

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:
Luis A. Gonzalez,
Licensed Massage Therapist
Nevada License No. NVMT.11178,
Respondent.

Case No. NVMT-C-23051

**COMPLAINT AND
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy (“Board”), by and through its Executive Director, Sandra Anderson, hereby notifies Luis A. Gonzalez (“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 10, 2023, the Board held an administrative hearing against Respondent relative to case number NVMT-C-22016. As a result of the administrative hearing, the Board issued its Finding of Facts, Conclusions of Law and Order that included suspending Respondent’s license for ninety (90) days, and then placing Respondent on a two (2) year probation.
2. Respondent’s probation included the term that “Gonzalez is restricted to clothes clients only.”
3. Respondent’s probation included the term that “in the event that a violation of this Order is alleged, Gonzalez agrees to surrender his license to the Executive Director, if so

1 requested, and agrees not to practice as a massage therapist until the entry of a final order
2 from the Board.”

- 3 4. On or about April 23, 2023, while working at Oriental Thai Spa Massage, located at 3475
4 S. Las Vegas Blvd., Las Vegas, Nevada 89102, Respondent massaged XX and during the
5 course of the massage, touched her genitals several times and digitally penetrated her.
6 5. XX was unclothed or completely nude during the massage.
7 6. Respondent gave XX his phone number and told her to call him if she needed a massage
8 in Arizona.

9 **VIOLATIONS OF LAW**

10 **COUNT ONE**

- 11 7. By touching XX’s genitals during the course of a massage, Respondent violated the
12 provisions of NRS 640C.700(4) and/or (9). This is grounds for discipline pursuant to NRS
13 640C.700(2).

14 **COUNT TWO**

- 15 8. By performing a massage on XX while she was unclothed or completely nude,
16 Respondent violated the probation terms and thereby violated the provisions of NRS
17 640C.700(13) and/or (9). This is grounds for discipline pursuant to NRS 640C.700(2).

18 **PRAYER FOR RELIEF**

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

- 20 9. That the Board conduct a hearing on this complaint as provided by statute, and after such
21 hearing, that the Board impose upon Respondent the discipline permitted by NRS
22 640C.710, which may include the following, (a) the imposition of an administrative fine of
23 not more than \$5,000.00 per violation, (b) recovery of reasonable investigative fees and costs
24 incurred, (c) recovery of attorney fees pursuant to NRS 622.400, (d) licensee be publicly
25 reprimanded, (e) suspend, revoke or place conditions on the licensee’s license, (f) place the
26 licensee on probation, and/or (g) such other impositions as may be permitted by Nevada law.
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1 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this
2 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B,
3 622, 622A and 640C of the Nevada Revised Statutes.

4 THE HEARING WILL TAKE PLACE on **Wednesday, August 8, 2023, commencing at**
5 **9:00 a.m.** or as soon thereafter as the Board is able to hear the matter with video conferencing by
6 Zoom or by appearing in person.

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

9 <https://us06web.zoom.us/j/84402330839?pwd=Q3hwb2lxSkNGQjJqYmhlLV3N6dk1sQT09>

10 Meeting ID: 831 8510 9960
11 Password: 838829

12 Dial by your location
13 +1 253 215 8782 US (Tacoma)
14 +1 346 248 7799 US (Houston)
15 +1 669 900 6833 US (San Jose)
16 +1 301 715 8592 US (Washington DC)
17 +1 312 626 6799 US (Chicago)
18 +1 929 205 6099 US (New York)

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

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

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

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

28 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.

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

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

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

11 Dated this 7th day of July, 2023.

12 **NEVADA STATE BOARD OF MASSAGE THERAPY**

13 
14 SANDRA ANDERSON, Executive Director

15 **CERTIFICATE OF SERVICE**

16 I HEREBY CERTIFY that on July 7, 2023, I deposited for mailing at Reno, Nevada, via
17 Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of the foregoing
18 **COMPLAINT AND NOTICE OF HEARING**, properly addressed as follows:
19

20
21 Luis A. Gonzalez
22 7865 Firefalls Drive
23 Las Vegas, NV 89147

9489 0090 0027 6461 1191 58

24 Jack E. Buchanan
25 Attorney at Law
26 300 S. Maryland Parkway
27 Las Vegas, NV 89101

28 **NEVADA STATE BOARD OF MASSAGE THERAPY**


Employee

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