

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:

Xiaokun Cao,
Licensed Massage Therapist
Nevada License No. NVMT.10146,
Respondent.

Case No. NVMT-OC-22047

**COMPLAINT AND
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Sandra Anderson, hereby notifies Xiaokun Cao ("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. Respondent is licensed with the Board and performs outcall services.
2. The Board attempted to contact Respondent on February 3, 2022; March 1, 2022, and April 1, 2022, to set up a sanitation inspection.
3. As of today, Respondent:
 - a. Has not responded to the Board's request for inspection; and
 - b. Has not been inspected by the Board.

1 **VIOLATIONS OF LAW**

2 **COUNT ONE**

- 3 4. By failing to respond to the Board's request for information within 60 days, Respondent
4 violated the provision of NRS 640C.700(8) and/or (9). This is grounds for discipline
5 pursuant to NRS 640C.700(2).

6 **PRAYER FOR RELIEF**

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

- 8
9 5. That the Board conduct a hearing on this complaint as provided by statute, and after such
10 hearing, that the Board impose upon Respondent the discipline permitted by NRS 640C.710,
11 which may include the following, (a) the imposition of an administrative fine of not more than
12 \$5,000.00 per violation, (b) recovery of reasonable investigative fees and costs incurred, (c)
13 recovery of attorney fees pursuant to NRS 622.400, (d) licensee be publicly reprimanded, (e)
14 suspend, revoke or place conditions on the licensee's license, (f) place the licensee on
15 probation, and/or (g) such other impositions as may be permitted by Nevada law.

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

20 THE HEARING WILL TAKE PLACE on **Wednesday, October 26, 2022,**
21 **commencing at 9:00 a.m.** or as soon thereafter as the Board is able to hear the matter with video
22 conferencing by Zoom.

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

24 Register in advance:

25 <https://us06web.zoom.us/j/89023133843?pwd=Mlp1SFYwT3FMdTIiSk93c0JlMHRHZz09>

26 Meeting ID: 890 2313 3843

27 Password: 649868

28 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 +1 929 205 6099 US (New York)

2 Meeting ID: 890 2313 3843

3 Passcode: 649868

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

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

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

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

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

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

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

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

Dated this 22nd day of September, 2022.

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NEVADA STATE BOARD OF MASSAGE THERAPY


SANDRA ANDERSON, Executive Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 23, 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:

Xiaokun Cao
5645 Ibanez Ave.
Las Vegas, NV 89103

9489 0090 0027 6461 1325 15

NEVADA STATE BOARD OF MASSAGE THERAPY


Employee