

1 **VIOLATIONS OF LAW**

2 **COUNT ONE**

3 3. By soliciting sexual activity during the course of practicing a massage, as defined in
4 NAC 640C.400, Respondent violated the provisions of NRS 640C.700(2), (4) and/or (9). This is
5 grounds for discipline pursuant to NRS 640C.700 and NRS 640C.710.

6 **PRAYER FOR RELIEF**

7 WHEREFORE, Executive Director, Elisabeth Barnard, prays as follows:

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

15 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this
16 Administrative Complaint against the above-named Respondent in accordance with Chapters 233B,
17 622, 622A and 640C of the Nevada Revised Statutes.

18 THE HEARING WILL TAKE PLACE on **Wednesday, October 23, 2024, commencing at**
19 **9:00 a.m.** or as soon thereafter, at 1755 E. Plumb Ln., Suite 254, Reno, NV 89502. The hearing may
20 also be attended virtually via Zoom. The Zoom information is as follows:

21 <https://us06web.zoom.us/j/81343970844?pwd=cfae4rZh4nwlx8fh2B1EdLI51Xq1zu.1>

22 **Meeting ID: 813 4397 0844**

23 **Passcode: 242530**

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

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

27 As the Respondents, you are specifically informed that you have the right to appear and be
28 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 If you require the services of an interpreter, one will be provided for you at no charge. Please
12 notify our office of your request by calling 775.687.9955 or emailing nvmassgeb@lmt.nv.gov by
13 Wednesday, October 16, 2024.

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 Angela M. Lee, Esq. at amlee@ag.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 1st day of October, 2024.

25 **NEVADA STATE BOARD OF MASSAGE THERAPY**

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ELISABETH BARNARD, Executive Director

