



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>

April 29, 2022

Michael W. Jackson
3929 Woodhill Ave.
Las Vegas, NV 89121

RE: March 30, 2022, Hearing

Dear Mr. Jackson:

As a result of the hearing held on March 30, 2022, your massage therapy license bearing the number NVMT.4748 has been revoked for ten (10) years.

The Board found you guilty of NRS.640C.700(2)(4)(9). You were found guilty of all three counts. The Board imposed a fine of \$5,000.00 per count for a total of \$15,000.00 for fines and \$870.00 for administrative fees incurred. A copy of the order and invoice was sent in a separate envelope. If you would like a payment arrangement, please contact me directly right away.

Please return all three portions of your license including the blue laminated one, bearing the number NVMT.4748 as soon as possible.

If you have any questions, please contact our office via email at nvmassagebd@lmt.nv.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tereza Van Horn".

Tereza Van Horn
Executive Assistant
NSBMT

COPY

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:
Michael W. Jackson,
Licensed Massage Therapist
Nevada License No. NVMT.4748,
Respondent.

Case No. NVMT-C-21079

ORDER

WHEREAS on Wednesday, March 30, 2022, the administrative hearing held relative to the Complaint in the above-captioned matter dated and signed February 28, 2022 having come before the Nevada State Board of Massage Therapy (Board), and the Board being fully apprised in the premises, and good cause appearing,

I.

INTRODUCTION

1. Board members present were Elisabeth Barnard, Chair; Dierdre Strunk, Vice-Chair, Richard Fields, Secretary/Treasurer; Bianca Smith; Lorna Benedict; John Teng; Rebecca Dorangricchia; and Stephanie Tsanas. The Las Vegas Metropolitan Police Department (“LVMPD”) Advisory Member, Sergeant Price, was also present.
2. Sophia G. Long, Senior Deputy Attorney General, was present and appeared as prosecutor for the Board. Colleen Platt, Esq. from Platt Law Group, was present and appeared as counsel for the Board.
3. Michael W. Jackson (“Respondent”), was not present.

Exhibits

4. Exhibits:
 - a. Complaint and Notice of Hearing (Exhibit 1).
 - b. UNLV Therapy Letter dated December 17, 2021 (Exhibit 2).

Witnesses

5. Tereza Van Horn
6. Kelsey Andruss

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II.

JURISDICTION

7. 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.

III.

FINDINGS OF FACT

8. The Board, having considered all the evidence presented, the testimony of witnesses, and the arguments of counsel, for good cause appearing, finds sufficient quantity and/or quality of evidence sufficient to meet the preponderance of the evidence standard of proof as set forth by NRS 622A.370 and by *Nassiri v. Chiropractic Physicians' Board of Nevada*, 130 Nev. Adv. ●p, 27, at 8-9 (April 3, 2014).
9. Via Complaint and Notice of Hearing dated February 28, 2022, Respondent was notified of the administrative hearing scheduled for Wednesday, March 30, 2022. (Exhibit 1)
10. The Complaint and Notice of Hearing included a certificate of service signed by Board staff, Tereza Van Horn, that she certified mailed and regular mailed a copy of the Complaint and Notice to Respondent's address.
11. Ms. Van Horn testified that she served Respondent at his address on file with the Board and that a continuance has not been requested in this matter¹.
12. Following this testimony, the Board found pursuant to NRS 622A.350(1), that notice of the scheduled hearing was properly served on Respondent, and that Respondent did not request a continuance and that Respondent failed to appear at this scheduled hearing.
13. Pursuant to NRS 622A.350(1), the Board proceeded to consider this matter without the participation of Respondent.
14. Senior Deputy Attorney General, Sophia G. Long provided the following:
- a. Pursuant to NRS 622A.350(2), the Board may accept the allegations against the licensee in the charging document as true.

¹ Respondent emailed the Board and requested a continuance on the date of the hearing. However, the request was after the time scheduled for the hearing and the Board already began its matters. Further, at the request of Respondent, this hearing was already continued from the January 12, 2022 Board meeting to the March 30, 2022 meeting.

- 1 b. The allegations in the charging document were read into the record. Specifically,
2 that “On or about November 11, 2021, Respondent failed to drape the breasts of a
3 female client, massaged the breast area, and exposed and touched her genitals
4 during the course of practicing massage.”
- 5 c. Kelsey Andruss testified that she received a massage from Respondent and while
6 he massaged her, he massaged her breasts and did not drape her breasts.
- 7 d. Ms. Andruss further demonstrated that while Respondent massaged her leg,
8 Respondent did not drape her genitals and touched her genitals.
- 9 e. Ms. Andruss told him to stop, but did not report him to the massage establishment
10 at the time because she was in shock.
- 11 f. Ms. Andruss sought therapy as a result of this incident.
- 12 g. Ms. Andruss provided the Board with a letter from her therapist. (Exhibit 2).
- 13 h. As a result of Respondent’s actions, Ms. Andruss filed a complaint against
14 Respondent with the Board.
- 15 15. Any of the Findings of Fact that are or can be construed as Conclusions of Law is hereby
16 incorporated as such to the extent as if originally so designated.

17 IV.

18 CONCLUSIONS OF LAW

- 19 16. Having made the aforementioned findings, the Board decides that there is sufficient
20 quantity and/or quality of evidence sufficient to meet the preponderance of the evidence
21 standard of proof as set forth by NRS 622A.370 and by *Nassiri v. Chiropractic*
22 *Physicians’ Board of Nevada*, 130 Nev. Adv. Op, 27, at 8-9 (April 3, 2014) to make the
23 following conclusions of law:
- 24 17. Pursuant to NRS 622A.350, Respondent was given sufficient legal notice of the scheduled
25 hearing and that Respondent failed to appear and did not request a continuance.
- 26 18. By exposing and touching Ms. Andruss’ genitals during the course of practicing massage
27 Respondent violated the provisions of NRS 640C.700(4) and (9).
- 28 19. By attempting sexual activity on Ms. Andruss during the course of practicing massage,
Respondent violated the provisions of NRS 640C.700(4) and (9).

1 20. By improperly draping Ms. Andruss during the course of practicing massage, Respondent
2 violated the provisions of NRS 640C.700(9) and NAC 640C.340.

3 21. Any Conclusions of Law that are or can be construed as Findings of Fact is hereb
4 incorporated as such to the extent as if originally so designated.

5 V.

6 **ORDER**

7 Having found by preponderance of the evidence the Findings of Fact and Conclusion of Law set for
8 herein and having unanimously voted, **THE BOARD HEREBY ORDERS:**


- 9 1. Pursuant to NRS 640C.710, Respondent's license is REVOKED for a period of ten (10
10 years.
11 2. Pursuant to NRS 640C.710, Respondent shall pay a Fine of Five Thousand Dollar
12 (\$5,000.00) per count, totaling Fifteen Thousand Dollars (\$15,000.00).
13 3. Pursuant to NRS 640C.710, Respondent shall pay costs associated with the administrativ
14 hearing not to exceed One Thousand Dollars (\$1,000.00).
15

16 Dated this 10th day of April, 2022.

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19 NEVADA STATE BOARD OF MASSAGE THERAPY

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21 _____
22 ELISABETH BARNARD, Chair

21 Submitted by:
22 AARON D. FORD
23 Nevada Attorney General's Office

24 
25 _____
26 Sophia G. Long
27 Senior Deputy Attorney General
28 555 E. Washington Ave, Suite 3900
Las Vegas, Nevada 89101

Nevada Board of Massage Therapy

1755 E. Plumb Lane, Suite 252
Reno, NV 89502

Invoice

Date	Invoice #
4/28/2022	1192

Phone # 775-687-9955

Bill To
Michael W. Jackson 3929 Woodhill Ave. Las Vegas, NV 89121

Terms	Due Date
Net 15	5/13/2022

Description	Amount
Administrative Fine - Board order 3/30/2022 -Violation of NRS.640C.700(2)(4)(9)	15,000.00
Administrative Fine - Board costs - Deputy Attorney General - Sophia Long	815.00
Administrative Fee - Reno-Tahoe-Carson Personal Service	55.00
Total	\$15,870.00

Ms. Long advised the board regarding NRS 622A.350 and the requirements for notification.

Ms. Long presented the Complaint Notice of Hearing regarding sexual misconduct. Ms. Long requested that Exhibit 1 be admitted into evidence. Chair Barnard accepted the exhibit.

Chair Barnard swore in Ms. VanHorn. Ms. VanHorn provided testimony that Mr. Jackson was provided sufficient legal notice per NRS 622A.350 and was served notice at the address that was on file with the Board.

Motioned by Chair Barnard that Mr. Jackson had been properly noticed, seconded by Bianca Smith. Motion carried unanimously.

Chair Barnard swore in Kelsey Andruss. Ms. Andruss provided testimony regarding the incident.

Board Member Smith acknowledged that Ms. Andruss had been a student of hers while teaching at Nevada School of Massage. Ms. Smith does not believe that her prior relationship with the victim would have any effect on her ability to be impartial.

Motioned by Chair Barnard to accept the alleged facts as true and that the violations of law counts 1 through 3 did occur, seconded by Rebecca Dorangrichia. Motion carried unanimously.

Motioned by Bianca Smith to revoke the license of Michael Jackson NVMT.4748 for ten (10) years NRS 640C.710 with a fine of \$5,000 per violation for a total of \$15,000, and fees not to exceed \$1,000 for the recovery of reasonable investigative fees and costs, and the recovery of attorney fees, seconded by Rebecca Dorangrichia. Motion carried unanimously.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Michael W. Jackson
 3929 Woodhill Ave.
 Las Vegas, NV 89121



9590 9402 6511 0346 8561 40

2. Article Number (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Handwritten Signature]*

- Agent
- Addressee

B. Received by (Printed Name)

Michael Jackson

C. Date of Delivery:

- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

USPS TRACKING #



9590 9402 6511 0346 8561 40
7 MAR 2022 PM 3 L



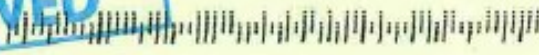
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

* Sender: Please print your name, address, and ZIP+4® in this box*

Nevada State Board of
Massage Therapy
1755 E. Plumb Ln. Ste 252
Reno, NV 89502

NSBMT
MAR 10 2022
RECEIVED



BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:

Michael W. Jackson,
Licensed Massage Therapist
Nevada License No. NVMT.4748,
Respondent.

Case No. NVMT-C-21079

**COMPLAINT AND
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy ("Board"), by and through its Executive Director, Sandra Anderson, hereby notifies Michael W. Jackson ("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 November 11, 2021, Respondent failed to drape the breasts of a female client, massaged the breast area, and exposed and touched her genitals during the course of practicing massage.

VIOLATIONS OF LAW

COUNT ONE

2. By exposing and touching female's genitals during the course of practicing massage, Respondent violated the provisions of NRS 640C.700(4) and/or (9). This is grounds for discipline pursuant to NRS 640C.700(2).

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COUNT TWO

3. By attempting sexual activity on female client during the course of practicing massage, Respondent violated the provisions of NRS 640C.700(4) and/or (9). This is grounds for discipline pursuant to NRS 640C.700(2).

COUNT THREE

4. By improperly draping female client during the course of practicing massage, Respondent violated the provisions of NRS 640C.700(9) and/or NAC 640C.340. This is grounds for discipline pursuant to NRS 640C.700(2).

PRAYER FOR RELIEF

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

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

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

THE HEARING WILL TAKE PLACE on **Wednesday, March 30, 2022, commencing at 9:00 a.m.** or as soon thereafter as the Board is able to hear the matter with video conferencing by Zoom.

Zoom sign-in available at 8:30 a.m.
Register in advance for this meeting:

<https://us06web.zoom.us/j/84202990113?pwd=ZDM2c25scnhBbmRydjR1S1hwS2d1QT09>

Meeting ID: 842 0299 0113

Password: 993954

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

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

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

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

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

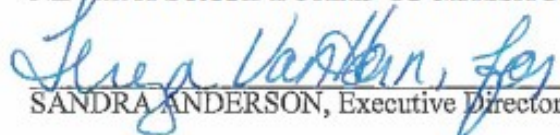
16 Should the Respondent fail to appear at the hearing, a decision may still be reached by the
17 Board. As the Respondent, you are further advised that you may be charged with the attorney's fee
18 and/or costs associated with the hearing pursuant to NRS 622.400.

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

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

26 Dated this 28 day of February, 2022.

27 **NEVADA STATE BOARD OF MASSAGE THERAPY**

28 
SANDRA ANDERSON, Executive Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 28, 2022, I deposited for mailing at Reno, Nevada, via Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of the foregoing **COMPLAINT AND NOTICE OF HEARING**, properly addressed as follows:

Michael W. Jackson
3929 Woodhill Ave.
Las Vegas, NV 89121

NEVADA STATE BOARD OF MASSAGE THERAPY



Employee

9489 0090 0027 6421 3784 03

COPY