

BEFORE THE NEVADA STATE BOARD OF
MESSAGE THERAPY

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3 In the Matter of:

4 Elizabeth M. Galvan,

5 Licensed Massage Therapist
6 Nevada License No. NVMT.4828

7 Respondent.

Case No. NVMT-C-1937

SETTLEMENT AGREEMENT

8 This Agreement is hereby entered into between ELIZABETH M. GALVAN (Respondent), an
9 the NEVADA STATE BOARD OF MESSAGE THERAPY (Board).

10 It is hereby stipulated and agreed, by and between the parties to the above-entitled matter, tha
11 the following statements are true:

12 1. Respondent is aware of understands and has been advised of the effect of this
13 Agreement, which Respondent herein has carefully read and fully acknowledges. No coercion has
14 been exerted on the Respondent. Respondent acknowledges his right to an attorney at her own expense.
15 The Respondent has had the benefit, at all times, of obtaining advice from competent counsel of his
16 choice.

17 2. Respondent understands the nature of the allegations under investigation by the Board.
18 Respondent freely admits:

- 19 a. On or about July 2, 2019, Respondent submitted an online renewal application
20 wherein Respondent indicated that she was arrested for simple battery.
21 b. Court records indicate that on or about December 14, 2018. Respondent was charged
22 with Domestic Battery (2nd).
23 c. Court records indicate that on or about February 19, 2019, Respondent was pled to
24 Simple Battery.
25 d. As of January 20, 2020, Respondent has completed all court requirements.
26 e. Respondent acknowledges that this conduct constitutes a violation of NRS
27 640C.700(3) and/or NRS 640C.700(9).
28

1 3. Respondent is aware of her rights, including the right to a hearing on any charges and
2 allegations, the right to an attorney at her own expense, the right to examine witnesses who would
3 testify against her, the right to present evidence in her favor and call witnesses on his behalf, or to
4 testify herself, the right to contest the charges and allegations, the right to reconsideration, appeal or
5 any other type of formal judicial review of this matter, and any other rights which may be accorded to
6 her pursuant to the provisions of Chapters 640C, 233B., 622 and 622A of the Nevada Revised Statutes.

7
8 **Respondent agrees to waive the force and effect of this Agreement by the**
9 **Board.**

10 4. Respondent understands that the Board is free to accept or reject this Agreement, and if
11 rejected by the Board, a disciplinary proceeding may be commenced.

12 5. Should the Agreement be rejected by the Board, it is agreed that presentation to and
13 consideration by the Board of such proposed Agreement, shall not disqualify the Board, or any of its
14 members, from further participation, consideration, adjudication or resolution of these proceedings
15 and that no Board member shall be disqualified or challenged for bias therefore.

16 6. This Agreement shall only become effective when both parties have duly executed it
17 and unless so executed, this Agreement will not be construed as an admission.

18 7. This Agreement shall not be construed as excluding or reducing any criminal or civil
19 penalties or sanction or other remedies that may be applicable under federal, state or local laws.

20 8. This agreement shall cover any massage license issued by the State of Nevada.

21 9. This agreement may be used by the Board as evidence in any subsequent proceeding
22 involving the Respondent.

23 10. Based upon the foregoing stipulations and recitals, it is hereby agreed that the Board
24 may issue the following decision and order:
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AGREEMENT

IT IS HEREBY ORDERED:

1. Respondent is PUBLICLY REPRIMANDED.
2. Respondent must provide to the Board, at her own expense, a background check every year for the following two years that Respondent is licensed.
3. Respondent shall provide to the Board quarterly reports completed by Respondent and Respondent's employer for the following two years that Respondent is licensed.

IT IS FURTHER ORDERED that the discipline set forth in this Agreement become part of Respondent's permanent record and be reported to all appropriate agencies.

This Settlement Agreement shall take effect upon signature by the Chairperson of the Board.

NEVADA STATE BOARD OF MASSAGE THERAPY retains jurisdiction in this case until all conditions have been met to the satisfaction of the Board.

 _____ ELIZABETH GALVAN, Respondent	<u>8/11/20</u> /Date
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IT IS SO ORDERED.

DIANE HULEVA, LMT Board President	Date
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BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:
Elizabeth M. Galvan,
Licensed Massage Therapist
Nevada License No. NVMT.4828,
Respondent.

Case No. NVMT-C-1937

**COMPLAINT AND
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Sandra Anderson, hereby notifies Elizabeth M. Galvan ("Respondent") of an administrative hearing which is to be held pursuant to Chapters 233B, 622, 622A of the Nevada Revised Statutes (NRS) and 640C of the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC). The purpose of the hearing is to consider the allegations stated below and to determine if the Respondent should be subject to an administrative penalty as set forth in NRS 640C.710, if the stated allegations are proven at the hearing by the evidence presented.

Respondent is currently and at all times mentioned herein, licensed as a massage therapist in the State of Nevada and is therefore, subject to the jurisdiction of the Board and the provisions of NRS Chapter 640C.

IT IS HEREBY ALLEGED AND CHARGED AS FOLLOWS:

ALLEGED FACTS

1. On or about July 2, 2019, Respondent submitted an online renewal application wherein Respondent indicated that she was arrested for simple battery.
2. Court records indicate that on or about December 14, 2018, Respondent was charged with Domestic Battery (2nd).
3. Court records indicate that on or about February 19, 2019, Respondent was pled to Simple Battery.
4. As of January 20, 2020, Respondent has completed all court requirements.
5. Respondent acknowledges that this conduct constitutes a violation of NRS 640C.700(3) and/or NRS 640C.700(9).

1 **VIOLATIONS OF LAW**

2 **COUNT ONE**

3 6. By being convicted of a crime involving violence, Respondent violated the provisions of
4 NRS 640C.700(3) and/or NRS 640C.700(9). This is grounds for discipline pursuant to
5 NRS 640C.700(2).

6 **PRAYER FOR RELIEF**

7 WHEREFORE, Executive Director, Sandra Anderson, prays as follows:

8 7. That the Board conduct a hearing on this complaint as provided by statute, and after such
9 hearing, that the Board impose upon Respondent the discipline permitted by NRS
10 640C.710, which may include the following, (a) the imposition of an administrative fine of
11 not more than \$5,000.00 per violation, (b) recovery of reasonable investigative fees and costs
12 incurred, (c) recovery of attorney fees pursuant to NRS 622.400, (d) licensee be publicly
13 reprimanded, (e) suspend, revoke or place conditions on the licensee's license, (f) place the
14 licensee on probation, and/or (g) such other impositions as may be permitted by Nevada law.

15
16 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this
17 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B
18 622, 622A and 640C of the Nevada Revised Statutes.

19 Pursuant to Governor Steve Sisolak's Emergency Directive 006, there will be no physical
20 location for this meeting. Participants can join the meeting via Zoom.

21 THE HEARING WILL TAKE PLACE:

22 **Wednesday, August 19, 2020, commencing at 9:00 a.m.**

23 Zoom sign-in available at 8:30 a.m.

24 Register in advance for this meeting:

25 <https://zoom.us/j/98844482882?pwd=YnVWeHBaMEtWZWFnZmdJRXRwYlpgQT09>

26 Meeting ID: 988 4448 2882

27 Password: 246012

28 PURSUANT TO NRS 622A.320, Respondent may, but is not required to, file an answer to
this Complaint with the Board.

PURSUANT TO NRS 622A.330, Respondent may seek limited discovery from the Board.

1 As the Respondent, you are specifically informed that you have the right to appear and be
heard in your defense, either personally or through counsel of your choice. You have the right to
2 respond and to present relevant evidence and argument on all issues involved. You have the right to
3 call and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any matter
4 relevant to the issues involved.

5 You have the right to request that the Board issue subpoenas to compel witnesses to testify
6 and/or evidence to be offered on your behalf. In making this request, you may be required to
7 demonstrate the relevancy of the witnesses' testimony and/or evidence.

8 The purpose of the hearing is to determine if the Respondent has violated the provisions of
9 Chapter 640C of NRS and if the allegations contained herein are substantially proven by the evidence
10 presented to further determine what administrative penalty is to be assessed against the Respondent
11 if any, pursuant to NRS 640C.710.

12 Should the Respondent fail to appear at the hearing, a decision may still be reached by the
13 Board. As the Respondent, you are further advised that you may be charged with the attorney's fee
14 and/or costs associated with the hearing pursuant to NRS 622.400.

15 Pursuant to NRS 233B.121(5), informal disposition of this case may be made by stipulation
16 agreed settlement, consent order, or default. Any attempt to negotiate this case should be made by
17 contacting Sandra Anderson, (775) 687-9951 or sjanderson@lmt.nv.gov.

18 Pursuant to NRS 241.033(2)(b), the Nevada State Board of Massage Therapy may, without
19 further notice, take administrative action against your license and/or certificate to practice within the
20 State of Nevada if the Board determines that such administrative action is warranted after considering
21 your character, alleged misconduct, professional competence, or physical or mental health.

22 Dated this 5th day of August, 2020.

23 **NEVADA STATE BOARD OF MASSAGE THERAPY**

24 
25 _____
26 SANDRA ANDERSON, Executive Director
27
28

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2 **CERTIFICATE OF SERVICE**

3 I HEREBY CERTIFY that on August ____, 2020, I personally served Elizabeth M. Galvan at
4 true and correct copy of the foregoing **COMPLAINT AND NOTICE OF HEARING**, properly
5 addressed as follows:
6

7 Elizabeth M. Galvan
8 255 N. Sierra St. Apt 802
9 Reno, NV 89501

10 Service Provider for the NEVADA STATE BOARD OF MASSAGE THERAPY

11 _____
12 Signature

13
14 **Reno Carson Messenger Service, Inc.**
15 **185 Martin Street**
16 **Reno, NV 89509**
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Nevada State Board of Massage Therapy
1755 E Plumb Ln Ste 252 Reno, NV 895023656



GPS: 36.1812149;-115.0670525

SUMMARY OF SERVICE

rought to you by:

eno/Carson Messenger Service Inc



(775) 322-2424

Server: Don Taylor

CASE NUMBER: NVMT-C-1937

Reference No.:
NVMT-C-1937

JOB COMPLETE
R105149

DOCUMENTS SERVED: COMPLAINT AND NOTICE OF HEARING;

PARTY SERVED: Elizabeth M. Galvan

BY LEAVING WITH: Elizabeth Galvan , Self

PHYSICAL DESCRIPTION: Age: 36 - 40 Weight: 181-200 Lbs Hair: Black
Sex: Female Height: 5'7 - 6'0 Race: Latino

DATE & TIME OF SERVICE: 8/12/2020
1:28 PM

ADDRESS, CITY, AND STATE: 908 Stoney Beach St
Las Vegas, NV 891101555

COMPLETED BY **Don Taylor reg#: R-097875**

Server Notes/Diligence:

Attempted at 1855 Plumas St Ste 1 Reno, NV 89509-3385 On 8/6/2020 at 1:26 PM
Results: Attempted: Business closed and is open by appointment only . Server left a card
through slot in door; on floor of foyer of business,

Server Notes/Diligence:

Attempted at 255 N Sierra St Unit 802 Reno, NV 89501-1373 On 8/7/2020 at 7:59 PM
Results: BAD ADDRESS: Subject is neither a current resident nor a post-holder at the
address given. Server spoke to: PH: current resident of last four months, Tom Hackerly. This
is confirmed by phone call to Subject, who states she has relocated to Las Vegas. Server
gave subject information to phone Server s office next week to arrange for delivery. Subject
didn t wish to give her information to stranger (server) via telephone.

Continued on Next Page



Reno Carson Messenger Service, Inc
185 Martin St.
Reno, NV 89509
Phone: (775) 322-2424 Fax: (775) 322-3408
www.renocarson.com

Continued from Previous Page

Server Notes/Diligence:

Attempted at 1855 Plumas St Ste 1 Reno, NV 89509-3385 On 8/7/2020 at 8:14 PM
Results: BAD ADDRESS: Subject is neither a current resident nor a post-holder at the address given. Server spoke to: Subject via telephone, and is informed that subject has moved to Las Vegas. Server gave subject information to arrange for delivery of service of process.

SUMMARY OF SERVICE NVMT-C-1937