

NEVADA STATE BOARD OF MASSAGE THERAPY

AGENDA ACTION SHEET

TITLE: Application Review (Education or Administrative)

MEETING DATE: August 8, 2023

APPLICANT: Chien Yu Chen

REVIEW UNDER: NRS 640C.700

BACKGROUND INFORMATION:

Ms. Chen's massage application is before you today for review that could not be approved administratively. Ms. Chen is requesting to be granted a license under NRS 640C.420 and is before you today for review under NRS 640C.700.

ACTION:

- Approved
- Probation – NRS 640C.700(4)(9); NAC 640C.410 (1) (bb)
- Denied – NRS 640C.700(4)(9); NAC 640C.410 (1) (bb)
- Tabled

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: 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. 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 : CHEN
First Name : CHIEN YU
Middle Name :



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 : **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 Integrator/ist.

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

Jurisdiction/ State	License Number	Year Issued	Expiration Date
AZ	#MT-20824	2015	11/12/2023
CA	6936	2010	06/25/2023

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
OL221123111460224815-Transcript.pdf	FUZUBA-TRANSCP	Document Detail

Section 5 : National Exam

Exam Taken	Where Taken	Date Taken
M&LEx	Los Angeles	12/11/2009
NCETMB	Los Angeles	10/28/2014

National Exam Status :

Date Received :

Score Report Received

Document Name	User Defined Document Name	Document Status
OL221123111460-224817-ScoreReportCard.pdf	NCETMB	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.

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.
- 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 : CHEN

First Name : CHIEN YU

Middle Name :

Street :

City :

State :

Zip :

Date : 1/12/2023

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/Specialties :

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.

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 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 : 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?

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
Score Report Card	OL221123111460-224817-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	221123111460-211303-Current-Massage-Llicense.jpg	
Photo	221123111460-Photo Chien.jpg	
Certified Statement	221123111460-201670-Certified-Statement.pdf	CA VERIF
Current Massage License	OL221123103658-200804-Current-Massage-Llicense.jpg	
Social Security Card	OL221123103658-200803-Social-Security-Card.jpg	
Government Issued ID Card	OL221123103658-200802-Government-Issued-ID-Card.jpg	

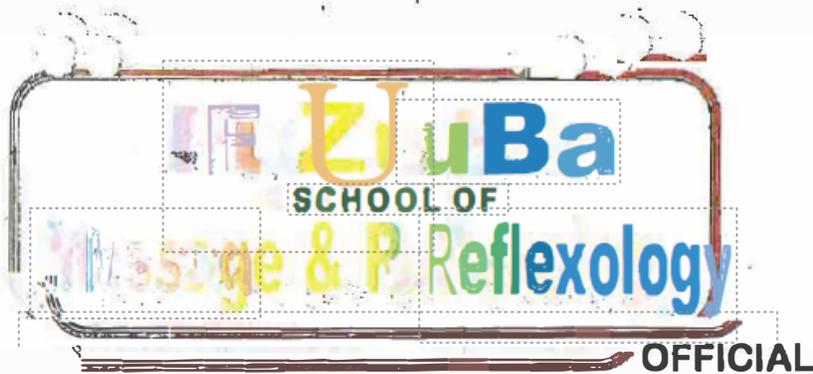
Application Fees

All fees are non refundable.

Fee Detail(s)

Payment Detail(s)

Payment Method:
Amount Paid:



TRANSCRIPT

Professional Practice of Massage (500 Hour Course)

STUDENT NAME: Chien Yu Chen GENDER: Female
 DATE OF BIRTH: _____ ID: F1258971
 START DATE: 04/29/2014 COMPLETION DATE: 07/25/2014

<u>UNIT</u>	<u>SUBJECT</u>	<u>HOURS</u>	<u>GRADE</u>
A.	<u>Human Anatomy, Physiology and Kinesiology</u> - Anatomy 50 Hours - Physiology 35 Hours - Kinesiology 40 Hours	125 Hours	B-
B.	<u>Theory and Practice of Massage</u> - includes Swedish/Western Massage history, theory and methods (125 hours); client assessment (25 hours); clinical and relaxation massage methods (50 hours); and hands-on practice (50 hours)	250 Hours	C
C.	<u>Pathology for Massage Therapists</u> - includes cautions, contraindications and endangerment sites (20 hours); as well as massage (20 hours) and hydrotherapy (20 hours) protocols specific to commonly seen disorders, injuries and client needs	60 Hours	B-
D.	<u>Standards of Professional Practice</u> - includes health and hygiene (20 hours), legal issues, ethics, taxation, standard business practices, new client intake, charting and referral to professionals in other disciplines (45 hours)	65 Hours	B

TOTAL HOURS: 500

FINAL GRADE: B-

NSBMT
 AUG 18 2014 S
 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 25th day of July 2014 with all the rights and responsibilities thereto attached.

(K)

NSBMT
AUG 11 2014
Received




Yang, Qian
Director



MBLEx Results: 3/30/2023

NSBMT
MAR 31 2023
RECEIVED

MBLEx Result Jurisdictional Report

State: NV

For results marked by **▲** in the alert column, please contact FSMTB for additional information.

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



NSBMT
NOV 18 2022
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@state.nv.us

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

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 t t t t t t t t License Number: CA Cert# 6936

To be completed by the State Licensing authority in the State(s) where you are currently or have been licensed:

License Information

Name:	<u>Chien Yu Chen</u>
Date of Birth:	<u></u>
Type of License:	<u>Certified Massage Therapist</u>
License Number:	<u>6936</u>
How Issued:	<u>Certified based on completing 500 hours</u>
Original Licensure Date:	<u>3/12/2010</u>
Expiration Date:	<u>6/25/2023</u>
Status:	<u>Active</u>

This certified statement issued by the licensing authority in each state/territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice massage therapy during the immediately preceding 10 years verifying that:

The applicant has / has not been involved in any disciplinary action relating to their license; and disciplinary proceedings relating to this license to practice massage therapy are / are not pending.

Case Number: t t t t t t t t Jurisdiction: t t t t

Date:

Name of licensing agency/jurisdiction: California Massage Therapy Council

Address: One Capitol Mall Suite 800 State, Zip: Sacramento, CA 95814

Signature: *L. Stewart* Date: 11/16/2022

Title: Customer Service Representative

Print agent's name: Charlette L. Stewart t t t (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

NSBMT

MAR 07 2023

Nevada
1755 E Plumb Lane Ste.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:

Licensee Name	Chien Yu Chen		
License Number	MT-20824	DOB	SSN ***-**-6811
Licensee Status	<input checked="" type="checkbox"/> Active	<input type="checkbox"/> 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



Official NCBTMB Score Report



Chien Chen

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.

BEFORE THE NEVADA STATE BOARD OF
MASSAGE THERAPY

In the Matter of:

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

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

4 **COUNT TWO**

5 2. By being convicted of prostitution, Respondent violated the provisions of NRS
6 640C.700(3). This is grounds for discipline pursuant to NRS 640C.700(2) and/or (9).

7 **PRA YER FOR RELIEF**

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

9 3. 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
11 640C.710, which may include the following, (a) the imposition of an administrative fine of
12 not more than \$5,000.00 per violation, (b) recovery of reasonable investigative fees and costs
13 incurred, (c) recovery of attorney fees pursuant to NRS 622.400, (d) licensee be publicly
14 reprimanded, (e) suspend, revoke or place conditions on the licensee's license, (f) place the
15 licensee on probation, and/or (g) such other impositions as may be permitted by Nevada law.
16

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 30, 2019, commencing at**
21 **9:00 a.m.** or as soon thereafter as the Board is able to hear the matter at the Legislative Counsel
22 Bureau, located at 401 S. Carson Street, Room 2135, Carson City, Nevada 89701, with video
23 conferencing to the Grant Sawyer Building, located at 555 E. Washington Ave., Room 4412, Las
24 Vegas, Nevada 89101.

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

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

28 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

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

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

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

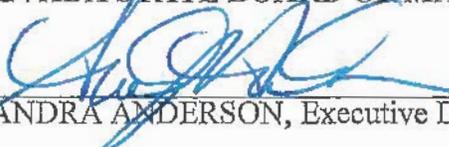
11 Should the Respondent fail to appear at the hearing, a decision may still be reached by the
12 Board. As the Respondent, you are further advised that you may be charged with the attorney's fees
13 and/or costs associated with the hearing pursuant to NRS 622.400.

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

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

21 Dated this 20th day of September, 2019.

22 **NEVADA STATE BOARD OF MASSAGE THERAPY**

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24 SANDRA ANDERSON, Executive Director
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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

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 ORIGINAL

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.1921,
Respondent.

Case No. NVMT-C-1921
Voluntary Surrender in
Lieu of Discipline

I, Chien Yu Chen, wish to voluntarily surrender my license.

1. It is alleged that:
 - 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., Las 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 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 the conduct may have violated NRS 640C.700 (2)(4) (6)(9) and/or (10).
3. I am aware of, understand, and have been advised of the effect of this Voluntary Surrender.
4. I have read this Voluntary Surrender and I fully understand and acknowledge its facts and terms.
5. I am aware that I have certain constitutional rights, including:
 - (a) I have the right to hire an attorney to represent me in this proceeding;
 - (b) I have the right to demand a hearing on the charges against me, and I can require the Board's staff to prove the allegations;
 - (c) I have the right to cross-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 accorded to me under the Nevada Revised Statutes Chapters 233B, 622, 622A and 640C.

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(f) I have the right to obtain judicial review of the Board's decision.

6. I am aware of the foregoing rights in paragraph five (5), and I voluntarily, knowingly, and intelligently waive these rights in return for the Board accepting my voluntary surrender of my massage therapist license in lieu of other disciplinary action.
7. I understand this Voluntary Surrender is considered disciplinary action and as such will become part of my permanent record.
8. I understand this Voluntary Surrender is considered public information.
9. I understand this Voluntary Surrender is considered disciplinary action and will be reported to the national repository, which records disciplinary action taken against licensees, or any agency or another state, which regulates the practice of Massage Therapy.
10. I understand this Voluntary Surrender may be used in any subsequent hearings by the Board as evidence against me to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.
11. This Voluntary Surrender shall not be construed as excluding or reducing any criminal or civil penalties or sanctions in any other matter.
12. I understand that this surrender is effective on the date it was accepted by the Board, which was October 30, 2019.
13. I agree not to apply for re-licensure with the Board as a massage therapist until three years have passed from the date of the Board's acceptance of this Voluntary Surrender, which was at its meeting held on October 30, 2019.

I, Chien Yu Chen, by my signature affixed below, agree with the foregoing facts and representations and thus choose to voluntarily surrender my License to practice as a massage therapist in Nevada.

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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

RESPONDENT

Sandra Huker 10/30/19
Board Chair Date

Chien Yu Chen 10/29/19
Chien Yu Chen, Respondent Date

LEGAL COUNSEL

[Signature]
Kirk T. Kennedy, Esq.
815 S. Casino Center Blvd.
Las Vegas, Nevada 89101
for the Respondent

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



LIN LAW GROUP

A Professional Law Corporation

5288 SPRING MOUNTAIN ROAD, SUITE 103
LAS VEGAS, NEVADA 89146

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

TELEPHONE 702.871.9888
FACSIMILE 702.648.0888

Also Admitt in CA*
Also Admitted in AZ†

MICHAEL M LIN, ESQ.

ML@LINLAWGROUP.COM

January 7, 2020

Via: E-mail and US Mail

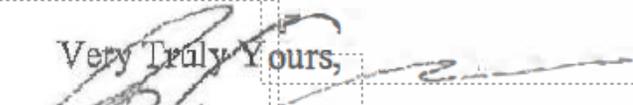
Nevada State Board of Massage Therapy
ATTN Tereza Vanhom
1755 E. Plumb Lane, Suite 252
Reno, NV 89502
tvanhorn@lmt.nv.gov

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 provisions pertaining to waiving all her right she is requesting a reconsideration of her request.

Very Truly Yours,

Francis Arenas, Esq.
Lin Law Group

NOTED
JAN 09 2020
RECEIVED

SAI



A Professional Law Corporation

5288 SPRING MOUNTAIN ROAD, SUITE 103
LAS VEGAS, NEVADA 89146

Michael M Lin, Esq. *†
Xiaoyuan Zhang, Esq. *
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TELEPHONE 702.871.9888

Also Admitted in CA *

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Also Admitted in AZ †

MICHAEL M LIN, ESQ.

ML@LINLAWGROUP.COM

January 14, 2020

Via: email and US Mail

c/o Tereza Vanhorn
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

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@lmt.nv.gov>
Subject: RE: Chien Yu Chen - Notice of reconsideration

Yes, that is my understanding.

Francis Arenas, Esq.

From: Sandy J. Anderson <sjanderson@lmt.nv.gov>
Sent: Wednesday, May 27, 2020 2:47 PM
To: Francis Arenas <Francis.Arenas@nvbar.org>
Cc: [Crystal Lint](mailto:Crystal.Lint@nvbar.org) <Crystal.Lint@nvbar.org>; 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?

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 Arenast
Sent: Wednesday, May 27, 2020 2:42 PM
To: Tereza Van Horn <tvanhorn@lmt.nv.gov>; Sandy J. Anderson <sjanderson@lmt.nv.gov>
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 Arenast
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 10th. 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

In the Matter of:

Chien Yu Chen,
Licensed Massage Therapist
Nevada License No. NVMT.7145,
Respondent.

Case No. NVMT-C-1921

**COMPLAINT AND
RE -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

1 1. By engaging in sexual activity during the course of practicing a massage, Respondent
2 violated the provisions of NRS 640C.700(4). This is grounds for discipline pursuant to NRS
3 640C.700(2) and/or (9).

4 **COUNT TWO**

5 2. By being convicted of prostitution, Respondent violated the provisions of NRS
6 640C.700(3). This is grounds for discipline pursuant to NRS 640C.700(2) and/or (9).

7 **PRAAYER FOR RELIEF**

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

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

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

22 THE HEARING WILL TAKE PLACE:

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

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

25 Register in advance for this meeting:

26 <https://zoom.us/j/98844482882?pwd=YnVWeHBaMEtWZWFNZmdJRXRwYlpgQT09>

27 Meeting ID: 988 4448 2882

28 Password: 246012

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

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

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

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

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

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

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

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

24 Dated this 17th day of JULY, 2020.

25 **NEVADA STATE BOARD OF MASSAGE THERAPY**

26 
27 SANDRA ANDERSON, Executive Director
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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

9489 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

COPY

[REDACTED]

[REDACTED]

[REDACTED]

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.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Nevada State Board of Massage Therapy

1755 E. Plumb Lane Suite 252

Reno, NV 89502

Phone (775) 787-9955

Fax (775) 786-4264

Email: nvmessagebd@mt.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.

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 6461 1192 95

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