

BEFORE THE NEVADA STATE BOARD OF  
MASSAGE THERAPY

In the Matter of:

Anthony P. Miera,

Licensed Massage Therapist  
Nevada License No. NVMT.9622,

Respondent.

Case No. NVMT-C-23003

**COMPLAINT AND  
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy (“Board”), by and through its Executive Director, Sandra Anderson, hereby notifies Anthony P. Miera (“Respondent”) of an administrative hearing, which is to be held pursuant to Chapters 233B, 622, 622A of the Nevada Revised Statutes (NRS) and 640C of the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC). The purpose of the hearing is to consider the allegations stated below and to determine if the Respondent should be subject to an administrative penalty as set forth in NRS 640C.710, if the stated allegations are proven at the hearing by the evidence presented.

Respondent is currently and at all times mentioned herein, licensed as a massage therapist in the State of Nevada and is therefore, subject to the jurisdiction of the Board and the provisions of NRS Chapter 640C.

IT IS HEREBY ALLEGED AND CHARGED AS FOLLOWS:

**ALLEGED FACTS**

1. On or about January 13, 2023, Respondent, while working at Tony’s Vegas Massage located at 8751 W. Charleston Blvd., Las Vegas, Nevada 89117, massaged V.C.’s breasts and touched her nipples during the course of massage.
2. V.C. was presented with a breast massage consent form prior to the massage and V.C. did not give Respondent consent to massage her breasts during the massage.
3. During the massage, Respondent further placed his mouth on each of her areola as he licked her nipples with his tongue.
4. Respondent is the owner of Tony’s Vegas Massage.

- 1 5. Respondent falsely advertised on his website that he was NCBTMB (National  
2 Certification Board for Therapeutic Massage and Bodywork) certified; he is not.  
3 6. As of today, Respondent advertises on his website, tonysvegasmassage.com, that he  
4 performs outcall services.

5 **VIOLATIONS OF LAW**

6 **COUNT ONE**

- 7 7. By touching V.C.'s nipples during the course of a massage, Respondent violated the  
8 provisions of NRS 640C.700(4) and/or (9). This is grounds for discipline pursuant to NRS  
9 640C.700(2).

10 **COUNT TWO**

- 11 8. By massaging V.C.'s breasts without consent during the course of a massage, Respondent  
12 violated the provisions of NRS 640C.700(4) and/or (9). This is grounds for discipline  
13 pursuant to NRS 640C.700(2).

14 **COUNT THREE**

- 15 9. By putting his mouth on each of V.C.'s areolas and licking her nipples during the course  
16 of a massage, Respondent violated the provisions of NRS 640C.700(9) and/or NAC  
17 640C.340. This is grounds for discipline pursuant to NRS 640C.700(2).

18 **COUNT FOUR**

- 19 10. By advertising that Respondent is NCBTMB certified when he is not, Respondent  
20 violated the provisions of NRS 640C.930(2), NRS 640C.700(14) and/or (9). This is  
21 grounds for discipline pursuant to NRS 640C.700(2).

22 **PRAYER FOR RELIEF**

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

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

1 reprimanded, (e) suspend, revoke or place conditions on the licensee's license, (f) place the  
2 licensee on probation, and/or (g) such other impositions as may be permitted by Nevada law.

3  
4 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this  
5 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B,  
6 622, 622A and 640C of the Nevada Revised Statutes.

7 THE HEARING WILL TAKE PLACE on **Wednesday, March 22, 2023, commencing at**  
8 **9:00 a.m.** or as soon thereafter as the Board is able to hear the matter with video conferencing by  
9 Zoom.

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

12 <https://us06web.zoom.us/j/85370113332?pwd=UnV1bFcvUWgxTElZYzJVbldjOkMrZz09>

13 Meeting ID: 853 7011 3332

14 Password: 244142

15 Dial by your location

16 +1 253 215 8782 US (Tacoma)

17 +1 346 248 7799 US (Houston)

18 +1 669 900 6833 US (San Jose)

19 +1 301 715 8592 US (Washington DC)

20 +1 312 626 6799 US (Chicago)

21 +1 929 205 6099 US (New York)

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

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

25 As the Respondents, you are specifically informed that you have the right to appear and be  
26 heard in your defense, either personally or through counsel of your choice. You have the right to  
27 respond and to present relevant evidence and argument on all issues involved. You have the right to  
28 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.

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

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

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

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

15 Dated this 21<sup>st</sup> day of February 2023.

16 **NEVADA STATE BOARD OF MASSAGE THERAPY**

17   
18 SANDRA ANDERSON, Executive Director


19 **CERTIFICATE OF SERVICE**

20 I HEREBY CERTIFY that on February 21, 2023, I deposited for mailing at Reno, Nevada,  
21 via Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of the  
22 foregoing **COMPLAINT AND NOTICE OF HEARING**, properly addressed as follows:  
23

24  
25  
26 Anthony P. Miera  
27 3208 Shoreheight Street  
28 Las Vegas, NV 89117

9489 0090 0027 6447 8866 16

NEVADA STATE BOARD OF MASSAGE THERAPY

  
Employee

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28