

**BEFORE THE MASSAGE THERAPY BOARD
OF THE STATE OF NEW MEXICO**

IN THE MATTER OF:

LANXIANG WANG,

Case No.: 2013-04

Respondent.

DEFAULT ORDER

THIS MATTER came before the New Mexico Massage Therapy Board (hereinafter “Board”) during its regularly scheduled meeting on April 30, 2015. With board members Elizabeth Harris, Claudio Lopez, Marta Lucas and Dawn Saunders present, and a unanimous vote of 4-0 in the affirmative, the Board finds as follows:

FINDINGS OF FACT

1. On or about December 18, 2014, the Board issued an NCA against Respondent. The NCA stated that the Board had sufficient evidence to deny Respondent’s massage therapy license application for failing to comply with the provisions of the Massage Therapy Practice Act (hereinafter “Practice Act”), NMSA 1978, §§ 61-12C-1 to -28, and Board rules.

2. The NCA stated that, unless explained or rebutted, Respondent’s alleged noncompliance justified denial of Respondent’s massage therapy license application. See NCA, attached and incorporated herein.

3. On or December 30, 2014, the Board mailed Respondent an NCA in case number 2013-04 via certified mail, return receipt requested, to her address of record – 126 N. Chandler Avenue, Apt A, Monterey Park, CA. 91754 .

4. The United States Postal Service (“USPS”) returned the package as Return to Sender /Unclaimed.

5. Respondent did not provide a change of address per board rules. Respondent did not request a hearing within twenty (20) days of service of the NCA, as contemplated by Sections 61-1-4 and 61-1-5 of the Uniform Licensing Act (“ULA”), NMSA 1978, §§ 61-1-1 to -34.

6. Respondent failed to communicate with the board or respond to the NCA.

CONCLUSIONS OF LAW

Based on the above findings of fact, the Board reaches the following conclusions of law:

1. The Board has jurisdiction over Respondent and the subject matter pursuant to the Practice Act and the ULA.

2. In accordance with Section 61-1-5 of the ULA, service of the NCA upon Respondent was accomplished on December 30, 2014.

3. More than twenty (20) days have passed since the attempted delivery to the address of record and Respondent has failed to communicate with the board, provide an amended address or request a hearing. Thus, the Board is authorized to take the action contemplated in the NCA pursuant to Section 61-1-4(E) of the ULA.

4. The Board has complied with all notice and other procedural requirements of the Practice Act and the ULA.

5. This order is final and not subject to judicial review. See NMSA 1978, § 61-1-4(E).

ORDER

Based on the above findings of fact and conclusions of law, the Board **THEREFORE**
ORDERS that Respondent's massage therapy license application is **DENIED**.

FOR THE NEW MEXICO
MESSAGE THERAPY BOARD

DATE: May 28, 2015

 Elizabeth Harris
Elizabeth Harris, LMT
Board Chair