

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:

Shufen Li,

Licensed Massage Therapist
Nevada License No. NVMT.10637,

Respondent.

Case No. NVMT-C-21063

**COMPLAINT AND
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Sandra Anderson, hereby notifies Shufen Li (“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 May 11, 2021, Board Inspector, Vicki-Lynn Kitzman, visited Eden Garden Spa (“establishment”) located at 5255 S. Decatur Blvd., Suite 105, Las Vegas, Nevada 89118, to conduct a sanitation inspection.
2. While at the establishment, Ms. Kitzman made several observations, namely:
 - a. Employees with expired licenses or unlicensed,
 - b. Men who appeared to be waiting for a massage, even though Respondent stated the didn’t have any customers at the time;
 - c. The printed list of services identified the establishment as China Garden Massage; and
 - d. Expired business licenses.

- 1 3. The inspection resulted in an unsatisfactory report.
2 4. When attempting to discuss the inspection with Respondent, Respondent placed a \$100 bill
3 in Ms. Kitzman's hand and told her to "go get a coffee."

4 **VIOLATIONS OF LAW**

5 **COUNT ONE**

- 6 5. By trying to give the Board inspector money and dismissing her, effectively trying to bribe
7 the Board inspector, Respondent violated the provisions of NRS 640C.700(9). This is
8 grounds for discipline pursuant to NRS 640C.700(2).

9 **PRAYER FOR RELIEF**

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

- 11 6. That the Board conduct a hearing on this complaint as provided by statute, and after such
12 hearing, that the Board impose upon Respondent the discipline permitted by NRS 640C.710,
13 which may include the following, (a) the imposition of an administrative fine of not more than
14 \$5,000.00 per violation, (b) recovery of reasonable investigative fees and costs incurred, (c)
15 recovery of attorney fees pursuant to NRS 622.400, (d) licensee be publicly reprimanded, (e)
16 suspend, revoke or place conditions on the licensee's license, (f) place the licensee on
17 probation, and/or (g) such other impositions as may be permitted by Nevada law.
18

19 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this
20 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B,
21 622, 622A and 640C of the Nevada Revised Statutes.

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

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

26 <https://us06web.zoom.us/j/84202990113?pwd=ZDM2c25scnhBbmRydlRlS1hwS2d1QT09>

27 Meeting ID: 842 0299 0113

28 Password: 993954

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

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

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

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

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

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

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

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

24 Dated this 28 day of February, 2022.

25 **NEVADA STATE BOARD OF MASSAGE THERAPY**

26 *Sandra Anderson*
27 SANDRA ANDERSON, Executive Director

