCIPLINARY ACTIONS

NRS 640C.700 - Grounds for refusal to issue license or for disciplinary action.

The Board may refuse to issue a license to an applicant, or may initiate disciplinary action against a holder of a license, if the applicant or holder of the license:

1. Has submitted false, fraudulent or misleading information to the Board or any agency of this State, any other state, a territory or possession of the United States, the District of Columbia or the Federal Government;
2. Has violated any provision of this chapter or any regulation adopted pursuant thereto;
3. Has been convicted of a crime involving violence, prostitution or any other sexual offense, a crime involving any type of larceny, a crime relating to a controlled substance, a crime involving any federal or state law or regulation relating to massage therapy or a substantially similar business, or a crime involving moral turpitude;
4. Has engaged in or solicited sexual activity during the course of practicing massage on a person, with or without the consent of the person, including, without limitation, if the applicant or holder of the license:
 - (a) Made sexual advances toward the person;
 - (b) Requested sexual favors from the person; or
 - (c) Massaged, touched or applied any instrument to the breasts of the person, unless the person has signed a written consent form provided by the Board;
5. Has habitually abused alcohol or is addicted to a controlled substance;
6. Is, in the judgment of the Board, guilty of gross negligence in the practice of massage therapy;
7. Is determined by the Board to be professionally incompetent to engage in the practice of massage therapy;
8. Has failed to provide information requested by the Board within 60 days after receiving the request;
9. Has, in the judgment of the Board, engaged in unethical or unprofessional conduct as it relates to the practice of massage therapy;
10. Has knowingly failed to report to the Board that the holder of a license or other person has engaged in unethical or unprofessional conduct as it relates to the practice of massage therapy within 30 days after becoming aware of that conduct;
11. Has been disciplined in another state, a territory or possession of the United States or the District of Columbia for conduct that would be a violation of the provisions of this chapter or any regulations adopted pursuant thereto if the conduct were committed in this State;
12. Has solicited or received compensation for services relating to the practice of massage therapy that he or she did not provide;
13. If the holder of the license is on probation, has violated the terms of the probation;
14. Has engaged in false, deceptive or misleading advertising, including, without limitation, falsely, deceptively or misleadingly advertising that he or she has received training in a specialty technique of massage for which he or she has not received training, practicing massage therapy under an assumed name and impersonating a licensed massage therapist;
15. Has operated a medical facility, as defined in [NRS 449.0151](#), at any time during which:
 - (a) The license of the facility was suspended or revoked; or

- (b) An act or omission occurred which resulted in the suspension or revocation of the license pursuant to [NRS 449.160](#).

This subsection applies to an owner or other principal responsible for the operation of the facility.

- 16. Has failed to comply with a written administrative citation issued pursuant to [NRS 640C.755](#) within the time permitted for compliance set forth in the citation or, if a hearing is held pursuant to [NRS 640C.757](#), within 15 business days after the hearing; or
- 17. Except as otherwise provided in subsection 16, has failed to pay or make arrangements to pay, as approved by the Board, an administrative fine imposed pursuant to this chapter within 60 days after:
 - (a) Receiving notice of the imposition of the fine; or
 - (b) The final administrative or judicial decision affirming the imposition of the fine, whichever occurs later.

Added to NRS by [2005, 1130](#); A [2009, 899, 2579; 2015, 2187](#))

NRS 640C.710 - Authorized disciplinary action; orders imposing discipline deemed public records; private reprimands prohibited.

- 1. If, after notice and a hearing as required by law, the Board finds one or more grounds for taking disciplinary action, the Board may:
 - (a) Place the applicant or holder of the license on probation for a specified period or until further order of the Board;
 - (b) Administer to the applicant or holder of the license a public reprimand;
 - (c) Refuse to issue, renew, reinstate or restore the license;
 - (d) Suspend or revoke the license;
 - (e) Except as otherwise provided in [NRS 640C.712](#), impose an administrative fine of not more than \$5,000 for each violation;
 - (f) Require the applicant or holder of the license to pay the costs incurred by the Board to conduct the investigation and hearing; or
 - (g) Impose any combination of actions set forth in paragraphs (a) to (f), inclusive.
 - 2. The order of the Board may contain such other terms, provisions or conditions as the Board deems appropriate.
 - 3. The order of the Board and the findings of fact and conclusions of law supporting that order are public records.
 - 4. The Board shall not issue a private reprimand.
- (Added to NRS by [2005, 1131](#); A [2009, 2580](#))

(Use additional pages if necessary)

WHEREFORE, _____ prays that the Nevada State Board of
Massage Therapists commence administrative proceedings against the above-named
Respondent to take appropriate disciplinary action.

DATED THIS _____ DAY OF _____, 20____.

Respectfully Submitted,

Name: _____

Street _____

City, State, Zip _____