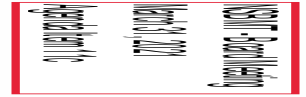


NEVADA STATE BOARD OF MASSAGE THERAPY

AGENDA ACTION SHEET



TITLE: Application Review (Criminal History)

MEETING DATE: March 31, 2021

APPLICANT: Ping He

REVIEW UNDER: NRS 640C.700

BACKGROUND INFORMATION:

Ms. He's massage application is before you today due to potential criminal history that could not be approved administratively. Ms. He was previously licensed with NSBMT with a probationary license on October 12, 2007. Probation termination was granted on 10/23/2009. Ms. He was arrested on 12/28/06 for solicitation of prostitution, 1/7/2007 for solicitation of prostitution, 10/08/2009 for false information to a police officer and 10/22/2010 for solicitation of prostitution by Las Vegas Metropolitan Police Department. Ms. He had her NCBTMB national exam results revoked on 8/25/2011. Ms. He is requesting to be granted a license under NRS 640C.580 or 420 and is before you today for review under NRS 640C.700. Staff's recommendation is to deny this application based on NRS.640C.700(2)(3)(4)(6) and (9).

ACTION:

- ☐ Approved
☐ Probation

- ☐ Denied – NRS 640C._____
☐ Tabled

PROBATION CONDITIONS: Per NRS 640C.710 Options for Respondent:

<input type="checkbox"/> A. Report all contact with law enforcement personnel within 48 hours after such contact occurs.	<input type="checkbox"/> B. Refrain from providing outcall services.
<input type="checkbox"/> C. Submit employment offers to the staff of the Board for review and approval.	<input type="checkbox"/> D. Submit to a random drug test at respondent's expense.
<input type="checkbox"/> E. Complete an ethics course within 90 calendar days of licensure.	<input type="checkbox"/> F. Submit to the Board a complete set of Fingerprints bi-annually/annually at licensee's expense.
<input type="checkbox"/> G. Take any other action that the Board deems appropriate -	

Required for Respondent:

Cooperate fully with Board staff to administrate term of probation.	Responsible for all administrative fees incurred by the Board as a result of their probation compliance
Attend Probation Orientation	Comply with all laws governing massage therapy
Notify any change in address, phone number, establishment or employment to the Board office within 10 calendar days per NAC.640C.085(3)	Take any combination of the actions set forth in paragraphs (a) through (g), inclusive.

NSBMT Timeline –

Attended Oriental Medicine Institute in America – 2002 for 600 hours

Arrest – 12/28/2006 for soliciting prostitution at Paradise Spa.

Arrest – 1/7/2007 for soliciting prostitution at Paradise Spa.

NCBTMB exam results effective on March 31, 2007

Board meeting on 10/12/2007 – approved a probationary license for two years.

Arrested on 10/08/2009 for false information to a police officer at Hongye Massage & Spa

Board meeting 10/23/2009 – removed from probationary license. (Did not disclose recent arrest on 10/8/2009 – notification was received by LVMPD)

Arrested on 10/22/2010 for soliciting prostitution at Hongye Massage & Spa

NCBTMB – revoked test scores on 8/25/2011

Complaint Notice of Hearing sent with a Board meeting date of April 15, 2011.

Voluntary Surrender approved at Board meeting on 6/10/2011

Attended Fuzuba with a start date of 12/6/2019- graduation date of 7/6/2020

Took ITEC exam on 10/8/2020

Background received on 12/11/2020 - reflected no arrests or citations.

Prepared by Tereza Van Horn, Executive Assistant

Board Meeting Application review:

Summary of Ping He arrests/charges:

12/28/2006 – Detective XXX was working undercover operations investigating prostitution at Paradise Spa at 2120 S. Paradise in Las Vegas, NV.

I entered the establishment on the terms of getting a massage. I spoke with a female who stated it would be \$70.00 for a half hour body massage. Then paid the female, later identified as He, Ping, the \$80.00 at which time she reimbursed me \$10.00 in change. We then entered into one of the massage rooms where she began to perform a therapeutic massage. At the conclusion of the massage she asked if I was happy and if I liked the massage. I stated the massage was okay. She asked I wanted anything else and pointed towards my genital areas (referring to my penis). She stated, "Do you want more?" I stated, "For how much?" As she was doing the hand motion referring to oral masturbation, I stated, "forty dollars?" She said, "A little bit more." I then stated, "sixty?" She then gave me a finger sign number one. I stated, "one hundred?" She nodded and said, "yes" at the same time. I then got up from the table reached into my pocket and grabbed a hundred-dollar bill out, at which time I then handed it to her, and she placed it in her pocket. During the first part of the massage, I did speak with the female in casual conversation and asked her where she was from, how long she'd been here, and she spoke english back to me. Detectives entered the establishment, and Ms. He was placed into custody and placed under arrest for soliciting prostitution.

1/7/2007 – Detective XX working undercover operations investigating prostitution at Paradise Spa at 2120 S. Paradise in Las Vegas, NV.

While working as an undercover vice detective I went into an Asian establishment. When I entered, an Asian female asked me do you want a massage. I said, "yes, that what I's m here for." She then directed me to a room where I saw many different other rooms with massage tables and towels. I went into one of the rooms and this Asian female told me to take off all my clothes and lay down on the table. After I undressed and laid on the table, the woman later identified as He, Ping entered the room and with oil began to massage my back, buttocks and legs. After doing this for a short period, she told me to turn over. I then laid on my back. She then began to massage my upper body and legs and then moved over towards my genitals and started to massage there. She then said, "you're not the police, are you? You're a big strong guy, you're strong like policeman." I said, "no, I'm not the police." She said, "Can I see your ID?" I then showed her an identification card and then she looked at it and then said, "okay, lay back down." She then began to massage me again and then began to touch my genital. She then said, "you sure you're not the police?" I said, "No, I'm not the police." She said, "Well, let's go in the shower, will give me some tips?" I then said, "Yeah, how much and I going to need?" She said, "We can't talk about it right here." I then put my right fist in a cupping motion and did in a masturbation symbol and I said, "Can you hook me up? Maybe give me a blow job?" She then nodded her head in a yes motion and said that I can't talk about that right here. We'll talk about it when we're in the shower. I said, "How much money am I going to need?" She said, I can't talk about money, I don't want to get in trouble." She then said, "Just take your wallet and we'll go in the shower." I then identified myself as an undercover vice detective while other detectives were entering the establishment. Ms. He was placed under arrest for soliciting for the purpose of prostitution.

10/08/2009 – Detective XXX along with other detectives of vice were conducting an in-call massage parlor investigation at the Hongye Massage & Spa located at 3385 S. Decatur.

I entered the Hongye Massage & Spa posing as a customer, and contacted an Asian female who charged me \$50.00 for a massage, and then escorted me to a back room, and instructed me to take off my clothes and lay on the massage table with a towel over me. At that time, she exited the room, and a few minutes later another Asian female who would later be identified as He, Ping, would enter the room to conduct the massage. During the massage it was clear that He, Ping had seemed to have very little experience conducting the massage, and she had a limited amount of skill.

During the massage He, Ping would expose me several times, but did not offer to manipulate my genitals or solicit me for prostitution in any way. At the conclusion of the massage He, Ping instructed me to get dressed, and told me that the massage was over. At that time, I gave a prearranged signal to surveilling team who entered the business along with

detectives from vice to conduct a site check for the business, and assure that all proper licensing of the massage parlor, and for the massage therapists were present.

While attempting to identify the Asian female who conducted the massage on me, she gave an ID and a State of Nevada massage license ID in the name of QXXX XXXX Qiu. It should be noted that the detectives that the detectives conducting the site check were wearing department issued yellow raid jackets which are clearly marked police and LVMPD.

He, Ping was told several times that the license appeared fake, and that the license said foot handler on it, and it did not look like her. She was warned that if she continued to lie about who she is, she would be arrested for false information to a police officer.

It should be noted that during the massage He, Ping spoke clear and intelligible English to me and understood everything I was saying to her in English. He, Ping began to say that she did not speak English, but she did speak Cantonese. After several warning, Ms. He finally identified herself as He, Ping by her actual massage license which was a restricted license requiring supervisor to be present.

Due to the fact she had been warned several times and that she still lied to uniform police officers about her identification, and had passed a false information/identification as her ID, He, Ping was cited for False information to a police officer.

10/22/2010 – Ms. He was arrested by LVMPD for solicitation of prostitution.

Detective S. XXXX was working n an undercover capacity at 3385 S. Decatur, Ste 32, which is the Hong Ye Massage parlor. I was working in an undercover capacity investigating vice-related crimes. I proceeded to go into the business when an unknown Asian female, later identified as He, greeted me at the door. She then walked me back to massage room #3, and then asked me how long of a massage I would like. I stated I would like a half-hour massage. She then stated that was \$50.00. I then proceeded to give her a \$100.00 bill of LVMPD marked money, and in return, she left the room and instructed me get undressed and lay on the table.

She then returned approximately a couple of minutes later, and handed me \$50.00 change, and put it on the table, and stated, here is my change for the \$100.00. At which time, she proceeded to give me a massage, where I was covered by a towel that was provided. The whole entire time I had the towel on me when she gave me the massage. At which time I was laying on my stomach, when she pulled down the towel exposing my butt. She came in and out of the room a few times, and when she came back in the last time, she told me to turn over. When I turned over, I placed the towel, again covering my genital area, when she continued to give me the massage. At which time, she removed the towel exposing my genitals. When I sat up and asked her if I could get anything else as I recovered my genitals with my towel, she said, Oh, my back is soar, you rub my back. I said well, why don't you get nude on the table, and I'll rub you down. She then laughed and said, no, just rub my back if you would please, my back hurts.

At that time, I proceed to rub her back for one second, and asked her, is there anything else I can get? She said, yeah, how much? I said, I'll give you the \$50.00 change, she said no. I said, you want \$100.00? She said, yeah. I said, \$100.00 just for a hand job? She said, yes, but I'll take it nice and slow, make it really nice for you. I then asked her, well, can I get a blowjob? Or can I Fuck you? She said, No I only do that. I said, what just a handjob? She said, yeah, massage you nicely. I said, for \$100.00, why don't you take off your clothes, that way I can look at you while you're doing it. He then told me, I don't take off my clothes, but you can touch and rub all over me.

At that time, I gave a predetermines bust signal when assisting LVMPD came inside the business. At which time, He walked out of my room, closing the door behind. I proceeded to get dressed when I came out to meet the LVMPD. He was then placed under arrest for soliciting prostitution, due to the fact she willfully and unlawfully agreed to give me manual masturbation until completion for a fee of \$100.00.



Nevada State Board of Massage Therapy

1755 E. Plumb Lane, Suite 252, Reno, NEVADA

Application: License Application
Application Number: OL200902073834

Fee: \$30.00

APPLICATION INSTRUCTIONS

Please read the following instructions carefully before completing the application. Incomplete applications will cause delays in processing your application. If you have any questions about completing this application, visit our website listed above and click the FAQs tab.

1. Did you complete/graduate from a program of Massage Therapy with at least 550 hours? : ☒ Yes ☐ No
2. Did you take and pass the National Exam (NESL, NCETM, NCETMB, MBLEx, IASI, ITEC, ARCB, IIR and NCBTMB-R)? : ☒ Yes ☐ No

Section 1 : Personal Information

- Include 1 current passport quality photo - No emailed photos or faxes will be accepted
- No larger than 2" x 2", front view of FACE - no profile
- Must be taken against a solid white background
- We will NOT ACCEPT the photo if you are wearing a hat, sunglasses, or anything obstructing any portion of your face.

Application Type : ☒ Massage Therapist ☐ Structural Integration ☐ Reflexology

Applicant Name

Last Name : HE
First Name : PING
Middle Name :



List all legal names previously or currently being used by you :

No record found.

Mailing address :

Street :
City : State : Zip :

Residence address (if different than the mailing address) : ☐ Same as mailing address

Street :
City : State : Zip :

Social Security Number : Date of Birth :
Place of Birth : china Gender : ☐ Male ☒ Female

Home/Cell Phone :

Indicate the appropriate selection; which address you would prefer to be public knowledge.

☒ Home ☐ Mailing ☐ Business

Do you want to be excluded from the public mailing list? (Select one- You will still receive Board

notifications)

☐ Yes ☒ No

Section 2 : Child Support Information (Pursuant to NRS 640C.430)

Mark the appropriate response (failure to mark one of the three will result in denial of your application):

- ☒ I am NOT SUBJECT to a court order for the support of a child.
- ☐ I am SUBJECT to a court order for the support of one or more children and am in compliance with the order or am in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount pursuant to the order.
- ☐ I am SUBJECT to a court order for the support of one or more children and am NOT in compliance with the order or am NOT in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount pursuant to the order.

Section 3 : Previous Licensure Information**Previous Licensure :**

List all jurisdictions/states in which you have ever been licensed as a Massage Therapist, Reflexology or Structural Integrationist.

☐ Check here if you have never been licensed in any state jurisdiction.

Jurisdiction/ State	License Number	Year Issued	Expiration Date
NV	Massage	2006	06/10/2011

Section 4 : Training and Education**Training :**

Contact registrar of your school/(s) and request to have official transcripts mailed directly to the Nevada State Board of Massage Therapy.

Diploma may be provided by school or applicant.

Name of School	City/State	Years from and to	Hours Completed
FUZUBA SCHOOL OF MASSAGE AND REFLEXOLOGY	LAS VEGAS	2019 - 2020	550

Transcript(s)

Document Name	User Defined Document Name	Document Link
200902073834-133478-Transcript.pdf	FUZUBA-TRANSCP	Document Detail

Section 5 : National Exam

Exam Taken	Where Taken	Date Taken
ITEC	Las Vegas/NV	07/02/2020

National Exam Status : ☒ Pass

Date Received : 08/17/2020

Score Report Received ☒

Document Name	User Defined Document Name	Document Status
200902073834-133479-ScoreReportCard.pdf	ITEC	Pass

as to the accuracy or completeness of any entry on his/her record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.

3. Based on 28 CFR § 50.12 (b), officials making such determinations should not deny the license or employment based on information in the record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
4. You have the right to expect that officials receiving the results of the fingerprint-based criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal or state statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.
5. I hereby authorize **Nevada State Board of Massage Therapy** to submit a set of my fingerprints to the Nevada Department Public Safety, Records Bureau for the purpose of accessing and reviewing State of Nevada and FBI criminal history records that may pertain to me.
In giving this authorization, I expressly understand that the records may include information pertaining to notations of arrest, detentions, indictments, information or other charges for which the final court disposition is pending or is unknown to the above referenced agency. For records containing final court disposition information, I understand that the release may include information pertaining to dismissals, acquittals, convictions, sentences, correctional supervision information and information concerning the status of my parole or probation when applicable.
6. I hereby release from liability and promise to hold harmless under any and all causes of legal action, the State of Nevada, its officer(s), agent(s) and/or employee(s) who conducted my criminal history records search and provided information to the submitting agency for any statement(s), omission(s), or infringement(s) upon my current legal rights. I further release and promise to hold harmless and covenant not to sue any persons, firms, institutions or agencies providing such information to the State of Nevada on the basis of their disclosures. I have signed this release voluntarily and of my own free will.

A reproduction of this authorization for release of information by photocopy, facsimile or similar process, shall for all purposes be as valid as the original.

In consideration for processing my application I, the undersigned, whose name and signature voluntarily appears below; do hereby and irrevocably agree to the above.

Last Name : HE

First Name : PING

Middle Name :

Street :

City :

State :

Zip :

Date : 9/29/2020

Submitting Agency : Nevada State Board of Massage Therapy

Address : 1755 E. Plumb Ln. Suite 252,
Reno, NV 89502

VETERAN

The Nevada State Board of Massage Therapy is required by State Law to report veteran information annually. If this section applies to you, please complete the following information.

Have you ever served in the military: ☐ Yes ☒ No

Branch(es) of Service: (Check all that apply)

- ☐ Army/Army Reserve
- ☐ Marine Corps/Marine Corps Reserve
- ☒ Navy/Navy Reserve
- ☒ Air Force/Air Force Reserve
- ☒ Coast Guard/Coast Guard Reserve
- ☒ National Guard

Military Occupation Specialty/Specialties:

Date(s) of Service: From To

As by Executive Order 2014-20 all professional licensing board organized pursuant to the NRS shall collect the above data and provide the information to the Nevada Department of Veterans Services.

Affidavit of Applicant / Authorization of Release

I, **PING HE** certify that I am the person described and identified in this application;
I have answered all the questions truthfully and completely, and any documents that I have provided in support of my

application are, to the best of my knowledge, accurate.

I certify that I have not had any undisclosed disciplinary proceedings instituted against me relating to my license to practice massage, reflexology or structural integration and I have disclosed or have not been arrested or convicted, for any crime involving violence, prostitution or any other sexual offense.

I authorize all institutions or organizations, including educational institutions and organizations, employers (past and present), business and professional associations (past and present) and all governmental agencies and municipalities (local, state, federal and foreign) to release to the Nevada State Board of Massage Therapy any information, files or records required by the Nevada State Board of Massage Therapy in connection with processing this application.

I understand that furnishing false or misleading information or failing to furnish required information on this application may be cause for the denial, suspension or revocation of my license to practice massage therapy, structural integration or reflexology in the State of Nevada.

Name : Ping He

Date : 9/29/2020

Upload

Have you uploaded a current passport quality photo?

Has our office received your Official School Transcripts, Certificate of Completion (diploma), National Exam Official Score Report and, if applicable, Certified Statement from other jurisdictions/states?

☒ Yes ☐ No

Have you uploaded a current copy of driver's license or identification card and social security card. Names must match on driver's license and social security card. If your license has expired since you submitted your application you must include a current legible copy?

☒ Yes ☐ No

Have you uploaded a current massage therapy license, reflexology license/certificate or structural integration license. If your current massage therapist license, reflexology license/certificate or structural integration license has expired since you submitted your application you must include a current legible copy?

☐ Yes ☒ No

- Please allow up to 4 weeks for processing your live scan fingerprints
- Please allow up to 6-8 weeks for processing fingerprint cards
- **Once you have submitted your completed application, please allow up to 15 business days for processing before inquiring about the status of your application.**

Document Type	Document Name	User	Defined Document Name
Photo	3051-135227-HE, PING.jpg		
Score Report Card	200902073834-133479-ScoreReportCard.pdf	ITEC	
Transcript	200902073834-133478-Transcript.pdf	FUZUBA-TRANSCP	
Certificate of Completion	200902073834-133477-Certificate-of-Completion.pdf	FUZUBA-DIPL	
Social Security Card	OL200902073233-133186-Social-Security-Card.png		
Government Issued ID Card	OL200902073233-133185-Government-Issued-ID-Card.png		

Application Fees

All fees are non-refundable.

Fee Detail(s)

Payment Detail(s)

Payment Method:

Amount Paid:



Transcript
3884 Schiff Dr.
Las Vegas, NV 89103

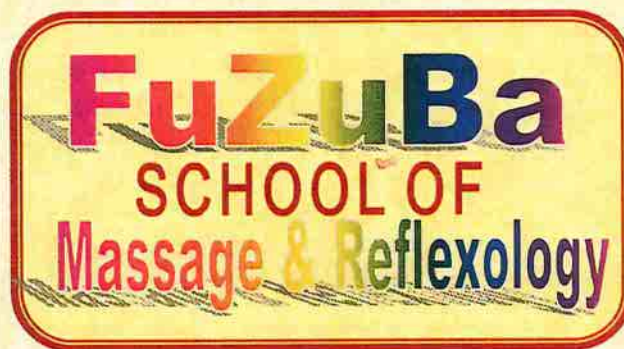
Student: Ping He SSN: Gender: Female Birth Date: Start Date: 12/06/2019 Graduation Date: 7/6/2020	Grade: 3.75 Total Earned Hours: 550
--	--

FUZUBA 12/2019 Class		NV Massage Training Program 550-Hr		GPA: 3.75	
Course	Marks	Grade	Credits	Earned	
1219 Unit A: Anatomy, Physiology, & Kinesiology	88	B+	125	125	
1219 Unit B: Theory and Practice of Massage	92	A-	220	220	
1219 Unit C: Other Modalities of Massage Therapy	97	A+	125	125	
1219 Unit D: Pathology for Massage Therapists	90	A-	40	40	
1219 Unit E: Standards of Professional Practice	90	A-	40	40	
ITEC Massage 17963		I	0		
Total Credits				550	

Grading Scale				
97 - 100 = A+	93 - 96 = A	90 - 92 = A-	87 - 89 = B+	83 - 86 = B
80 - 82 = B-	77 - 79 = C+	73 - 76 = C	70 - 72 = C-	0 - 69 = F



Official Seal 	Notes -Grade points are for comparison purposes only -ITEC scores are reported separately	Signature of the Registrar
		Not official without school seal IN ACCORDANCE WITH THE FAMILY EDUCATIONAL ACT OF 1974, THIS RECORD CANNOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE STUDENT



Certificate of Graduation

I certify that that Ms. Ping He, having successfully completed the 550 hour Professional Practice of Therapeutic Massage training program, is hereby awarded the Certificate of Graduation this sixth day of July, 2020 with all the rights and responsibilities thereto pertaining.



Nathan O'Hara
Nathan O'Hara, Ph.D.
Director

119354/2132/119322/120174 Ping He - E119354

Level 3 Diploma in Holistic Massage (603/4097/6) - 2132

Pass

10/08/2020 Fu Zu Ba School of Massage and Reflexology (X500377)



National Certification Board for Therapeutic Massage and Bodywork

Let It Be Known That

Ping He

*has demonstrated the fundamental knowledge required for competency in
this profession and is hereby awarded the designation*

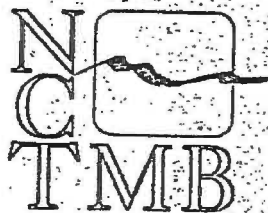
Nationally Certified in Therapeutic Massage and Bodywork

Whitney Love

Chair

Janet Adams

Chair-Elect



335924-00

National Certification Number

2003

Certified Since

March 31, 2007

Expiration Date



VIA FACSIMILE TO:
775-786-4264

September 29, 2020

Tereza Van Horn
Executive Assistant
Nevada State Board of Massage Therapy
1755 E. Plumb Lane, Ste. 252
Reno, NV 89502

Re: Ping He application

Dear Ms. Van Horn:

Please be advised that I will be assisting Ms. Ping He with her pending massage license application. Kindly forward any communication regarding this matter to my office. Thank you.

Yours truly,

A handwritten signature in dark ink, appearing to be 'KTK', written over a horizontal line.

Kirk T. Kennedy, Esq.
KTK/pf



Nevada State Board of Massage Therapy

1755 E. Plumb Lane Suite 252

Reno, NV 89502

Reno Phone (775) 687-9955

Fax (775) 786-4264

Email: nvmassagebd@lmt.nv.gov

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

March 1, 2021

Ping He
C/O Kirk Kennedy
815 S. Casino Center Blvd.
Las Vegas, NV 89101

Re: Notice of meeting of the Nevada State Board of Massage Therapy to consider your character, alleged misconduct, competence, or physical or mental health.

Dear Ms. He:

In connection with your Application Review, the Nevada State Board of Massage Therapy (Board) may consider your character, alleged misconduct, competence or physical or mental health at its meeting on March 31, 2021. Pursuant to Governor Steve Sisolak's Emergency Directive 006, there will be no physical location for this meeting. Participants can join the meeting via Zoom. The meeting will begin at 9:00 a.m:

Register in advance for this meeting:

<https://zoom.us/j/95421402454?pwd=VlorZlZlaEhaWStWcysOUkEzZGRMUT09>

After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID 954 2140 2454

Password 855165

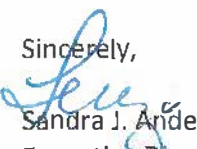
The meeting is a public meeting. You are not required to attend; however, attendance is recommended. Pursuant to NAC 640C.070 your completed investigation results may be discussed. You may choose to have an attorney or other representative of your choosing present during the meeting, present written evidence, provide testimony, present witnesses relating to your character, alleged misconduct, professional competence, or physical or mental health. Please be aware you are one of many agenda items, and the Board may take items out of order. The meeting may last until 4:30 p.m.

If the Board determines it necessary, after considering your character, alleged misconduct, professional competence, or physical or mental health whether in a closed meeting or open meeting, it may take administrative action against you at this meeting. This informational statement is in lieu of any notice that may be required pursuant to NRS 241.034. This notice is provided to you under NRS 241.033.

In the event you need an interpreter, please provide one at your own expense.

If you have any questions, please feel free to contact the office at (775) 687-9955.

Sincerely,


Sandra J. Anderson
Executive Director
Cc: Kirk T. Kennedy

9489 0090 0027 6265 6252 06

 ORIGINAL

ORIGINAL

**BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPISTS**

In The Matter Of:

Ping He,
Massage Therapist
Nevada License No. 3073

**VOLUNTARY SURRENDER
OF LICENSE IN LIEU OF OTHER
DISCIPLINARY ACTION**

Respondent.

CASE NO. NVMT-C-1109

I, Ping He, wish to voluntarily surrender my Nevada Massage Therapy License.

I voluntarily and knowingly admit the following facts:

1. I am licensed as a massage therapist in the State of Nevada and I was licensed at the time of the conduct described herein and am, therefore, subject to the jurisdiction of the Board.

2. That on or about October 22, 2010, while working in the capacity of a licensed massage therapist in Las Vegas, Nevada, I was arrested for Solicitation of Prostitution.

3. In October of 2007, I was placed on a 2-year order of probation with the Board, which was related to my character and/or criminal history and two previous arrests for solicitation of prostitution.

4. I admit these factual allegations can constitute grounds for disciplinary action pursuant to NRS 640C.710 because the conduct may have violated NRS 640C.700(4)(a) and/or (9).

5. I am aware of, understand, and have been advised of the effect of this Voluntary Surrender.

6. I have read this Voluntary Surrender and I fully understand and acknowledge its facts and terms.

7. I am aware that I have certain constitutional rights, including:

- a. I have the right to hire an attorney to represent me in this proceeding;
- b. I have the right to demand a hearing on the charges against me, and I can require the Boards staff to prove the allegations;

- c. I have the right to cross-examine the witnesses against me;
- d. I have the right to call witnesses to provide evidence in my own behalf;
- e. have other rights accorded to me under Nevada Revised Statutes Chapters 233B, 622, 622A and 640C.

8. I am aware of the foregoing rights, and I voluntarily, knowingly, and intelligently waive these rights in return for the Board accepting my voluntary surrender of my massage therapist license in lieu of other disciplinary action.

9. I understand this Voluntary Surrender is considered a disciplinary action and as such will become part of my permanent record.

10. I understand this Voluntary Surrender is considered public information.

11. I understand this Voluntary Surrender is considered a disciplinary action and will be reported to any national repository, which records disciplinary action taken against licensees, or any agency or another state, which regulates the practice of Massage Therapy.

12. I understand this Voluntary Surrender may be used in any subsequent hearings by the Board as evidence against me to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

13. This Voluntary Surrender shall not be construed as excluding or reducing any criminal or civil penalties or sanctions.

14. I understand that this surrender is effective on the date it is accepted by the Board.

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1 I, PING HE, by my signature affixed below, agree with the foregoing facts and
2 representations and therefore choose to voluntarily surrender my License to practice as a
3 massage therapist in Nevada.

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

6 NEVADA STATE BOARD OF MASSAGE THERAPISTS

7 Billie Shea
8 Billie Shea, LMT
9 Board President

10 Ping He
11 PING HE
12 Respondent

13 Date

14 6-10-11

15 Date

16 6/8/11

17 State of Nevada
18 County of Clark



19 Stefanie A. HASS
20 Notary Public
21 STATE OF NEVADA
22 Appt. No. 11-4430-1
23 My Appt. Expires April 1, 2015

24 This instrument was
25 acknowledged before me
26 on ~~the~~ this 8th day of June 2011,
27 by Ping He xx.

28 Stefanie A. Hass
Stefanie A. Hass

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

3. *Agreement/Stipulation

- a. Ping He-not present, Vicki Greco, Attorney at Law-present

Keith Marcher, Chief Deputy Attorney General, stated this is case number C-1109 license number NVMT.3073 regarding Ping He. Ms. He is before the Board for a Formal Complaint filed against her.

Vicki Greco, Attorney at Law, stated Ms. He has agreed to a Voluntary Surrender of her license.

Motion: Tree Allemang made a motion to accept the Voluntary Surrender of Ping He's license.

Seconded: Michelle Viesselman

All in Favor: Michelle Viesselman, Billie Shea, Robin Graber, Tree Allemang, Kathleen Pilgreen, Joe Cracraft and Michael Smith

Motion Carried

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

c. Ping He-Present; Vicki Greco-Attorney-at-Law-Present.

Billie Shea advised Ms. Greco that the Board has a long day ahead of them and appreciates her passion, but the Board has other people that still need to come before them.

Ms. Greco stated that if the Board wants to make what the motion would be, and if it is to terminate Ms. He's probation, then Ms. Greco will abstain from any argument at all. If it is not going to be, then Ms. Greco will reserve her right to argue on it. Ms. Greco stated that she brought a witness as well.

Lisa Cooper stated that Ms. He is before the Board requesting termination of her probation. Ms. He was placed on a two year probation on October 18, 2007. Until recently, the Board has not had any issues with Ping He's probation. On October 9, 2009, Ms. Cooper was notified by Las Vegas Metropolitan Police Department that Ms. He was issued a citation for Giving False Information to a Police Officer. Ms. Cooper found out later that Ms. He did not have her supervisor on site while she gave a massage. Apparently, the supervisor left to go somewhere. Ms. Cooper believes that Ms. Greco is going to argue that the police officer went in and tried to solicit and Ms. He did not take the solicitation. The only thing that they could charge Ms. He with was giving false information. Ms. He gave the officer a license which was not hers, and then realized it was the wrong license and gave him the right license. Ms. Cooper had no recommendation for the Board.

Motion: Robin Graber made a motion to terminate the probation for Ping He effective October 31, 2009.

Seconded: Michael Smith

Motion carried.

* [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

BEFORE THE NEVADA STATE BOARD OF MASSAGE THERAPISTS

IN THE MATTER OF

PING HE, LICENSED MASSAGE THERAPIST

ORDER OF PROBATION

NEVADA LICENSE NO: LMT.NVMT.3073

RESPONDENT

The following is the order in the case involving Ping He (Respondent) by the Nevada State Board of Massage Therapists. (Board)

ORDER

It is hereby ordered that Nevada Licensed Massage Therapists License No. NVMT.3073, issued in the name of Ping He is placed on probation (restricted Licensure) for a minimum of two (2) years with the following terms and conditions:

1. If, after notice and hearing, Respondent is found to have violated any of the following terms and conditions, the Board may revoke probation for Respondent and carry out any appropriate disciplinary action pursuant to NRS 640C.710. The Board shall have continuing jurisdiction over any complaint filed against Respondent to revoke probation until such matter is final.
2. This order shall not be construed as excluding or reducing any criminal or civil penalties or sanction or other remedies that may be applicable under federal, state or local laws.

PROBATION CONDITIONS

1. Respondent must report all contact with law enforcement within 48 hours to The Board.
2. Respondent may not provide outcall service.
3. Respondent must approve employment with The Board.
4. Respondent must notify The Board of any change in employment within 24 hours
5. Respondent must complete 6 hours of ethics education within 90 days

6. Respondent must submitted 2 finger print card with renewal for period of two years. with administrative fee of \$100.00
7. Respondent must have adequate supervision while at work: Supervisor must be approved by The Board prior to taking employment.
8. Respondent must notify any Change in address to The Board office within 15 days.
9. Respondent must report any inappropriate behavior from a client during a massage to The Board within 24 hours.
10. Respondent must submit to a FBI/Local fingerprint background check.

7. LICENSE MARKED "RESTRICTED"

RESPONDENT shall, have her license marked "Restricted" throughout the probationary period.

8. TIME EARNED OFF PROBATION

RESPONDENT shall only receive credit toward service of her probation period while employed in a capacity for which a Massage Therapist is required and subject to adequate supervision approved by the Board

9. WRITTEN NOTIFICATION OF TERMINATION OF EMPLOYMENT TO BOARD

RESPONDENT is required to notify the Board in writing within seventy-two (72) hours after commencement or termination of any Massage Therapists employment, as that license is now void and must be reissued with new supervisor. Any notification regarding termination shall contain a full explanation of the circumstances surrounding it.

10. SUBMISSION OF ORDER TO IMMEDIATE SUPERVISOR

RESPONDENT shall provide a copy of this Order to her employer and immediate supervisor.

11. REQUIREMENT TO MEET WITH THE BOARD OR STAFF UPON REQUEST

RESPONDENT shall meet with the Board or its representatives upon request and shall cooperate with representatives of the Board in their supervision and investigation of Respondent's compliance with the terms and conditions of this Order.

12. TERMINATION OF PROBATION

Upon completion of the requirements of this Order, Respondent shall apply for termination of probation on forms supplied by the Board. Respondent shall meet with The Board's Executive Director regarding a probation period. The probation shall continue until terminated by the Board. The Board will determine whether or not probation will be terminated.

13. REPORTING TO NATIONAL DISCIPLINARY DATA BANKS

This Order will become part of the Respondent's permanent record, will become public information, will be published with the list of disciplinary actions the Board has taken, and may be reported to any national repository which records disciplinary action taken against licensees or holders of certificates; or any agency or another state, which regulates the practice of Massage Therapy. The Board may use the Order in any subsequent hearings.

14. CONSEQUENCES OF FURTHER VIOLATIONS INCLUDING VIOLATIONS OF THIS ORDER; ORDER TO SURRENDER LICENSE

RESPONDENT acknowledges that if she should violate one or more of the terms of this Order, the Board may revoke, or invoke other appropriate discipline against her license to practice Massage Therapy. subject only to the requirement that the Board shall, prior to such disciplinary action, conduct a hearing in accordance with Chapters 640C.622A and 233B of the Nevada Revised States for the limited purpose of establishing that there has, in fact, been a violation of the requirements of this Order. In the event that a violation of the requirements is alleged, Respondent agrees to surrender her license to the Executive Director, if they so request, and refrain from practicing as a Massage Therapist until entry of a final order of the Board or a court of competent jurisdiction, whichever last occurs, regarding a potential violation. Respondent agrees to waive her right to appeal the substantive legal basis of the disciplinary action. In the event an alleged violation of this Order is taken to hearing and the facts which constitute the violation are determined to be not proven, no disciplinary action shall be taken by the Board and the probationary

licensure previously ordered by the Board shall again be operative and in full force and effect.

15. CONSEQUENCES OF OTHER MISCONDUCT

In the event other misconduct is reported to the Board, this Order may be used as evidence against the Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

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

NEVADA STATE BOARD OF MASSAGE THERAPISTS



Billie Shea, LMT

Board President



Lisa O. Cooper

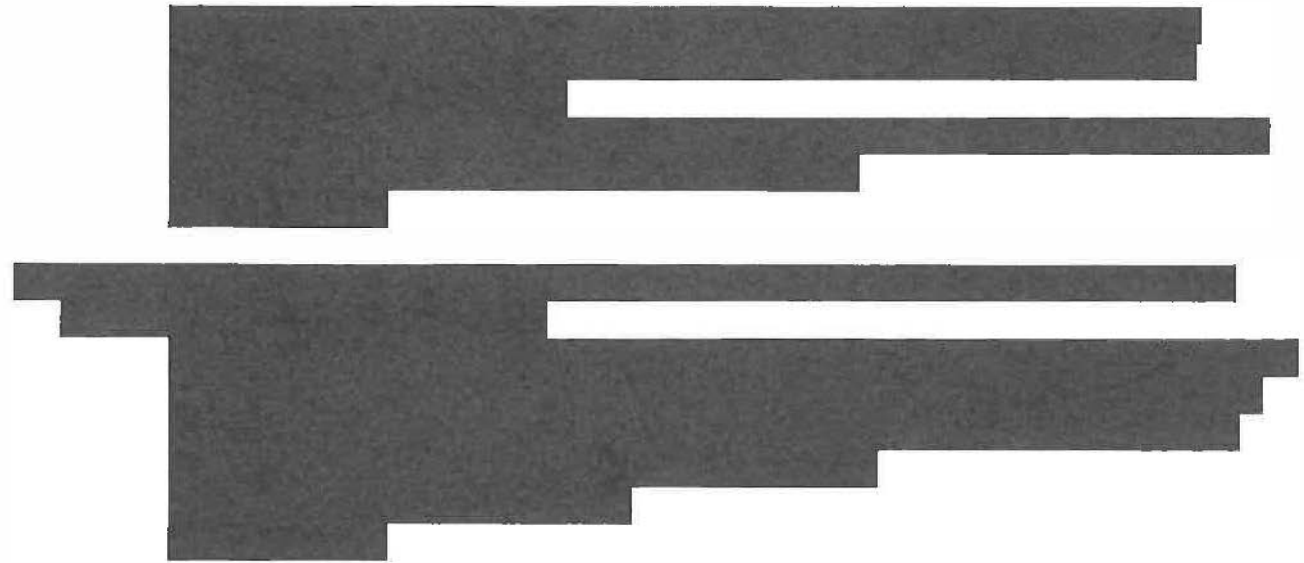
Executive Director



Date



Date



- g. Review application of Ping He for approval, denial or other administrative action pursuant to NRS 640C.700.

Ping He-Not Present. Lisa Cooper stated Ping He was arrested for solicitation of prostitution on 12/28/06 and 1/7/07; she disclosed the incidents and both arrests were pled down to disturbing the peace per negotiations. Several board members discussed options on how to handle the review.

Motion: Deborah Wenig-Table discussion until Ms. He appears before the Board

Seconded: Paula Spradling

Board members discussed motion

All Opposed: Linda White, Joe Cracraft, Paula Spradling, and Michelle Viesselman

Motion not carried

2nd Motion: Michelle Viesselman-Denied license based NRS 640C.700 (9)

Seconded: Deborah Wenig

Motion carried

Note: NRS 640C .700 (9):

9. Has, in the judgment of the Board, engaged in unethical or unprofessional conduct as it relates to the practice of massage therapy.

Lisa Cooper stated the motion needs to be retracted since Ping He was now present.

Motion: Michelle Viesselman-Retract motion for Ping He to deny license

Seconded: Deborah Wenig-Retract motion

Motion retracted

Ping He-Present with Attorney Kirk Kennedy. Lisa Cooper stated Ping He was arrested for solicitation of prostitution on 12/28/06 and 1/7/07 (same location); she disclosed the incidents and both arrests were pleaded down to disturbing the peace per negotiations. Mr. Kennedy made opening statement. Billie Shea proceeded to ask Ms. He questions of her past employment. Ms. He previously worked at Paradise Spa. Lisa Cooper stated this is the second time this application has come before the Board. Cindy May stated that Ms. He was listed as a 'Massage Establishment Key Employer' which means she was the manager in charge of that establishment.

Motion: Michelle Viesselman-Denied license based on NRS 640C.700 (9)

Seconded: Paula Spradling

All Opposed: Deborah Wenig, Linda White, Joe Cracraft

Motion not carried

2nd Motion: Deborah Wenig-Approval to grant license with two year probation based on NRS 60C.700(9) with temporary license issued prior to receiving criminal background investigation.

Seconded: Linda White

All Opposed: Michelle Viesselman

Motion carried

Note: NRS 640C .700 (9):

9. Has, in the judgment of the Board, engaged in unethical or unprofessional conduct as it relates to the practice of massage therapy.

[REDACTED]

[REDACTED]