

BEFORE THE NEVADA STATE BOARD OF  
MASSAGE THERAPY

In the Matter of:

Erica Bai,

Licensed Massage Therapist  
Nevada License No. NVMT.11263

Respondent.

Case No. NVMT-C-24092

**COMPLAINT AND  
NOTICE OF HEARING**

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Elisabeth Barnard, hereby notifies ERICA BAI (“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**

1. On or about October 30, 2024, Respondent, while employed with Asian Massage, located at 2605 South Decatur Blvd., Ste. 213, Las Vegas, NV 89103, was cited for engaging in and soliciting prostitution. (Case Report No. LLV241000114420).

2. Specifically, on that day, an undercover Las Vegas Metropolitan Special Investigations Section (“SIS”) detective (hereinafter “UC”) entered Asian Massage and was taken back to a massage room before being asked how long of a massage he wanted. The UC responded that he wanted a 30-

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1 minute massage. Respondent stated that would be \$60. The UC paid Respondent \$60 and was then  
2 told by Respondent to undress and she would be back.

3 3. UC undressed and laid face down on the massage table.

4 4. Respondent re-entered the room and began to massage the UC's shoulders and neck  
5 area. Respondent removed the sheet covering the UC's buttocks and began messaging his legs,  
6 buttocks and inner thigh.

7 5. Respondent then asked UC to turn over. UC re-covered himself with the sheet and  
8 Respondent began massaging his arms, shoulders and chest. Respondent then began massaging UC's  
9 legs and inner thighs.

10 6. Respondent then stated that the massage time was up, but continued to stand next to  
11 the massage table while massaging UC's inner thigh. Respondent also smiled and looked down  
12 towards UC's groin area.

13 7. UC asked Respondent for "extra" and Respondent smiled and asked what he wanted.  
14 UC motioned his hand back and forth and asked for a handjob.

15 8. Respondent put her finger towards her mouth signaling for the UC to be quiet.  
16 Respondent then lifted her shirt and grabbed the UC's hand attempting to put it on her breast, which  
17 is a common screening tactic used by those engaged in prostitution to see if the UC is a police officer.

18 9. Respondent then asked UC Id he was a police officer.

19 10. Respondent next pulled down the front of her pants and told UC to put his fingers inside  
20 of her, once again screening the UC.

21 11. The UC asked Respondent if she would take \$200 for the requested handjob, to which  
22 Respondent stated "yes". UC then asked Respondent if there was an ATM inside the store to which  
23 Respondent smiled and replied that there was an ATM inside the smoke shop downstairs. UC asked  
24 Respondent if she took Zelle to which she stated "yes".

25 12. Respondent grabbed the UC's hand again and attempted to put in her vagina area asking  
26 him to touch her on the inside. UC pulled his and away and began to sit up from the table. Respondent  
27 again stated \$200 through Zelle while attempting to grab the UC's penis.  
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1 13. Las Vegas Metropolitan Police detectives then entered the business and took  
2 Respondent into custody for engaging in and soliciting prostitution as prohibited under NRS 201.354.  
3 (Las Vegas Justice Court Case Number: 24-CR-093535).

4 **VIOLATIONS OF LAW**

5 **COUNT ONE**

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

9 **COUNT TWO**

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

12 **COUNT THREE**

13 16. As stated herein, Respondent failed to abide by Nevada statutes and regulations relating  
14 to the practice of massage therapy, which constitutes “Unethical or unprofessional conduct” under  
15 NAC 640C.410(a)(2). As such, Respondent has violated NRS 640C.700(9).

16  
17 **COUNT FOUR**

18 17. As stated herein, Respondent engaged in sexual contact with the UC, which constitutes  
19 “Unethical or unprofessional conduct” under NAC 640C.410(b)(18). As such, Respondent has  
20 violated NRS 640C.700(9).

21 **PRAYER FOR RELIEF**

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

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

1 permitted by Nevada law.

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

5 THE HEARING WILL TAKE PLACE on **January 8, 2025, commencing at 9:00 a.m.** or as  
6 soon thereafter, at 254 E Plumb Ln., Suite 254, Reno, NV 89502. The hearing may also be attended  
7 virtually via Zoom. The Zoom information is as follows:

8 <https://us06web.zoom.us/j/81140143759?pwd=jEcqL1bdrvuauo4AaSVmeZxGjet55t.1>

9 Meeting ID: 811 4014 3759

10 Passcode: 140912

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

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

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

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

22 The purpose of the hearing is to determine if the Respondent has violated the provisions of  
23 Chapter 640C of NRS and if the allegations contained herein are substantially proven by the evidence  
24 presented to further determine what administrative penalty is to be assessed against the Respondent,  
25 if any, pursuant to NRS 640C.710.  
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1 If you require the services of an interpreter, one will be provided for you at no charge. Please  
2 notify our office by calling (775) 687-9955 or emailing [nvmassgebd@lmt.nv.gov](mailto:nvmassgebd@lmt.nv.gov) by Tuesday,  
3 December 31, 2024, of your request.

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

7 Pursuant to NRS 233B.121(5), informal disposition of this case may be made by stipulation,  
8 agreed settlement, consent order, or default. Any attempt to negotiate this case should be made by  
9 contacting Senior Deputy Attorney General, Todd Weiss at [tweiss@ag.nv.gov](mailto:tweiss@ag.nv.gov) or (702) 281-5256.

10  
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 18<sup>th</sup> day of December, 2024.

16 **NEVADA STATE BOARD OF MASSAGE THERAPY**

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ELISABETH BARNARD, Executive Director

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 18, 2024 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:

Erica Bai  
424 Hunter Ave.  
Staten Island, NY 10306

NEVADA STATE BOARD OF MASSAGE THERAPY



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Employee