BEFORE THE NEVADA STATE BOARD OF MASSAGE THERAPY

In the Matter of:

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Joshua Robert Taylor Jurinek,

Licensed Massage Therapist Nevada License No. NVMT.7945,

Respondent.

Case No. NVMT-C-23052

COMPLAINT AND NOTICE OF HEARING

9 The Nevada State Board of Massage Therapy (Board), by and through its Executive Director,
10 Elisabeth Barnard, hereby notifies Joshua Robert Taylor Jurinek ("Respondent") of an administrative
11 hearing, which is to be held pursuant to Chapters 233B, 622, 622A of the Nevada Revised Statutes
12 (NRS) and 640C of the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC).
13 The purpose of the hearing is to consider the allegations stated below and to determine if the
14 Respondent should be subject to an administrative penalty as set forth in NRS 640C.710, if the stated
15 allegations are proven at the hearing by the evidence presented.

Respondent at all times mentioned herein, was 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.

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IT IS HEREBY ALLEGED AND CHARGED AS FOLLOWS:

ALLEGED FACTS

1.On or about March 1, 2022, Respondent, while working at Suarez Physical Therapylocated at 6930 S. Cimarron Rd., Las Vegas, NV 89113, performed a massage for S.T.

2. After the massage, on March 3, 2022, S.T. reported to her general practitioner that Respondent had positioned himself so that his genitals touched S.T.'s hand and digitally penetrated her vagina. The general practitioner suggested to S.T. that S.T. report this to Las Vegas Metropolitan Police.

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1	3. On March 9, 2022, S.T. reported the incident to Las Vegas Metropolitan Police. She
2	reported that Respondent placed S.T.'s hand on his genitals on two separate occasions. She further
3	reported that Respondent removed the blanket covering S.T. without consent and inserted his fingers
4	into her vagina.
5	4. As a result of these allegations, Respondent was charged with various offenses and
6	ultimately entered a guilty plea under an Alford plea agreement for Coercion Sexually Motivated
7	(Category B Felony – NRS 207.190, 175.547, 207.193) on July 6, 2023.
8	VIOLATIONS OF LAW
9	COUNT ONE
10	5. By pleading guilty to Coercion Sexually Motivated, Respondent violated the provisions
11	of NRS 640C.700(2) because he engaged in sexual activity in the course of performing a massage.
12	This is grounds for discipline pursuant to NRS 640C.700.
13	COUNT TWO
14	6. By pleading guilty to Coercion Sexually Motivated, Respondent violated the provisions
15	of NRS 640C.700(3) because he was convicted for a sexual offense and/or moral turpitude. This is
16	grounds for discipline pursuant to NRS 640C.700.
17	COUNT THREE
18	7. By placing a client's arm on his genitalia and/or digitally penetrating a client's vagina,
19	Respondent violated the provisions of NRS 640C.700(4). This is grounds for disciplinary action
20	pursuant to NRS 640C.700.
21	COUNT FOUR
22	8. By engaging in and/or soliciting sexual activity during the course of practicing
23	massage, Respondent violated the provisions of NRS 640C.700(9). This is grounds for discipline
24	pursuant to NRS 640C.700.
25	PRAYER FOR RELIEF
26	WHEREFORE, Executive Director, Elisabeth Barnard, prays as follows:
27	9. That the Board conduct a hearing on this complaint as provided by statute, and after
28	such hearing, that the Board impose upon Respondent the discipline permitted by NRS 640C.710, which
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1 may include the following, (a) the imposition of an administrative fine of not more than \$5,000.00 per 2 violation, (b) recovery of reasonable investigative and hearing fees and costs incurred, (c) recovery of 3 attorney fees pursuant to NRS 622.400, (d) licensee be publicly reprimanded, (e) suspend, revoke or place 4 conditions on the licensee's license, (f) place the licensee on probation, and/or (g) such other impositions 5 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, September 11, 2024, commencing at 9:00 a.m. or as soon thereafter, at 1755 E. Plumb Ln., Suite 254, Reno, NV 89502. The hearing may also be attended virtually via Zoom. The Zoom information is as follows:

https://us06web.zoom.us/j/87910447853?pwd=B8PbS0eOO8NBSdiVIBkcPaVSL3g4sV.1

Meeting ID: 879 1044 7853

Passcode: 071458

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

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presented to further determine what administrative penalty is to be assessed against the Respondent,
 if any, pursuant to NRS 640C.710.

If you require the services of an interpreter, one will be provided for you at no charge. Please notify our office of your request by calling 775.687.9955 or emailing nvmassgebd@lmt.nv.gov by Wednesday, September 4, 2024.

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 Angela Lee, (702) 486-3898 or amlee@ag.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 <u>21st</u> day of <u>August</u>, 2024.

NEVADA STATE BOARD OF MASSAGE THERAPY

ELISABETH BARNARD, Executive Director

1	CERTIFICATE OF SERVICE
2	I HEREBY CERTIFY that on August 21, 2024, I deposited for mailing at Reno, Nevada, via
3	Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of the foregoing
4	COMPLAINT AND NOTICE OF HEARING, properly addressed as follows:
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6	Joshua Robert Taylor Jurinek 2435 Ember Mist Ct.
7	Las Vegas, NV 89135
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