#### **NEVADA STATE BOARD OF MASSAGE THERAPY**

#### AGENDA ACTION SHEET

TITLE: Application Review (Education or Adminis	trative)
MEETING DATE: November 9, 2023	
APPLICANT: Chien Yu Chen REVIEW UNDER: NRS 640C.700	
	u today for review that could not be approved ted a license under NRS 640C.420 and is before you
ACTION:  Approved Probation Denied Tabled	
PROBATION CONDITIONS: Per NRS 640C.710(1 a. Report to the board all contact with law enforcement personnel within 48 hours after such contact occurs.	(a) and NAC 640C.075(2):  b. Refrain from providing outcall services.
c. Submit employment offers to the staff of the Board for review and approval.	d. Notify the board of any changes in his or her employment.
e. Complete an ethics course of within 90 calendar days after the issuance of the license.	f. Submit to the Board a complete set of Fingerprints bi-annually/annually at licensee's expense.
g. Attend a probation orientation -	h. Take any other action that the Board deems appropriate
i. Take any combination of the actions set forth in paragraphs (a) to (h), inclusive -	
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
Notify any change in address, phone number, establishment or employment to the Board office within 10 calendar days per NAC.640C.085(3)	ah:



#### Nevada State Board of Massage Therapy

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

Application: License Application
Application Number: OL221123111460

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. Dld you complete/graduate from a program of Massage Therapy with at least  $550\,$ 

Yes \( \) No

hours?:

Yes \(\) No

2. Did you take and pass the National Exam (NESL, NCETM, NCETMB, MBLEX, IASI, ITEC, ARCB, IIR and NCBTMB-R)?:

#### 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.

**Applicant Name** 

Last Name: CHEN First Name: CHIEN YU

Middle Name:

7 7

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

No record found.

Mailing address:

Street: 4517 GARDEN PL

City: LAS VEGAS

State: NV

Zip: 89107

Residence address (If different than the mailing address) : [] Same as mailing address

Street: 4517 GARDEN PL

City: LAS VEGAS

State: NV

Zip: 89107

Social Security Number

Date of Birth:

Place of Birth: Talwan

Gender: ( Male ( Female

Home/Cell Phone: (725) 238-5888

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 (fallure 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. **Expiration Date** License Number Year Issued Jurisdiction/ State #MT-20824 2015 11/12/2023 AZ 2010 06/25/2023 6936 CA 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
Royal Irvin College	Monterey Park	2009 - 2010	1000
FUZUBA	Las Vegas	2014 - 2014	500

Transcript(s)		
Document Name	User Defined Document Name	Document
		Link
OL221123111460-224815-Transcript.pdf	FUZUBA-TRANSCP	Document Detail

#### Section 5: National Exam

Exam Taken	Where Taken	Dat	e Taken
BLEX	Los Angeles	12/1	1/2009
CETMB	Los Angeles	10/2	8/2014
National Exam Status :	Pass		
Date Received :	03/31/2023	Score Report Receive	ed 🕝
Document Name	User Defined Doc	The second second	Document Status

OL221123111460-224817-ScoreReportCard.pdf

#### 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.

No record found.

- 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:

Date of Charge	Law Enforcement Agency Detail	Charge	Disposition	
08/30/2018	LVMPD			

#### 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.

- 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 you 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 CIIS 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 Ilcense 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, detainments, 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 valld 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: CHEN

First Name: CHIEN YU

Middle Name:

Street: 4517 Garden Pl

City: Las Vegas

State: NV

Zip.: 89107-4160

Date: 1/12/2023

Therapy

Submitting Agency: Nevada State Board of Massage

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 ☐ Navy/Navy Reserve Air Force/Air Force Reserve Coast Guard/Coast Guard Reserve National Guard

Military Occupation Speciality/Specialities:

Date(s) of Service: From

As by Excutive 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.

#### I, CHIEN YU CHEN 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 falling 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: chien yu chen Date: 2/13/2023

#### 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?

(a) 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?

(a) 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
Score Report Card	OLZZ11Z3111460-ZZ4817-ScoreReportCard.pdf	NCETMB
Certificate of Completion	OL221123111460-224816-Certificate-of-Completion.pdf	FUZUBA-DIPL
Transcript	OL221123111460-224815-Transcript.pdf	FUZUBA-TRANSCP
Score Report Card	OL221123111460-219845-ScoreReportCard.jpg	MBLEX
Certified Statement	OL221123111460-215978-Certified-Statement.pdf	AZ VERIF
Current Massage License	221123111450-Z11303-Current-Massage-License.jpg	
Phota	221123111460-Photo Chien.jpg	
Certified Statement	221123111460-201670-Certified-Statement.pdf	CA VERIF
Current Massage License	OL221123103658-200804-Current-Massage-License.jpg	,
Social Security Card	OL221123103658-200803-Social-Security-Card.jpg	
Government Issued ID Card	OL221123103658-200802-Government-Issued-ID-Card.jpg	

#### **Application Fees**

Fee Detail(s)

Payment Detail(s)

Payment Method: Amount Paid:



# OFFICIAL TRANSCRIPT Professional Practice of Massage (500-Hour Course)

STI	JDENT NAME:	Chien Yu Chen	GENDER: _		Fema	ale	
DA'	TE OF BIRTH:		ID:		F1258	971	
STA	ART DATE:	04/29/2014	COMPLETION DA	TE:_	07/25	5/2014	
<u>UN</u>	IT SUBJE	<u>ECT</u>		HOU	<del></del>	GRADE	
Α.	Human Anaton - Anatomy 50 Hour - Physiology 35 Ho - Kinesiology 40 Ho	urs	<u>esiology</u>	125	Hours	В-	
B.	- includes Swedish/ (125 hours); client	actice of Massage Western Massage history, the assessment (25 hours); clinic hours); and hands-on pract	al and relaxation	250	Hours	С	
C.	- includes cautions, well as massage (20	Massage Therapists contraindications and endang hours) and hydrotherapy (20 orders, injuries and client nee	hours) protocols specific	S	ours	B-	
D.	- includes health an standard business p	rofessional Practice ad hygiene (20 hours), legal is tractices, new client intake, ch her disciplines (45 hours)		65 H	iours	В	
			TOTAL HOURS:	50	0	NSBMT	
	CON CONTRACTOR	72	FINAL GRADE:	E	3-	AUG 18 2014	



Received

Qian Yang, CMT, Director

Date: 07-25-14



### **Certificate of Graduation**



I hereby certify that Chien Yu Chen, having successfully completed the 500 hour course in Professional Practice of Therapeutic Massage, is hereby awarded the Certificate of Graduation this 25<sup>th</sup> day of July 2014 with all the rights and responsibilities thereto attached.

AUG 1 1 201 Received



Yang, Qian Director



MBLEx Results: 3/30/2023

**NSBMT**MAR 3 1 2023

RECEIVED

#### MBLEx Result Jurisdictional Report

State: NV

For results marked by  $\underline{\Lambda}$  in the alert column, please contact FSMTB for additional information.

<u>Last Name</u>	First Name Last four	DOB Exam Date	Pass/Fail Ale	Previous Attempt(s)	<u>Language</u>	School
CHEN	CHIEN-YU SS#	12/11/2009	Pass		English	Royal Irvin College



### Official NCBTMB Score Report



#### Chien Chen

1716 Pinion Mesa Ct Las Vegas, NV 89128 UNITED STATES

DOB:

Exam Name: NCETMB

Exam Date: 10/28/2014

Exam Result: PASS

Candidate ID: 796211



Please accept this as the Official Score Report for the candidate listed above for the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB).

If you have any questions, please contact scores@ncbtmb.org or call 800-296-0664.



Nevada State Board of Massage Therapy

1755 E. Plumb Lane Suite 252 Reno, NV 89502 Phone (775) 687-9955 Fax (775) 786-4264

Email: <a href="mailto:nvmassagebd@state.nv.us">nvmassagebd@state.nv.us</a>
Website: <a href="mailto:http://massagetherapy.nv.gov">http://massagetherapy.nv.gov</a>

#### **Certified Statement from State Licensing Authority**

#### TO BE COMPLETED BY LICENSING AUTHORITY ONLY

(Transferring from another Jurisdiction)

Dear Sirs,

The applicant listed herein has applied to the Nevada State Board of Massage Therapy for a license for Massage Therapy. In order to complete this application, we request that you complete the following and mail to the Nevada State Board of Massage Therapy at the address listed above. Your assistance in this matter is greatly appreciated.

Sandra Anderson, Executive Director, Nevada State Board of Massage Therapy

Applicant Name: Chien Yu Chen	LIcense Number: CA Cert # 6936
To be completed by the State Licensing auth	ority in the State(s) where you are currently or have been licensed: License Information
Name:	Chien Yu Chen
Date of Birth:	
Type of License:	Certified Massage Therapist
License Number:	6936
How Issued:	Certified based on completing 500 hours
Original Licensure Date:	3/12/2010
Expiration Date:	6/25/2023
Status:	Active
The applicant has/has not been i proceedings relating to this license to practice	nvolved in any disciplinary action relating to their license; and_disciplinary e massage therapy are are not pending.
Case Number:	Jurisdiction:
Date:	
Name of licensing agency/jurisdiction; Californ	rnia Massage Therapy Council
Address: One Capitol Mall Suite 800	State, Zlp: Sacramento, CA 95814
Signature: Charlette L. Stev	vart Date: 11/16/2022
Titie: Customer Service Representative	
Print agent's name: Charlette L. Stewart	(Official Stamp)

### ARIZONA STATE BOARD OF MASSAGE THERAPY

#### Verification for licensure

www.massageboard.az.gov 602-542-8604 fax 602-542-8804

3/3/2023

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



The Arizona State Board of Massage Therapy hereby certifies that a standard search of records of this office indicates the following:

censee Name Chien Yu Chen				
License Number	MT-20	824 DOB	SSN ***-**-6811	
Licensee Status	х	Active	Expired	
Date of Issue	01/02/2015			
Expiration Date 11/12/2023				
National Exam				
Required Hours	700	effective 1-2008	Prior 500 hours	
License issued based on:		Hours	NCBTMB	
		Grandfathered	MBLEX	
		Reciprocity		

#### LICENSE IS IN GOOD STANDING. NO DISCIPLINARY ACTION.

To expedite the verification process, the above format is the standard format for information available through the Arizona State Board of Massage Therapy.

Arizona State Board of Massage Therapy 1400 West Washington #300 Phoenix, AZ 85007



#### BEFORE THE NEVADA STATE BOARD OF MASSAGE THERAPY

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In the Matter of: 3

4 Chien Yu Chen,

> Licensed Massage Therapist Nevada License No. NVMT.7145,

> > Respondent.

Case No. NVMT-C-1921

COMPLAINT AND NOTICE OF HEARING

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Sandra Anderson, hereby notifies Chien Yu Chen ("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 August 30, 2018, Clark County Business License agents conducted an undercover investigation at New Shang Hai Massage located at 4350 Spring Mountain Rd., Las Vegas, Nevada 89102 wherein they encountered Respondent engaged in sexual activity with a male patron during the course of practicing massage.
- 2. Interview with the male patron revealed that he paid \$70 for an "entry fee" and an additional \$300 for sex.
- 3. Respondent was issued a citation for prostitution (misdemeanor citation #1-20606).

VIOLATIONS OF LAW COUNT ONE



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1. By engaging in sexual activity during the course of practicing a massage, Respondent violated the provisions of NRS 640C.700(4). This is grounds for discipline pursuant to NRS 640C.700(2) and/or (9).

#### **COUNT TWO**

2. By being convicted of prostitution, Respondent violated the provisions of NRS 640C.700(3). This is grounds for discipline pursuant to NRS 640C.700(2) and/or (9).

#### PRAYER FOR RELIEF

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

3. 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, October 30, 2019, commencing at 9:00 a.m. or as soon thereafter as the Board is able to hear the matter at the Legislative Counsel Bureau, located at 401 S. Carson Street, Room 2135, Carson City, Nevada 89701, with video conferencing to the Grant Sawyer Building, located at 555 E. Washington Ave., Room 4412, Las Vegas, Nevada 89101.

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

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

As the Respondents, you are specifically informed that you have the right to appear and be heard in your defense, either personally or through counsel of your choice. You have the right to



respond and to present relevant evidence and argument on all issues involved. You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any matter relevant to the issues involved.

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

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

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.

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

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

Dated this 200 day of Such 2019.

NEVADA STATE BOARD OF MASSAGE THERAPY

SANDRA ANDERSON, Executive Director



#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 25, 2019, 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:

Chien Yu Chen 4325 El Conlon Avenue Las Vegas, NV 89102

91 7199 9991 7039 9416 3569

NEVADA STATE BOARD OF MASSAGE THERAPY

Employee

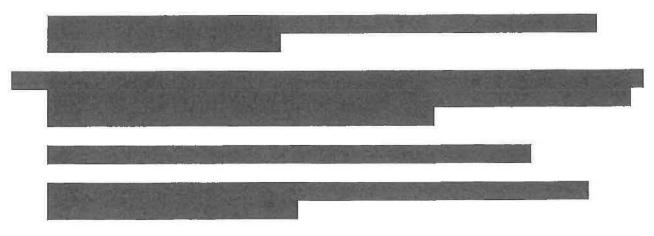
ORIGINAL

## BEFORE THE NEVADA STATE BOARD OF MASSAGE THERAPY

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In the Matter of:	Case No. NVMT-C-1921
Chien Yu Chen, Licensed Massage Therapist Nevada License No. NVMT.1921,	VOLUNTARY SURRENDER IN LIEU OF OTHER DISCIPLINE
Respondent.	
I, Chien Yu Chen, wish to volunta	arily surrender my Nevada Massage Therapy License.
<ol> <li>It is alleged that:</li> </ol>	
a. On or about August 30,	2018, Clark County Business License ("CCBL") agents
conducted an undercover	investigation at New Shang Hai Massage located at 4350
Spring Mountain Rd., L	as Vegas, Nevada 89102 wherein they encountered me
engaged in sexual activity	with a male patron during the course of practicing massage.
b. Interview with the male	patron revealed that he paid \$70 for an "entry fee" and an
additional \$300 for sex.	
c. I was issued a citation from	m CCBL for prostitution (misdemeanor citation #1-20606).
2. I admit only that these factual	allegations may constitute grounds for disciplinary action
pursuant to NRS 640C.710 because	se the conduct may have violated NRS 640C.700(2)(4)(6)(9)
and/or (10).	
3. I am aware of, understand, and ha	we been advised of the effect of this Voluntary Surrender.
4. I have read this Voluntary Surre	nder and I fully understand and acknowledge its facts and
terms.	
5. I am aware that I have certain con	stitutional rights, including:
(a) I have the right to hire	an attorney to represent me in this proceeding;
(b) I have the right to dem	nand a hearing on the charges against me, and I can
require the Board's sta	iff to prove the allegations;
(c) I have the right to cros	ss-examine the witnesses against me;
(d) I have the right to call	witnesses to provide evidence on my own behalf;
(e) I have other rights acc	orded to me under the Nevada Revised Statutes
Chapters 233B, 622, 6	22A and 640C.

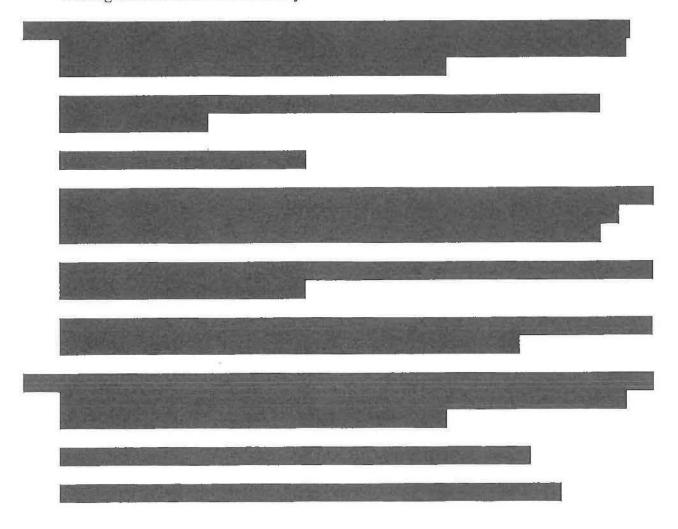
i	
1	NEVADA STATE BOARD OF MASSAGE THERAPY retains jurisdiction in this case unti
2	all conditions have been met to the satisfaction of the Board.
3	NEVADA STATE BOARD RESPONDENT
4	OF MASSAGE THERAPY
5	mainstructa 10/30/19 (him 2/ Choma 10/29/19
6	Board Chair Date Chien Yo Chen, Respondent Date
7	
	LEGAL TOURSEL
9	Kirk T. Kennedy, Esq.
10	815 S. Casino Center Blvd. Las Vegas, Nevada 89101
11	for the Respondent
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23_	THE COLUMN TWO IS NOT THE PROPERTY OF THE PROP
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577.0%	



11. Formal Hearing Chien Yu Chen – NVMT #7145 – NVMT-C-1921. (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)

Chien Yu Chen was not present; Kirk Kennedy, Legal Counsel was present.

Teresa Lopez motioned to accept voluntary surrender agreement, seconded by April Whiting. Motion carried unanimously.







A Professional Law Corporation

5288 SPRING MOUNTAIN ROAD, SUITE 103 LAS VEGAS, NEVADA 89146 Michael M Lin, Esq. \*† Xiaoyuan Zhang, Esq. \* Francis Arenas, Esq.

TELEPHONE 702.871.9888

Also Admitted in CA \*

FACSIMILE 702.648.0888

Also Admitted in AZ†

MICHAEL M LIN, ESQ.

ML@LINLAWGROUP.COM

January 14, 2020

Via: email and US Mail

c/o TerezaVanhorn
Nevada State Board of Massage Therapy
1755 E. Plumb Lane, Suite 252
Reno, NV 89502
tvanhorn@lmt.nv.gov

Re:

Notice of Representation My Client: Chien Yu Chen

Case No. NVMT-C-1921

Dear Nevada State Board of Massage Therapy:

This letter serves as notice of our representation for Chien Yu Chen concerning the referenced case number. Please direct all correspondence to our address above.

Very Truly Yours,

Francis Arenas, Esq.

Lin Law Group





A Professional Law Corporation

5288 Spring Mountain Road, Suite 103

LAS VEGAS, NEVADA 89146

Michael M Lin, Esq. \*† Xiaoyuan Zhang, Esq. \* Francis Arenas, Esq.

TELEPHONE 702,871.9888

Also Admitted in CA \*

FACSIMILE 702,648,0888

Also Admitted in AZ†

MICHAEL M LIN, ESQ.

ML@LINLAWGROUP.COM

January 7, 2020

Via: E-mail and US Mail

Nevada State Board of Massage Therapy ATTN TerezaVanhorn 1755 E. Plumb Lane, Suite 252 Reno, NV 89502 tvanhorn@lmt.nv.gov

Re:

Letter for Reconsideration

My Client: Chien Yu Chen' Case No. NVMT-C-1921

Dear Nevada State Board of Massage Therapy: .

This letter will serve as a formal request for Reconsideration of Ms. Chen's Voluntary Surrender in Lieu of Other Discipline, which was signed on October 29, 2019 by my client. The Voluntary Surrender was signed by the board on October 30, 2019.

Ms. Chen was not aware of, nor understood the effects the provisions that were set forth in the Voluntary Surrender would have. My client was born in Taiwan and her native language is Mandarin. Her attorney at the time, Kirk Kennedy, Esq. never had a Mandarin interpreter nor did he properly explain the consequences of the Voluntary Surrender, especially provisions pertaining to waiving all her rights and making the information public. As such, she is requesting a reconsideration of her Voluntary Surrender. Thank you for your review of this request.

JAN 6 8 2020

Francis Arenas, Esq.

Lin Law Group

#### Tereza Van Horn

From:

Sandy J. Anderson

Sent:

Wednesday, May 27, 2020 3:34 PM

To:

Francis Arenas

Cc:

Sophia Long; Tereza Van Horn

Subject:

RE: Chien Yu Chen - Notice of reconsideration

We will move you to the August agenda. Please note that the Voluntary Surrender remains in effect during the time of the postponement regardless of any negotiations you may be participating in with counsel.

#### Sandy

#### Sandra J. Anderson

Executive Director
Nevada State Board of Massage Therapy
1755 E. Plumb Lane, #252
Reno, Nv 89502
775.687.9951
sjanderson@lmt.nv.gov



From: Francis Arenas

Sent: Wednesday, May 27, 2020 2:53 PM

To: Sandy J. Anderson <sjanderson@Imt.nv.gov>
Subject: RE: Chien Yu Chen - Notice of reconsideration

Yes, that is my understanding.

Francis Arenas, Esq.

From: Sandy J. Anderson <sianderson@lmt.nv.gov>

Sent: Wednesday, May 27, 2020 2:47 PM

To: Francis Arenas <

Cc: ; Crystal Lin <

>; Tereza Van Horn < tvanhorn@lmt.nv.gov>

Subject: RE: Chien Yu Chen - Notice of reconsideration

Francis,

Just to confirm this will mean that the case will be continued to August 19th. Is that correct?

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Saudy

Sandra J. Anderson

Executive Director
Nevada State Board of Massage Therapy
1755 E. Plumb Lane, #252
Reno, Nv 89502
775.687.9951
sjanderson@lmt.nv.gov



From: Francis Arenas

Sent: Wednesday, May 27, 2020 2:42 PM

To: Tereza Van Horn < <a href="mailto:tvanhorn@lmt.nv.gov">tvanhorn@lmt.nv.gov</a>>; Sandy J. Anderson < <a href="mailto:sjanderson@lmt.nv.gov">sjanderson@lmt.nv.gov</a>>

Cc: Crystal Lin

Subject: RE: Chien Yu Chen - Notice of reconsideration

This is a request to continue my client's board meeting with the Nevada State Board of Massage Therapy to the next scheduled hearing. Prior to the Covid 19 quarantine, I was in contact with Deputy Attorney General Sophia Long in negotiating an amicable agreement before the board. As such I would like to have an opportunity to continue negotiations in order to settle this matter. Your consideration is greatly appreciated. Thank you.

Francis Arenas, Esq. Lin Law Group

T: (702) 871-9888 F: (702) 648-0888

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is confidential. It also may be protected by and subject to the attorney-client privilege or be privileged work product or proprietary information. This ELECTRONIC MAIL transmission and the information contained in or attached as a file to it are intended for the exclusive use for the addressee(s). If you are not the addressee (or one of the addressees), you are not an intended recipient. If you are not an intended recipient, please delete this e-mail (and any and all copies) and contact LIN Law Group immediately at (702) 871-9888. If you are not an intended recipient, you hereby are also notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information are strictly prohibited.

IRS CIRCULAR 230 DISCLOSURE NOTICE: As required by United States Treasury Regulations, please be aware that any advice contained in, or attached to, this (or any follow-up) e-mail (1) was not intended or written to be used, and cannot be used, for the purpose of avoiding penalties under federal tax law, and (2) may not be used in connection with the promotion, marketing or recommendation of any transaction, investment or other arrangement or matter, except as expressly stated otherwise.

From: Tereza Van Horn <tvanhorn@lmt.nv.gov>

Sent: Monday, May 18, 2020 9:28 AM

To: Francis Arenas

Cc: Sandy J. Anderson < sjanderson@lmt.nv.gov > Subject: Chien Yu Chen - Notice of reconsideration

Importance: High

Francis,

Please see the attached waiver of notice for our upcoming Board meeting on June 10<sup>th</sup>. Also attached is the official notification of our meeting on June 10. Please sign the waiver and return to me as soon as you can. If waiver is not returned prior to May 26, 2020, reconsideration of case will not be heard.

Tereza Van Horn
Executive Assistant/Management Analyst II
Nevada State Board of Massage Therapy
1755 E. Plumb Lane Suite 252
Reno, NV 89502
(775) 687-9953
tvanhorn@lmt.nv.gov

#### BEFORE THE NEVADA STATE BOARD OF MASSAGE THERAPY

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In the Matter of:

Chien Yu Chen,

Licensed Massage Therapist Nevada License No. NVMT.7145.

Respondent.

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COMPLAINT AND RE -NOTICE OF HEARING

Case No. NVMT-C-1921

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Sandra Anderson, hereby notifies Chien Yu Chen ("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 August 30, 2018, Clark County Business License agents conducted an undercover investigation at New Shang Hai Massage located at 4350 Spring Mountain Rd., Las Vegas, Nevada 89102 wherein they encountered Respondent engaged in sexual activity with a male patron during the course of practicing massage.
- 2. Interview with the male patron revealed that he paid \$70 for an "entry fee" and an additional \$300 for sex.
- 3. Respondent was issued a citation for prostitution (misdemeanor citation #1-20606).

VIOLATIONS OF LAW COUNT ONE



1. By engaging in sexual activity during the course of practicing a massage, Respondent violated the provisions of NRS 640C.700(4). This is grounds for discipline pursuant to NRS 640C.700(2) and/or (9).

#### **COUNT TWO**

2. By being convicted of prostitution, Respondent violated the provisions of NRS 640C.700(3). This is grounds for discipline pursuant to NRS 640C.700(2) and/or (9).

#### PRAYER FOR RELIEF

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

3. 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.

Pursuant to Governor Steve Sisolak's Emergency Directive 006, there will be no physical location for this meeting. Participants can join the meeting via Zoom.

THE HEARING WILL TAKE PLACE:

Wednesday, August 19, 2020, commencing at 9:00 a.m.

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

https://zoom.us/I/98844482882?pwd=YnVWeHBaMEtWZWFNZmdJRXRwYlpqQT09

Meeting ID: 988 4448 2882

Password: 246012

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



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

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

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

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

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.

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

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

Dated this 17th day of July, 2020

NEVADA STATE BOARD OF MASSAGE THERAPY

ANDRA ANDERSON, Executive Director



#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 17, 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:

Chien Yu Chen 4325 El Conlon Avenue Las Vegas, NV 89102

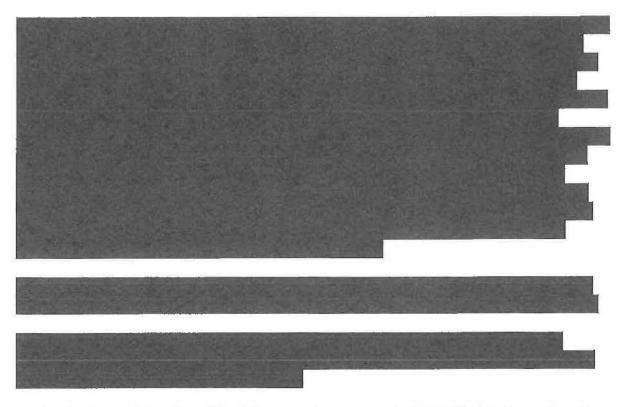
7489 0090 0027 6226 3397 39

Lin Law Group Frances Arenas, Esq. 5288 Spring Mountain Road Suite 103 Las Vegas, NV 89146

NEVADA STATE BOARD OF MASSAGE THERAPY

Employee



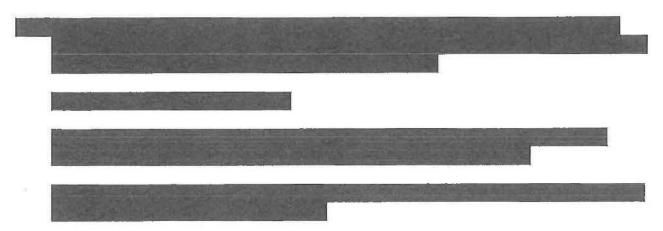


5. Motion for Reconsideration of disciplinary action pursuant to NRS 622A.390 regarding the license of Chien Yu Chen heard by the Board on October 30, 2019. (For Discussion and Possible Action)

Motion for Reconsideration continued at the request of respondent's legal counsel Francis Arena.

6. Formal Hearing Chien Yu Chen – NVMT #7145 - NVMT-C-1921. (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)

Motion for Reconsideration continued at the request of respondent's legal counsel Francis Arena.





#### 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@lmt.nv.gov
Website: http://massagetherapy.nv.gov

July 7, 2023

Chien Yu Chen

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. Chen:

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 8, 2023. Participants can join the meeting via Zoom or by appearing in person. 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/84402330839?pwd=Q3hwb2lxSkNGQlpgYmhLV3N6dk1sQT09

Meeting ID: 844 0233 0839
Password: 837512
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)

Physical Location: 1755 East Plumb Lane, Suite 254, Reno, Nevada 89502

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.

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

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

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

Sincerely,

Executive Pirector

9489 0090 0027 6461 1192 95

COPY



#### **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@lmt.nv.gov Website: http://massagetherapy.nv.gov

October 5, 2023

Chien Yu Chen 4517 Garden Pl. Las Vegas, NV 89107

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. Chen:

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 November 9, 2023. Participants can join the meeting via Zoom or by appearing in person. 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/83352344698?pwd=WTNBN3Z1VkcydEZBM0RCbmdyZThyUT09

Meeting ID: 833 5234 4698 Password: 501453

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)

Physical Location: 1755 East Plumb Lane, Suite 254, Reno, Nevada 89502

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.

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

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

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

Sincerely,

9489 0090 0027 6461 1194 93

Elisabeth Barnard Executive Director

