BEFORE THE NEVADA STATE BOARD OF MASSAGE THERAPY

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In the Matter of:

Licensed Massage Therapist

YAN WANG.

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Case No. NVMT-C-25008

COMPLAINT AND NOTICE OF HEARING

Nevada License No. NVMT.12088

Respondent.

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Elisabeth Barnard, hereby notifies YAN WANG ("Respondent") of an administrative hearing, which is to be held pursuant to Chapters 233B, 241, 622, and 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

- On or about January 22, 2025, Respondent, while employed with Lily Spa Massage located at 4631 Spring Mountain Rd., #103, was cited for engaging in/soliciting prostitution. (Case Report No. LLV250100079714).
- Specifically, on that day, it is alleged that an undercover Las Vegas Metropolitan Police
 Detective (hereinafter "UC") entered into Lily Spa Massage and asked for a 30-minute massage.
- It is further alleged that, during the massage, you solicited the UC for a sex act in exchange for money.

4. As a result, you were cited for engaging in unlawful prostitution in violation of NRS 201.354

VIOLATIONS OF LAW

COUNT ONE

Soliciting sexual intercourse is defined as "sexual activity" under NAC 640C.400(1).
 As such, Respondent violated NRS 640C.700(4) by engaging in and/or soliciting sexual activity during the course of practicing massage.

COUNT TWO

6. As stated herein, Respondent violated the provisions of NRS 640C and NAC 640C, as such, she has violated NRS 640C.700(2).

COUNT THREE

7. As stated herein, Respondent failed to abide by Nevada statutes and regulations relating to the practice of massage therapy, which constitutes "Unethical or unprofessional conduct" under NAC 640C.410(1)(b)(17). As such, Respondent has violated NRS 640C.700(9).

COUNT FOUR

8. As stated herein, Respondent engaged in and/or solicited sexual activity with the UC, which constitutes "Unethical or unprofessional conduct" under NAC 640C.410(1)(b)(18). As such, Respondent has violated NRS 640C.700(9).

PRAYER FOR RELIEF

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

1. That the Board conduct a hearing on this complaint as provided by statute, and after such hearing, that the Board impose upon Respondent the discipline permitted by NRS 640C.710, which may include the following, (a) the imposition of an administrative fine of not more than \$5,000.00 per violation, (b) recovery of reasonable investigative fees and costs incurred, (c) recovery of attorney fees pursuant to NRS 622.400, (d) licensee be publicly reprimanded, (e) suspend, revoke or place conditions on the licensee's license, (f) place the licensee on probation, and/or (g) such other impositions 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 March 12, 2025, 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/87362552149?pwd=pB7Fol92avA9nNgx3MsfZnoagpwQRe.1

Meeting ID: 873 6255 2149 Passcode: 838718

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 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 by calling (775) 687-9955 or emailing nvmassgebd@lmt.nv.gov by Wednesday, March 5, 2025, of your request.

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 Senior Deputy Attorney General Todd M. Weiss Esq. at 702-486-3103

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 19th day of February, 2025.

NEVADA STATE BOARD OF MASSAGE THERAPY

ELISABETH BARNARD, Executive Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 19, 2025 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:

Yan Wang 3850 W. Nevso Drive, Apt. 178 Las Vegas, NV 89103

Kirk Kennedy, Esq. 815 S Casino Center Blvd. Las Vegas, NV 89101

NEVADA STATE BOARD OF MASSAGE THERAPY

Employee

9489 0090 0027 6603 0652 82

Governor Joe Lombardo

Executive Director

Elisabeth Barnard



Nevada State Board of Massage Therapy

January 30, 2025

Yan Wang 3850 W Nevso Dr Apt 178 Las Vegas, NV 89103

Re: Cease and Desist Order

Dear Ms. Wangi:

The Nevada State Board of Massage Therapy (Board) has received information that you were charged with or cited for prostitution or any other sexual offense. Pursuant to NRS 640C.720(2), your license as a massage therapist is temporarily suspended for fifteen business days effective immediately after you receive this Cease and Desist Order. You are hereby ordered to cease and desist engaging in the practice of massage therapy.

The foregoing conduct may violate NRS 640C.700(2)(4) and/or (9). This is your opportunity to respond to the allegations pursuant to: NRS 233.B127(3). Please respond no later than 10 days from the date of this letter.

Due to the potential for possible action against your license as a massage therapist, you need to be aware of the following: (1) you have the right to consult with an attorney before you make any response to the allegations, or at any time during the course of an investigation however, it is not mandatory that you have an attorney represent you in any matters before the Board; (2) disciplinary action against you may affect your license as a massage therapist issued by the Board or any other state; and (3) in the event that there is formal disciplinary action taken by the Board, you may be charged for all financial costs related to investigation, settlement, and/or formal hearing of the complaint pursuant to NRS 622.400.

If you are represented by legal counsel, please have them send a letter of representation to our office as soon as possible.

If you have any questions, I can be reached at (775) 687-9951.

Cordially,

Elisabeth Barnard Executive Director 9489 0090 0027 6603 0651 07

1755 E. Plumb Lane, Suite 252 Reno, NV 89502 Phone: 775.687.9955 Fax: 775.786.4264 www.massagetherapy.nv.gov