

NEVADA STATE BOARD OF MASSAGE THERAPY

AGENDA ACTION SHEET

TITLE: Application Review (Criminal History)

MEETING DATE: August 10, 2022

APPLICANT: Kendal L. Priestly
REVIEW UNDER: NRS 640C.700

BACKGROUND INFORMATION:

Ms. Priestly's massage application is before you today due to potential criminal history that could not be approved administratively. [REDACTED]

[REDACTED]

[REDACTED] Ms. Priestly is requesting to be granted a license under NRS 640C.580 and is before you today for review under NRS 640C.700.

ACTION:

- Approved
- Probation – NRS 640C.700(2)(3)(9) and NAC.640C.410(1)(w)e
- Denied– NRS 640C.700(2)(3)(9) and NAC.640C.410(1)(w)e
- Tablede

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 of _____ CEU hours 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.



Nevada State Board of Massage Therapy

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

Application: License Application
Application Number: OL220422035769

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 : PRIESTLY
First Name : KENDAL
Middle Name : L.



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 : Las Vegas **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 Therapists, Reflexology or Structural Integrationist.

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

Licensure information is not required because you have checked "Sign off from Local jurisdiction to follow".

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
Northwest career college	Las Vegas	2018 - 2019	750

Transcript(s)

Document Name	User Defined Document Name	Document Link
220422035769-177214-Transcript.pdf	NORTHWEST-TRANSCP	Document Detail

Section 5 : National Exam

Exam Taken	Where Taken	Date Taken
Mblex	Las Vegas, NV	04/30/2019

National Exam Status :

Date Received :

Score Report Received

Document Name	User Defined Document Name	Document Status
220422035769-177215-ScoreReportCard.pdf	MBLEX	Pass

Section 6 : Application Screening Questions

Please review the information you provided on this page carefully before submitting. Once saved and submitted, this cannot be changed.

1. Have you ever had any disciplinary proceedings instituted against you relating to your license to practice massage, reflexology or structural integration?

Yes No

If yes, add the disciplinary actions below.

Date of Revocation	Licensing Agency	Reason for action	Name and Address of Employer
11/04/2020	Nevada state board of Massage Therapy	Violation of probationary terms.	NA NA NA, NV 00000

2. Are you currently a party to any pending litigation related to the practice of massage therapy, reflexology or structural integration? If yes, please indicate whether you are a plaintiff or defendant and describe the nature of the litigation.

Yes No

3. Are you currently or have you ever been required to register as a Sex Offender? (Tier I, II or III)

Yes No

If Yes, please explain in below textbox :

4. Have you been accused of, arrested for, engaged in or solicited sexual activity during the course of practicing massage, reflexology, or structural integration on a person, with or without the consent of the person, including, without limitation, if you were an applicant or holder of a license:

- (a) Made sexual advances toward the person;
- (b) Requested sexual favors from the person; or
- (c) Massaged, touched or applied any instrument to the breasts of the person, unless the person had signed a written consent form provided by the Board;

Yes No

If yes, fill in the following with complete and accurate information for each accusation or arrest:

No record found.

Fingerprint Background Waiver

NOTICE OF NONCRIMINAL JUSTICE APPLICANT'S RIGHTS

As an applicant who is the subject of a Federal Bureau of Investigation (FBI) fingerprint-based criminal history record check for a noncriminal justice purpose you have certain rights which are discussed below.

1. You must be notified by the **Nevada State Board of Massage Therapy** that your fingerprints will be used to check the criminal history records of the FBI and the State of Nevada.
2. If you have a criminal history record, the officials making a determination of your suitability for the job, license or other benefit for which you are applying must provide you the opportunity to complete or challenge the accuracy of the information in the record. You may review and challenge the accuracy of any and all criminal history records which are returned to the submitting agency. The proper forms and procedures will be furnished to you by the Nevada Department of Public Safety, Records Bureau upon request. If you decide to challenge the accuracy or completeness of your FBI criminal history record, Title 28 of the Code of Federal Regulations Section 16.34 provides for the proper procedure to do so:

16.34 - Procedure to obtain change, correction or updating of identification records. If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge 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 : PRIESTLY

First Name : KENDAL

Middle Name : L.

Street :

City :

State :

Zip :

Date : 5/20/2022

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 Speciality/Specialities:

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, **KENDAL PRIESTLY** 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 : Kendal Priestly

Date : 5/20/2022

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
Certificate of Completion	OL220422035769-180793-Certificate-of-Completion.pdf		NORTHWEST-DIPL
Photo	12648-178348-PRIESTLY, KENDAL.jpeg		
Score Report Card	220422035769-177215-ScoreReportCard.pdf		MBLEX
Transcript	220422035769-177214-Transcript.pdf		NORTHWEST-TRANSCP
Social Security Card	OL220422034767-176632-Social-Security-Card.jpg		
Government Issued ID Card	OL220422034767-176631-Government-Issued-ID-Card.jpg		DL

Application Fees

All fees are non-refundable.

Fee Detail(s)

Payment Detail(s)

Payment Method:

Amount Paid:

Northwest Career College

7398 Smoke Ranch Road
Las Vegas, NV 89128
www.northwestcareercollege.edu

Date: 9/9/2019

Page 1 of 1

Student: Kendal Priestly Student ID: KE14750 Student GPA: 3.59 Original Start Date: 10/29/2018 DOB: Student GPA: 3.59

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Program: Diploma in Massage Therapy					
Enrollment #: 05133PR					
Status: Graduate					
Start Date: 10/29/2018					
Grad Date: 8/14/2019					
Term: 4P5181029 4P5 2018.10.29 10/29/2018 3/29/2019					
MT101	MT101A - Basic Massage	2.00	2.00	B	6.00
MT102	MT102A - Human Anatomy and Physiology 20	3.20	3.20	A	12.80
MT103	MT103A - Kinesiology	1.00	1.00	B	3.00
MT101	MT101B - Basic Massage	2.00	2.00	A	8.00
MT102	MT102B - Human Anatomy and Physiology 20	3.20	3.20	A	12.80
MT103	MT103B - Kinesiology	1.00	1.00	B	3.00
MT101	MT101C - Basic Massage	2.00	2.00	B	6.00
MT102	MT102C - Human Anatomy and Physiology 10	3.10	3.10	B	9.30
MT103	MT103C - Kinesiology	1.00	1.00	A	4.00
MT101	MT101D - Basic Massage	2.00	2.00	A	8.00
MT202	MT202 - Advanced Anatomy and Physiology	3.00	3.00	C	6.00
MT203	MT203 - Advanced Kinesiology	3.00	3.00	C	6.00
MT201	MT201A - Student Clinic	0.85	0.85	A	3.40
MT205	MT205 - Massage as a Business	3.00	3.00	A	12.00
MT207	MT207 - Spa Therapies	2.00	2.00	A	8.00
Term GPA: 3.35		32.35		32.35	
Cum GPA: 3.35		108.30			
Program: 4P4190805 4P4 2019.08.05 8/5/2019					
MT201	MT201 - Student Clinic	0.83	0.83	A	3.32
Term GPA: 4.00		0.83		3.32	
Cum GPA: 3.59		58.50			
Diploma in Massage Therapy		GPA: 3.59		58.50	
**** End of Transcript ****					
Authorized Signature: <i>Cheryl Wadley</i>		Date: 9/19/19			

Official Transcript



** Indicates Retaken Course # Indicates Pass/Fail Course
R* Indicates Retaken Override ♦ Indicates Associated Course

Not official unless signed by registrar.

northwest

CAREER COLLEGE

THIS CERTIFIES THAT

Kendal Priestly

Has successfully completed the 750-Hour Massage Therapy program, and is therefore
awarded this

DIPLOMA

Given this 14th day of August, 2019



Cheryl Saday
School Administrator

John F. Kenny
Director, Dr. John Kenny



MBLEx Jurisdictional Score Report and Transfer Grade Roster

State: Nevada

MBLEx scores received on: 05-01-2019

Last Name	First Name	Last four SS#	DOB	Exam Date	Attempt	Pass/Fail	Language	School
Priestly	Kendal			04-30-2019	1	Pass	English	Northwest Career College

NSBMT

MAY 01 2019

RECEIVED



Nevada State Board of Massage Therapy

1755 E. Plumb Lane Suite 252

Reno, NV 89502

Phone (775) 687-9955

Fax (775) 786-4264

Email: nvmassagebd@imt.nv.gov

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

July 5, 2022

Kendal L. Priestly

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. Priestly:

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 August 10, 2022. 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:

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

Register in advance:

<https://us06web.zoom.us/j/82173853899?pwd=K3dVNDh1Y09jYnBJZ3oxQkFTSkdtUT09>

Meeting ID: 821 7385 3899

Password: 788395

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 821 7385 3899

Passcode: 788395

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.

COPY

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

Sincerely,



Sandra J. Anderson
Executive Director

9489 0090 0027 6447 6115 08

COPY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

c. Review Application of Kendal Priestly. (For Discussion and Possible Action)

Kendal Priestly was present.

Teresa Lopez recused as Kendal Priestly was one of her students.

Executive Director, Sandy Anderson - Ms. Priestly's massage application is before you today due to potential criminal history that could not be approved administratively. Ms. Priestly was arrested on December 4, 2015 and February 25, 2016 by Las Vegas Metropolitan Police Department. Ms. Priestly is requesting to be granted a license under NRS 640C.400 or 420 and is before you today for review under NRS 640C.700. Staff's recommendation is to approve a license with no restrictions.

April Whiting motioned to grant a two (2) year probationary license, must report all contact with law enforcement within forty-eight (48) hours, background annually at Ms. Priestley's expense, random drug testing at Ms. Priestley's expense, notify the Board of any change of address within 15 days, refrain from providing outcall services

and notify the Board of any changes in her employment, seconded by Deirdre Strunk.
Motion carries. Teresa Lopez recused.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NSBMT

OCT 09 2019

RECEIVED

10/7/1019

To: The Nevada State Board of Massage Therapy

My name is Kendal Priestly, and I am currently applying for a Massage Therapy License in Nevada. I was asked to write a narrative of my criminal background findings. Please find the details below for the following findings:

- 12/8/17 Misdemeanor – Possession of drugs not for i-state commerce (Amended from 1 Misdemeanor and 3 Felony Charges on 12/4/15)
- PLEASE NOTE: The following charge did not result in a conviction 3/23/16 Misdemeanor – Use/Possession of drug paraphernalia (Charge on 2/25/16)

First of all, I would like to say that I am an open book and am open to providing any additional documentation or information the Board needs to review my application. I am passionate about Massage Therapy and am hopeful to be granted a license to continue my journey towards a stable and meaningful career. At the time of my arrests, I was living a completely different life than I am today. I was homeless, directionless, and hanging out with the wrong crowd. I was doing drugs at the time, specifically methamphetamine, and regret that I made the decisions I made during this phase of my life. Since that time, I have become the mother of 2 wonderful children and have been focused on rehabilitating my life and doing everything I can to create a better life for them and myself. That journey started with joining the Massage Therapy program at Northwest Career College in October 2018 as well as gaining full-time employment as a Front Desk Customer Service Representative at European Wax Center, where I am currently employed. I have not had any additional issues with the law besides these two cases.

I am proud to say that I passed the MBLEx on my first try and graduated Northwest Career College with a 3.59 GPA. I have committed to my schooling and the practice of massage as much as I can. I have received 2 job offers upon graduation, 1 with a local day spa franchise, and 1 with a chiropractor. I appreciate the Board's continued consideration of my application and want to clarify any details about my past that might prevent me from being considered to be an upstanding member of the Massage community.


On December 4, 2015, I was hanging out with a group of friends at The Palms Hotel and Casino. My friends were checking out of a hotel room when we were all arrested. They were already being watched by the police for suspicious activity. I had offered to carry one of their bags for them as they were checking out of the room. The police searched me and found credit card information that my friends had collected illegally inside the bag I was carrying. They also found drugs on me (less than 2 grams methamphetamine) which I admitted were my own. The police charged me with 3 felony counts of credit card fraud, which the District Attorney dismissed upon trial, as well as 1 misdemeanor count of possession, which I was ultimately convicted of. The court ordered on 3/16/17 for me to complete the drug court program for 26 weeks, which included weekly random drug testing, weekly drug court counseling, monthly court status checks in front of a judge, and monthly fees for each appearance. I was doing very well with my weekly and monthly drug screenings from March 2017 to November 2017. I unfortunately relapsed in November 2017 after having my second child and was terminated from the drug court program 1 month before completion. As a result, I was required to complete a total of 6 months in county jail as a concurrent sentence with the second case on my record from February 2016. I was rewarded for good behavior and only had to serve 2 months in county jail with 1-month house arrest afterwards.

I knew that using drugs was the wrong thing to do at the time and that I was living the wrong life. I learned a hard lesson through this experience that you have to be careful with the types of people you hang out with and the influences you choose to prioritize. I know now that my role as a parent is the most important role I will play and that all things need to revolve around taking care of my kids.

On February 25, 2016, I was hanging out with my boyfriend at the time at a local Budget Suites. My boyfriend was on house arrest and for some reason did not think that he would be checked up on if he left the area he was restricted to. His house arrest officer came to the room to check on him and found drug paraphernalia. I admitted to some of it being mine because I did not want my boyfriend to take all of the blame and should have kept my mouth shut rather than try to be a hero. I was tried in the city municipal court system for this arrest who determined that the case would be bundled in with the sentencing for the December 2015 arrest sentencing which was tried in the county justice court system. Ultimately, I was not charged for use/possession of drug paraphernalia as a result of this arrest, but the arrest was taken into consideration for the final disposition of my previous case which did result in the misdemeanor drug conviction.

Since my jail time, I have not been in any additional trouble and have remained focused on my goal of creating a more stable and meaningful life for me and my children. I have worked hard to become a massage therapist and am very excited about starting my new career if given the opportunity. I am confident that the life you are seeing on paper is not my life now. I hope to be able to convince you that I am a very different person and am someone worth taking a chance on.

Sincerely,



Kendal Priestly



JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY REGIONAL JUSTICE CENTER
200 LEWIS AVENUE
LAS VEGAS, NEVADA 89101
COURT 128
DISPOSITION NOTICE AND JUDGMENT

CASE NUMBER - 15F18211X

STATE VS: PRIESTLY, KENDAL

ID #: 06003823

AKA: PRIESTLY, KENDAL

DR NUMBER: 1500053733

START DATE: 12/04/2015

ARRESTED BY: TOWNLEY, TIMOTHY A

ARREST DATE: 12/04/2015

SUBMITTED BY: NO SUBMITTING OFFICER

SUBMIT DATE: 12/04/2015

PROSECUTOR: BERNIE ZADROWSKI

DISPO DATE: 12/08/2017

001 CHARGE: 453.336.2A F POSS SCH I, II, III, IV C/S, (1ST/2ND)
DISPOSITION: ---GUILTY--- M POSS DRUG NOT FOR I-STATE COMMERCE

SENTENCED: 12/08/2017

FINED: \$ 0 EXCUSED: \$ 0
JAIL TIME: MOS DAYS 60 HRS CONS/CONC: NOT APPLIC
CTS : MOS DAYS 000 HRS
COMM SERV: DAYS HRS MIN
RESTITUTION: \$ 0 CONTRIBUTION: \$ 0 DRUG FEE: \$ 0
EDUCATION:

CITATION: NONE

PCN: 0025596126 SEQ: 004



[Signature]

JUSTICE OF THE PEACE - DEPT. 05

CERTIFIED COPY
The Document to which this certificate is attached is a full, true and correct copy of the original on file and of record in Justice Court of Las Vegas Township, in and for the County of Clark, State of Nevada.
By: *[Signature]* Deputy
Date: 10/11/19

Justice Court, Las Vegas Township
Clark County, Nevada

Department: 05

Court Minutes



L008823451

15F18211X

State of Nevada vs. PRIESTLY, KENDAL

Lead Atty: Marcus K. Kozal

12/8/2017 7:30:00 AM Drug Court Status Check
(In Custody)

Result: Matter Heard

PARTIES PRESENT:
State Of Nevada Zadrowski, Bernie
Attorney Kozal, Marcus K.
Attorney Levy, Montl J.
Defendant PRIESTLY, KENDAL

Judge: Cruz, Cynthia
Court Reporter: Cangemi, Robert
Court Clerk: Baker, Jennifer

PROCEEDINGS

Events: Motion

by Defense for Reinstatement into the Justice Court Drug Court Program - Defense counsel argues in favor of said motion - Defendant admits to relapse and makes a statement in support of reinstatement - Opposition by State - Motion Denied

Defendant Terminated from Drug Court

All Requirements Vacated

Bail Stands - Cash or Surety

Counts: 001 - \$0.00/\$0.00 Total Bail

Judgment Entered

Case Closed - Court Order

Plea/Disp: **001: Poss drug not for i-state commerce [51366]**
Amended Disposition - Court Ordered: Guilty of Lesser Offense

Amended Sentence - Court Ordered: Misdemeanor Sentence
Sentence To CCDC:
Remand Term: 0 Months 60 Days
CTS: 0 Specific Days Scenario: Total CTS, This Case, All Lodgings



CERTIFIED COPY
The Document to which this certificate is attached is a full, true and correct copy of the original on file and of record in Justice Court of Las Vegas Township, in and for the County of Clark, State of Nevada.
By: _____ Deputy
Date: 10/11/19



Las Vegas Municipal Court
 Regional Justice Center
 200 Lewis Avenue P.O. Box 3920
 Las Vegas, Nevada 89127
 38-COURT (702-382-6878)



THE CITY OF LAS VEGAS,)
)
 Plaintiff,)
 vs.)
)
 PRIESTLY, KENDAL)
)
 Defendant)

Violation Code: 9527
 Violation Description: UNLAWFUL USE/POSSESSION OF DRUG PAI
 Violation Date: 2/25/2016
 Case No.: C1150681A
 History No.: 100221201
 Amended Code:
 Amended Description:

JUDGMENT

Complaint: 3/23/2016 Disposition: GUILTY Finding: Disposition Date: 12/21/2017

Date	Proceedings	Purpose	Court Date/Time	Dept
2/25/2016	Arrest/Case Created			
2/25/2016	Allocated to Department: 6			
2/25/2016	Bail Due: \$640			
2/25/2016	Initial Court Date	PC	2/26/16 12:00 pm	6
2/25/2016	Continued	PC	2/25/16 3:00 pm	6
2/25/2016	Continued	PC	2/26/16 12:00 pm	6
2/25/2016	Continued	AR	3/28/16 1:00 pm	6
2/25/2016	Paid \$640 (16-LEST-5-000121)			
2/25/2016	Bail Paid \$640 (3rd Party) WANG, ROBERT			
3/23/2016	Complaint Filed 3/23/2016 2:00 PM			
3/28/2016	Private Attorney LEVY, MONTI Bar# 8158			
3/28/2016	Plea: NOT GUILTY			
3/28/2016	Continued	PT	4/19/16 1:35 pm	6
4/19/2016	Continued	PT	5/12/16 1:35 pm	6
5/12/2016	Continued	PT	6/1/16 1:45 pm	6
5/12/2016	Tape Start 1: 5/12/2016 10:31 AM			
6/1/2016	Withdraw Plea of: NOT GUILTY			
6/1/2016	Plea: SUBMIT			
6/1/2016	Suspend Sentence for 9m			
6/1/2016	Sentence: Suspend JAIL 180 days			
6/1/2016	Sentence: Stay Out of Trouble due 1			
6/1/2016	Sentence: RDT ALL PHASES due 14			
6/1/2016	Continued	SC	3/1/17 8:00 am	6
6/1/2016	Tape Start 1: 6/1/2016 2:03 PM			
8/18/2016	Continued	WI	8/25/16 8:00 am	6
8/25/2016	Continued	SC	3/1/17 8:00 am	6
8/25/2016	Tape Start 1: 8/25/2016 8:56 AM			
11/10/2016	Continued	WI	11/21/16 8:00 am	6
11/21/2016	Continued	SC	3/1/17 8:00 am	6
11/21/2016	Tape Start 1: 11/21/2016 8:39 AM			
3/1/2017	Dispersed from Department (Override): 6			



Las Vegas Municipal Court
 Regional Justice Center
 200 Lewis Avenue P.O. Box 3920
 Las Vegas, Nevada 89127
 38-COURT (702-382-6878)



THE CITY OF LAS VEGAS,
 Plaintiff,
 vs.
 PRIESTLY, KENDAL
 Defendant

) Violation Code: 9527
) Violation Description: UNLAWFUL USE/POSSESSION OF DRUG PAI
) Violation Date: 2/25/2016
) Case No.: C1150681A
) History No.: 100221201
) Amended Code:
) Amended Description:

JUDGMENT

Complaint: 3/23/2016 Disposition: GUILTY Finding: Disposition Date: 12/21/2017

Date	Proceedings	Purpose	Court Date/Time	Dept
3/1/2017	Allocated to Department: 5			
3/1/2017	Continued	SC	3/1/17 9:00 am	5
3/1/2017	Case Edit: Bail Changed To: \$5140			
3/1/2017	Sentence: Evaluation (Drug/Alcohol) due 1			
3/1/2017	Transport			
3/1/2017	Remanded			
3/1/2017	Continued	SC	3/2/17 10:05 am	5
3/1/2017	Case Edit: Bail Changed To: \$5140			
3/1/2017	Tape Start 1: 3/1/2017 10:07 AM			
3/2/2017	Continued	SC	3/16/17 10:00 am	5
3/6/2017	Continued	SC	3/16/17 10:05 am	5
3/7/2017	Correction: OR/Releasde 3/7/17 at 2pm to LVMC Marshal transport to RJC Kim LaFasto			
3/7/2017	Release reason: OR			
3/7/2017	Released to: Municipal Court Marshal			
3/7/2017	Transport Removed			
3/7/2017	Continued	SC	3/16/17 10:00 am	5
3/7/2017	Correction Sentence: House Arrest due 60			
3/7/2017	Correction Sentence: HA GPS due 60			
3/7/2017	Released			
3/16/2017	Sentence: House Arrest vacated 60			
3/16/2017	Reason vacated: vacate			
3/16/2017	Sentence: HA GPS vacated 60			
3/16/2017	Reason vacated: vacate			
3/16/2017	Correction Sentence: Drug Court due 1			
3/16/2017	Continued	SC	6/19/17 9:00 am	5
3/16/2017	Tape Start 1: 3/16/2017 9:07 AM			
6/19/2017	Continued	SC	3/19/18 9:00 am	5
6/19/2017	Tape Start 1: 6/19/2017 9:08 AM			
12/11/2017	Motion to Place on Calendar Submitted by Attorney LEVY, MONTI Bar# 8158			



Las Vegas Municipal Court
 Regional Justice Center
 200 Lewis Avenue P.O. Box 3920
 Las Vegas, Nevada 89127
 38-COURT (702-382-6878)



THE CITY OF LAS VEGAS,
 Plaintiff,
 vs.
 PRIESTLY, KENDAL
 Defendant

) Violation Code: 9527
) Violation Description: UNLAWFUL USE/POSSESSION OF DRUG PAR
) Violation Date: 2/25/2016
) Case No.: C1150681A
) History No.: 100221201
) Amended Code:
) Amended Description:

JUDGMENT

Complaint: 3/23/2016 Disposition: GUILTY Finding: Disposition Date: 12/21/2017

Date	Proceedings	Purpose	Court Date/Time	Dept
12/11/2017	Multiple Calendared Event Set	M	12/21/17 9:30 am	5
12/21/2017	Motion: Place on Calendar Granted			
12/21/2017	Sentence: EVAL FEE vacated \$100			
12/21/2017	Reason vacated: conviction stands			
12/21/2017	Sentence: Evaluation (Drug/Alcohol) vacated 1			
12/21/2017	Reason vacated: conviction stands			
12/21/2017	Sentence: EVAL. vacated 1			
12/21/2017	Reason vacated: conviction stands			
12/21/2017	Sentence: RDT ALL PHASES vacated 14			
12/21/2017	Reason vacated: conviction stands			
12/21/2017	Sentence: Stay Out of Trouble vacated 1			
12/21/2017	Reason vacated: conviction stands			
12/21/2017	Sentence: Drug Court vacated 1			
12/21/2017	Reason vacated: conviction stands			
12/21/2017	Finding: GUILTY			
12/21/2017	Modified Sentence			
12/21/2017	Sentence: Fine due \$500			
12/21/2017	Sentence: Specialty Court Program Assess due \$7			
12/21/2017	Sentence: Construction Assessment due \$10			
12/21/2017	Sentence: Administrative Assessment due \$120			
12/21/2017	Sentence: Genetic Marker Testing AA due \$3			
12/21/2017	Sentence: House Arrest due 60			
12/21/2017	Bail Applied: \$640 (IR17-043231)			
12/21/2017	Case Closed			
12/21/2017	Tape Start 1: 12/21/2017 9:46 AM			

I HEREBY CERTIFY that this is a full, true and correct copy of the Disposition made and entered on the above entitled action.

10/7/19 *[Signature]*
 MUNICIPAL COURT CLERK

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:

ORDER FOR PROBATION

Kendal L. Priestly,
Licensed Massage Therapist
License No. NVMT.10263

IT APPEARING on January 8, 2020, Kendal L. Priestly ("Priestly") appeared before the Nevada Board of Massage Therapy ("Board") for an application review.

The Board granted Priestly a license to practice massage therapy and immediately placed Priestly's license on probation for a period of two (2) years.

ORDER

IT IS HEREBY ORDERED:

1. Priestly will attend probation orientation.
2. Priestly shall submit to a background check within one year of the date of this Order and within two years of the date of this Order at Priestly's expense.
3. Priestly must refrain from providing outcall services.
4. Priestly must report all contact with law enforcement personnel within forty-eight (48) hours after such contact occurs.
5. Priestly must notify the Board of any changes in her employment within 15 days.
6. Priestly must provide any changes in address or phone number to the Board office within 15 days.
7. Priestly is to submit to random drug test at Priestly's expense.
8. Priestly must cooperate fully with the Board staff to administrate terms of her probation.
9. 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.
10. Priestly's license shall be marked "Restricted" throughout the probationary period.
11. Priestly shall meet with the Board or its representatives upon request and shall cooperate with representatives of the Board in her supervision and investigation of Priestly's compliance with the terms and conditions of this Order.

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12. This Order will become part of Priestly'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.

13. Priestly acknowledges that if she violates 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 233B, 622A, and 640C of the Nevada Revised Statutes 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 this Order is alleged, Priestly agrees to surrender her license to the Executive Director, if so requested, and refrain from practicing as a massage therapist until an entry of a final order of the Board or a court of competent jurisdiction, whichever last occurs, regarding the potential violation. Priestly 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.


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

15. Nevada State Board of Massage Therapy retains jurisdiction in this case until all conditions have been met to the satisfaction of the Board.

NEVADA STATE BOARD OF MASSAGE THERAPY



Diane Huleva, LMT
Board Chair



Sandra Anderson
Executive Director

Date 1/21/20

Date 1/21/2020





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@state.nv.us

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

I, Mendal Priestly have attended Orientation on

1/24/20 informing me of my responsibilities with the Terms and Conditions of my Agreement/Order with the Nevada State Board of Massage Therapy. I understand that I am accountable for the full compliance of this agreement.

M. Priestly

Name

1/24/20

Date

[Signature]

Name of Witness

1-24-20

Date

NSBMT

JAN 27 2020

RECEIVED

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

10. Review of Probation for Kendal L. Priestly – NVMT #10263. (For Discussion and Possible Action)

Kendal Priestly was present. Teresa Lopez recused based on her relationship with the licensee stating that Ms. Priestly had been one of her students.

Ms. Priestly requested removal of the outcall restriction from her probationary restrictions. After discussion Ms. Priestly was advised to return to the Board with information regarding the state and local licensing required to practice outcall and a simple business plan. Ms. Priestly's Review of Probation will be added to a future agenda.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 15. Reconsideration of probation Kendal L. Priestly NVMT #10263. (For Discussion and Possible Action)

Kendal L. Priestly was present and provided a document for the Board’s review including licensing costs and a plan for the operation of her own business.

Richard Fields motioned to lift the restriction prohibiting outcall from her probation, seconded by Deirdre Strunk. Motion carried unanimously.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Result Detail Report

Primary ID	Donor Name	Reported	Test Reason	Testing Status	Account #	Collected
	PRIESTLY, KENDAL L	9/20/2020	PRE-EMPLOYMENT	Positive	15015800	09/12/2020

Date Tested:	09/17/2020 06:41
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Order Code:	35190N
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Specimen Type :	U
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Specimen ID:	QD14057051
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Lab Recieved:	09/17/2020 06:41
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Order Expiration:	No Expiration
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Split Specimen:	No
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Lab Reported:	09/20/2020 07:04
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Collection Site:	QNZ
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Positive Analytes:	AMPHETAMINE, METHAMPHETAMINE, MARIJUANA METABOLITES, (50 ng/mL SCREEN)
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Testing Lab	Quest Diagnostics-Lenexa
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Accession #	239768S
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Notes:	
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Laboratory Report

SPECIMEN INFORMATION

Requisition #: 4875774
 Accession #: 239768S
 Collected: 09/12/2020 9:07 AM
 Received: 09/17/2020 6:41 AM
 Reported: 09/20/2020 7:04 AM
 Specimen ID: QD14057051

DONOR INFORMATION

Name: PRIESTLY, KENDAL L
 Primary ID: 530713452
 Reason: PRE-EMPLOYMENT
 Collection Site: QNZ

CLIENT INFORMATION

15015800
 NV STBD MASSAGE THERAPIST
 1755 E PLUMB LANE STE 252
 RENO, NV 89502

*** POSITIVE/ABNORMAL REPORT ***

Seals Intact: Yes
 Tests Ordered: 35190N (SAP 10-50/2000 W/NIT)

Urine Specimen Validity Testing

CREATININE 91.3 mg/dL
 pH 5.7
 OXIDIZING ADULTERANTS Negative

Acceptable Range

>= 20 mg/dL
 4.5-8.9

Urine Substance Abuse Panel

		Initial Test Level	MS Confirm Test Level
AMPHETAMINES		1000 ng/mL	
AMPHETAMINE	POSITIVE		500 ng/mL
METHAMPHETAMINE	POSITIVE		500 ng/mL
BARBITURATES	Negative	300 ng/mL	200 ng/mL
BENZODIAZEPINES	Negative	300 ng/mL	200 ng/mL
COCAINE METABOLITES	Negative	300 ng/mL	150 ng/mL
MARIJUANA METABOLITES	POSITIVE	50 ng/mL	15 ng/mL
METHADONE	Negative	300 ng/mL	200 ng/mL
METHAQUALONE	Negative	300 ng/mL	200 ng/mL
OPIATES	Negative	2000 ng/mL	2000 ng/mL
PHENCYCLIDINE	Negative	25 ng/mL	25 ng/mL
PROPOXYPHENE	Negative	300 ng/mL	200 ng/mL

CERTIFYING TECHNICIAN/SCIENTIST: KSJL01

SPECIMEN RECEIVED AND PROCESSED IN THE LENEXA DHHS CERTIFIED LABORATORY.

LAB: Quest Diagnostics-Lenexa
 10101 Renner Blvd
 Lenexa KS 66219

>> END OF REPORT <<

FORENSIC DRUG TESTING CUSTODY AND CONTROL FORM



SPECIMEN ID

Care360®

CLIENT NO. 15015800



2397688
Quest Diagnostics
16101 Renner Blvd
Lenexa, KS 66219

LAB ACCESSION NO.

Employer Name, Attention, Address, Phone and Fax No. NV STBD MASSAGE THERAPIST LISA COOPER 1755 E PLUMB LANE STE 252 RENO, NV 89502 Phone#: (775)987-9955 Fax#: (775)786-4264		HRO Name, Attention, Address, Phone and Fax No.	
Donor ID: SR0715482	Donor Name: PRIESTLY, KENDAL L		
Donor ID Verify by: Probe ID			
Reason for Test: PRE-EMPLOYMENT - 1			
Tests to be Performed: (SR000N) SAP 10-89/2000 W/UNT			
Collection Site Name: Quest Diagnostics Las Vegas - QNZ	Collection Site Code: QNZ	Collector Phone No.: (702)239-8969	
Address: 7480 W Lake Mead Blvd Ste 3		Collector Fax No.: (702)242-8472	
City, State and Zip: Las Vegas, NV 89128		Specimen Collection: Single	
Read specimen temperature within 4 minutes. Is temperature between 90° and 100°F? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
REMARKS:			
<p>I certify that the specimen took to me for this purpose, handled in strict accordance with the rules and regulations of the state and federal laws, and delivered to the laboratory in accordance with applicable requirements.</p> <p><input checked="" type="checkbox"/> Signature of Collector: PATRICIA ARELLANO Date: 9/17/2020 Time of Collection: 9:07 AM PDT</p> <p>Specimen(s) Released To: FED-Ex</p>			
<p>RECEIVED AT LAB: <input checked="" type="checkbox"/> Primary Specimen Seal Intact Date: 9/17/2020 Time: 11:00 AM Specimen(s) Released To:</p>			
<p>COMPLETED BY DONOR: Signature of Donor: KENDAL L PRIESTLY Date: 9/17/2020 Daytime Phone No.: (702)945-8602 Evening Phone No.: (702)945-8602 Date of Birth: 10/30/1992</p>			

Laboratory Copy

FORENSIC DRUG TESTING CUSTODY AND CONTROL FORM



SPECIMEN ID

CLIENT NO. 15015800



Employer Name, Attention, Address, Phone and Fax No. NV STBD MASSAGE THERAPIST LISA COOPER 1755 E PLUMB LANE STE 252 RENO, NV 89502 Phone#: (775)687-9955 Fax#: (775)786-4264		LAB ACCESSION NO. MRO Name, Attention, Address, Phone and Fax No.	
Donor ID: 530713452 Donor ID Verify by: Photo ID Reason for Test: PRE-EMPLOYMENT - 1 Tests to be Performed: (35190N) SAP 10-50/2000 W/NIT		Donor Name: PRIESTLY, KENDAL	
Collection Site Name: Quest Diagnostics Las Vegas - QNZ Address: 7460 W Lake Mead Blvd Ste 3 City, State and Zip: Las Vegas, NV 89128		Collection Site Code: QNZ Collector Phone No.: (702)339-8958 Collector Fax No.: (702)242-8472	
Read specimen temperature within 4 minutes. Is temperature between 90° and 100°F? Yes.		Specimen Collection: Single	
REMARKS:			
I certify that the specimen shown on this form is the collection site's major container for the test, and contains a sufficient amount of specimen to be tested. I have read the Quest Diagnostics Laboratory Manual and understand the collection requirements.			
Signature of Collector: PATRICIA ARELLANO (Print) Collector's Name (First, MI, Last)		Time of Collection: 9:07 AM PDT Date (Month/Day/Yr): 9/12/2020	
RECEIVED BY LAB: Signature of Addressee (Print) Addressee's Name (First, MI, Last)		Primary Specimen Seal Intact: <input type="checkbox"/> Yes <input type="checkbox"/> No (If No, Enter Remark Below)	
SPECIMEN(S) RELEASED TO: FED-EX		SPECIMEN(S) RELEASED TO:	
COMPLETED BY DONOR:			
I certify that I am the donor of the specimen shown on this form and that I have read the Quest Diagnostics Laboratory Manual and understand the collection requirements.			
Signature of Donor: KENDAL I. PRIESTLY (Print) Donor's Name (First, MI, Last)		Date (Month/Day/Yr): 9/12/2020	
Daytime Phone No.: (702)945-8602		Evening Phone No.: (702)945-8602 Date of Birth: 10/20/1992	
COMPLETED BY MEDICAL REVIEW OFFICER - PRIMARY SPECIMEN			
In accordance with applicable requirements, my determination/verification is:			
<input checked="" type="checkbox"/> NEGATIVE <input type="checkbox"/> POSITIVE <input type="checkbox"/> TEST CANCELLED		<input type="checkbox"/> REFUSAL TO TEST BECAUSE:	
<input type="checkbox"/> DILUTE		<input type="checkbox"/> ADULTERATED <input type="checkbox"/> SUBSTITUTED	
REMARKS:			
Signature of Medical Review Officer:		(PRINT) Medical Review Officer's Name (First, MI, Last):	
DATE (Month/Day/Yr):		DATE (Month/Day/Yr):	
COMPLETED BY MEDICAL REVIEW OFFICER - SECONDARY SPECIMEN			
In accordance with applicable requirements, my determination/verification for the split specimen (if tested) is:			
<input checked="" type="checkbox"/> RECONFIRMED <input type="checkbox"/> FAILED TO RECONFIRM - REASON:			
Signature of Medical Review Officer:		(PRINT) Medical Review Officer's Name (First, MI, Last):	
DATE (Month/Day/Yr):		DATE (Month/Day/Yr):	

Medical Review Officer Copy

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:

Kendal L. Priestly,

Licensed Massage Therapist
Nevada License No. NVMT.10263,

Respondent.

Case No. NVMT-S-2041

**COMPLAINT AND
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Sandra Anderson, hereby notifies Kendal L. Priestly ("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 January 8, 2020, Respondent's application to practice massage therapy was reviewed before the Board at a properly noticed board meeting. Respondent was granted a license to practice massage therapy with the condition of being placed on probation for two (2) years.
2. On or about January 21, 2020, the Board issued the Order of Probation which included the following conditions, among other conditions:
 - a. Attend probation orientation;
 - b. Submit to a background check within one year of the date of the Order and within two years of the date of the Order at Respondent's expense;

- 1 c. Refrain from providing outcall services¹;
- 2 d. Report all contact with law enforcement personnel within forty-eight (48) hours
- 3 after such contact occurs;
- 4 e. Notify the Board of any changes of employment within 15 days;
- 5 f. Provide any changes in address or phone numbers to the Board office within 15
- 6 days; and,
- 7 g. Submit to random drug tests at Respondent's expense.
- 8 3. On or about September 12, 2020, Respondent submitted to a random drug test that resulted
- 9 in positive analysis for AMPHETAMINE, METHAMPHETAMINE, and MARIJUANA
- 10 METABOLITES.

11 **VIOLATIONS OF LAW**

12 **COUNT ONE**

- 13 4. By testing positive for AMPHETAMINE, METHAMPHETAMINE, and MARIJUANA
- 14 METABOLITES from her drug test, Respondent violated the provisions of NRS
- 15 640C.700(13) and/or (9). This is grounds for discipline pursuant to NRS 640C.700(2).

16 **COUNT TWO**

- 17 5. By testing positive for AMPHETAMINE, METHAMPHETAMINE, and MARIJUANA
- 18 METABOLITES from her drug test, Respondent violated the provisions of NRS
- 19 640C.700(5) and/or (9). This is grounds for discipline pursuant to NRS 640C.700(2).

20 **PRAYER FOR RELIEF**

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

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

28 ¹ This restriction came before the Board at the August 19, 2020 wherein the Board voted to remove this restriction from her probation.

1 probaton, and/or (g) such other impositions as may be permitted by Nevada law.
2

3 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this
4 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B,
5 622, 622A and 640C of the Nevada Revised Statutes.

6 THE HEARING WILL TAKE PLACE:

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

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

9 Register in advance for this meeting:

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

11 Meeting ID: 998 5806 2211

12 Password: 859088

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

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

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

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

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

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

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

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

8 Dated this 3rd day of October, 2020.

9 **NEVADA STATE BOARD OF MASSAGE THERAPY**

10 
11 SANDRA ANDERSON, Executive Director

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 5, 2020, 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:

Kendal L. Priestly

9489 0090 0027 6226 7362 48

NEVADA STATE BOARD OF MASSAGE THERAPY


Employee

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8. Formal Hearing Kendal L. Priestly – NVMT #10263 – NVMT-S-2041. (The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person.) (For Possible Action)

Senior Deputy Attorney General Sophia Long served as prosecuting counsel. Ms. Priestly was present. Ms. Long admitted supporting documents into the record which were approved by the Chair.

Chair Huleva swore in Kendal Priestly. Ms. Priestly provided a statement.

Motioned by Elisabeth Barnard that Ms. Priestly was in violation of counts one and two, seconded by Deirdre Strunk. Motion carried unanimously.

Motioned by Robert Oliver to revoke for one (1) year, seconded by Richard Fields. Motion carried unanimously.

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:
Kendal L. Priestly,
Licensed Massage Therapist
Nevada License No. NVMT.10263,
Respondent.

Case No. NVMT-C-2041

ORDER

WHEREAS on Wednesday, November 4, 2020, the administrative hearing held relative to the Complaint in the above-captioned matter dated and signed October 3, 2020 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 Diane Huelva, Chair; Deirdre Strunk, Vice-Chair; Elisabeth Barnard, Secretary/Treasurer; Bianca Smith; Lorna Benedict; Bob Oliver; Richard Fields; and Sommer Plotnick. The Las Vegas Metropolitan Police Department Advisory Member, Detective James Downing, was also present.
2. Sophia G. Long, Senior Deputy Attorney General, was present and appeared as prosecutor for the Board. Justin Taruc, Deputy Attorney General, was present and appeared as counsel for the Board.
3. Kendal L. Priestly ("Respondent"), was present.

Exhibits

4. Exhibits:
 - a. Complaint and Notice of Hearing.
 - b. Order for Probation dated January 21, 2020.
 - c. Application and letter approving the Probationary license.
 - d. Draft minutes and letter related to the August 19, 2020 Board meeting.
 - e. Ms. Priestly's drug test letter and results.

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Witnesses

f. Kendal L. Priestly, Respondent.

II.

JURISDICTION

5. 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

6. 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. Op, 27, at 8-9 (April 3, 2014).

7. Via Complaint and Notice of Hearing dated October 3, 2020, Respondent was notified of the administrative hearing scheduled for November 4, 2020.

8. Senior Deputy Attorney General, Sophia G. Long provided the following:

- a. Ms. Priestly was placed on probation at the time the Board issued her a license on January 8, 2020, wherein one of the probation terms was that she submit to random drug tests at her own expense; and one of the restrictions placed on her probationary license was no outcall services.
- b. Ms. Priestly petitioned the Board at the August 19, 2020 Board meeting to lift the restriction for outcall services as she planned to operate her own business. The Board lifted this restriction.
- c. Ms. Priestly's September 2020 drug test returned positive for amphetamine, methamphetamine and marijuana.
- d. The exhibits were provided to the Board.

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9. Ms. Priestly testified to the following:

- a. That she admitted to the positive drug test and probation violation.
- b. That she has been 30 days clean and is in counseling, AA, and in an intensive outpatient program.
- c. That she took a leave of absence from Massage Envy.
- d. That the last day she used drugs was October 1, 2020.

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

IV.

CONCLUSIONS OF LAW

11. Having made the aforementioned findings, the Board decides that there is 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. Op, 27, at 8-9 (April 3, 2014) to make the following conclusions of law:

12. By testing positive for AMPHETAMINE, METHAMPHETAMINE, and MARIJUANA METABOLITES from her drug test, Respondent violated the provisions of NR 640C.700(5) and (9).

13. By testing positive for AMPHETAMINE, METHAMPHETAMINE, and MARIJUANA METABOLITES from her drug test, Respondent violated the provisions of NR 640C.700(13) and (9).

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

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V.

ORDER

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

1. Pursuant to NRS 640C.710, Respondent's license is REVOKED for One year.

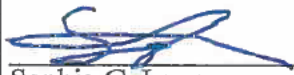
Dated this 30th day of December, 2020.

NEVADA STATE BOARD OF MASSAGE THERAPY



DIANE HUELVA, Chair

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



Sophia G. Long
Senior Deputy Attorney General
555 E. Washington Ave, Suite 3900
Las Vegas, Nevada 89101