

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:

Dan Wang,

Licensed Massage Therapist
Nevada License No. NVMT.8663,

Respondent.

Case No. NVMT-C-2040

**COMPLAINT AND
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Sandra Anderson, hereby notifies Dan Wang (“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 September 3, 2020, Board investigator, Christine Brunner, accompanied by Administrative Assistant II, Kathy Swanson, conducted a customary sanitation inspection of a massage establishment at A Massage located 1155 West 4th Street, Reno, NV 89503.
2. Ms. Brunner and Ms. Swanson observed that Respondent was the only licensed therapist at A Massage during their inspection.
3. Ms. Brunner and Ms. Swanson observed that a massage room was occupied, however, Respondent was not in the massage room.
4. Another individual, identified as Cai Hong Guan, exited the massage room and she denied performing a massage, stating that she is the manager and a licensed cosmetologist.

1 5. Ms. Brunner confirmed with the massage client that Ms. Guan performed his massage. Ms.
2 Guan is not licensed with the Board.

3 **VIOLATIONS OF LAW**

4 **COUNT ONE**

5 6. By permitting an unlicensed person to perform a massage, Respondent failed to safeguard
6 a client from the incompetent, abusive or illegal practice of any person during the practice
7 of massage therapy, thereby Respondent violated the provisions of NAC 640C.410(j) and/or
8 NRS 640C.700(9). This is grounds for discipline pursuant to NRS 640C.700(2).

9 **COUNT TWO**

10 7. By permitting an unlicensed person to perform a massage, Respondent aided, abetted or
11 assisted another person in performing any acts prohibited by law, thereby Respondent
12 violated the provisions of NAC 640C.410(p) and/or NRS 640C.700(9). This is grounds for
13 discipline pursuant to NRS 640C.700(2).

14 **COUNT THREE**

15 8. By failing to report the unauthorized practice of massage therapy, Respondent violated the
16 provisions of NAC 640C.410(s) and/or NRS 640C.700(9). This is grounds for discipline
17 pursuant to NRS 640C.700(2).

18 **PRAYER FOR RELIEF**

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

20 9. That the Board conduct a hearing on this complaint as provided by statute, and after such
21 hearing, that the Board impose upon Respondent the discipline permitted by NRS 640C.710,
22 which may include the following, (a) the imposition of an administrative fine of not more than
23 \$5,000.00 per violation, (b) recovery of reasonable investigative fees and costs incurred, (c)
24 recovery of attorney fees pursuant to NRS 622.400, (d) licensee be publicly reprimanded, (e)
25 suspend, revoke or place conditions on the licensee's license, (f) place the licensee on
26 probation, and/or (g) such other impositions as may be permitted by Nevada law.

1 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this
2 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B,
3 622, 622A and 640C of the Nevada Revised Statutes.

4 THE HEARING WILL TAKE PLACE:

5 **Wednesday, November 4, 2020, commencing at 9:00 a.m.**

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

7 Register in advance for this meeting:

8 <https://zoom.us/j/99858062211?pwd=ZUxVN3JKaGZwVXo4M2VkMzZEakdlZz09>

9 Meeting ID: 998 5806 2211

10 Password: 859088

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

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

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

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

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

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

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

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

5 Dated this 3rd day of October, 2020.

6 **NEVADA STATE BOARD OF MASSAGE THERAPY**

7 
8 SANDRA ANDERSON, Executive Director

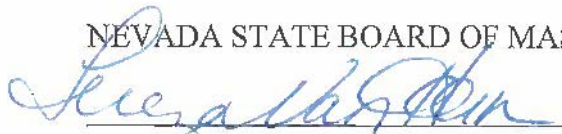
1 CERTIFICATE OF SERVICE

2 I HEREBY CERTIFY that on October 5, 2020, I deposited for mailing at Reno, Nevada, via
3 Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of the foregoing
4 **COMPLAINT AND NOTICE OF HEARING**, properly addressed as follows:
5

6 Dan Wang
6699 Cacoctin Avenue
7 Las Vegas, NV 89139

9489 0090 0027 6226 7362 17

8 NEVADA STATE BOARD OF MASSAGE THERAPY

9 
10 _____
11 Employee