

1 **BEFORE THE ARIZONA BOARD OF MASSAGE THERAPY**

2 In the Matter of:

3  
4 **Ying Luo, LMT**

5  
6 Holder of License No. MT-11004

7 As a Massage Therapist

8 In the State of Arizona  
9

**FINDINGS OF FACT, CONCLUSIONS OF  
LAW, AND ORDER**

10 Pursuant to Notice of Hearing, Case Number 13-131, this matter came before the Arizona Board  
11 of Massage Therapy (Board) on February 3, 2014.

12 Dennis Beye, president, presided at the meeting with Board members Victoria Bowman, Diane  
13 Pruetz, John Ortega, and Earl Duskey in attendance. The State was represented by the Office of  
14 the Attorney General, Elizabeth Campbell, Assistant Attorney General, Licensing and  
15 Enforcement Section. Chris Munns of the Solicitor General's Section of the Attorney General's  
16 Office was available to provide independent legal advice to the Board. Respondent was present  
17 at the hearing and was not represented by an attorney but was accompanied by an interpreter,  
18 Winston Chou. The Board, after considering the testimony and evidence presented, hereby issues  
19 the following Findings of Fact, Conclusions of Law, and Order.

20 **AUTHORITIES AND JURISDICTION**

- 21
- 22 1. The Board is the duly constituted authority for licensing and regulating the practice of  
23 massage therapy in the state of Arizona.
  - 24 2. Respondent is the holder of license number MT-11004, which allows her to practice as a  
25 massage therapist in the state of Arizona.
  - 26 3. Under A.R.S. §§ 32-4201, et seq., the Board has jurisdiction over the subject matter and  
27 over the Respondent as a licensee of the Board.

28 **FINDINGS OF FACT**

1. On March 22, 2012, while working as a massage therapist at the Hawaiian Massage in Las Vegas, Nevada, Respondent agreed to perform a hand job for compensation for a massage therapy client. The massage therapy client was an undercover Las Vegas police officer. Respondent was charged with soliciting prostitution.
2. On March 8, 2013, while working at the Hawaiian Massage in Las Vegas, Nevada, Respondent agreed to perform a hand job for compensation for a massage therapy client. The massage therapy client was an undercover Las Vegas police officer. Respondent was charged with soliciting prostitution.
3. On January 31, 2013, Respondent surrendered her Nevada Massage Therapist License No. 4278 in Case Number NVMT-C-1169.

#### CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter and over Respondent pursuant to A.R.S. § 32-4201.
2. The conduct described above in the Findings of Fact paragraph 3 is grounds for discipline under A.R.S. § 32-4253(A)(7) (Having a license or certificate revoked or suspended or any other disciplinary action taken or an application for licensure or certification refused, revoked or suspended by the proper authorities of another state, territory, or country).
3. The conduct described above in the Findings of Fact paragraphs 1 and 2 is grounds for discipline under A.R.S. § 32-4253(A)(15) (Engaging in sexual activity with a client).
4. The conduct described above in Findings of Fact paragraphs 1 and 2 constitutes sexual activity in violation of A.R.S. § 32-4253(B)(2)(b) (“Sexual activity” means offering to engage in sexual conduct).
5. The conduct described in the Findings of Fact paragraphs 1 and 2 constitutes sexual activity in violation of A.R.S. § 32-4253(B)(2)(c) (“Sexual activity” means making sexual advances, requesting sexual favors or engaging in other verbal conduct or physical contact of a sexual nature with a client).

1 **ORDER**

2 Based on the foregoing Findings of Fact and Conclusions of Law, **IT IS HEREBY ORDERED**  
3 that Respondent's license number MT-11004 is **Revoked**.

4  
5 Dated and signed this 5th day of February, 2013.

6 ARIZONA BOARD OF MASSAGE THERAPY

7 By: *Kathleen Phillips*  
8 Kathleen Phillips  
9 Executive Director  
10

11  
12 **RIGHT TO PETITION FOR REHEARING OR REVIEW**  
13

14 Respondent has the right to petition for a rehearing or review of this Order. Pursuant to A.R.S. §  
15 41-1092.09 and A.A.C. R4-15-401(A), the petition must be filed with the Board within thirty-  
16 five (35) days from the date of mailing if the Order was served by certified mail. The petition  
17 must set forth legally sufficient reasons for granting the rehearing or review pursuant to A.A.C.  
18 R4-15-401(C). The timely filing of a motion for rehearing or review shall stay the enforcement  
19 of the Board's Order. If a motion for rehearing or review is not filed, the Board's Order becomes  
20 effective thirty-five (35) days after it is mailed, unless pursuant to A.A.C. R4-15-401(F), the  
21 Board has expressly found good cause to believe that this Order shall be effective immediately  
22 upon the issuance and has so stated in this Order. The failure to file a motion for rehearing or  
23 review within thirty days after service of the decision has the effect of prohibiting the parties  
24 from seeking judicial review of the Board's decision.  
25

26  
27  
28 ORIGINAL OF THE FOREGOING FILED  
29 This 5th day of February, 2014 with the:  
30 Arizona State Board of Massage Therapy  
31 1400 West Washington, Suite 300  
32 Phoenix, AZ 85007

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  
29  
30  
31  
32  
33

EXECUTED COPY OF THE FOREGOING MAILED  
BY CERTIFIED & REGULAR FIRST-CLASS MAIL  
This 5th day of February, 2014, to:

Ying Luo  
Respondent/Licensee  
Address of Record

COPY OF THE FOREGOING MAILED  
this 5th day of February, 2014, to:

Chris Munns  
Assistant Attorney General  
1275 W. Washington Street, CIV/SGO  
Phoenix, Arizona 85007  
Attorney for the Board

Elizabeth Campbell  
Assistant Attorney General  
1275 W. Washington Street, CIV/LES  
Phoenix, Arizona 85007  
Attorney for the State



---