

SETTLEMENT AGREEMENT

I. PARTIES

This settlement agreement is made and entered into by and between the Board of Massage Therapy (Board) and Jingmei Xue (Xue).

II. RECITALS

A. The Board is authorized pursuant to North Dakota Century Code (N.D.C.C.) ch. 43-25 to license and regulate the profession of massage therapy.

B. Xue is licensed to practice massage therapy in North Dakota by the Board.

C. The Board is authorized by N.D.C.C. § 43-25-10 and North Dakota Administrative Code (N.D.A.C.) § 49-01-02-04 to take disciplinary action, including suspending, revoking, or placing on probation the license of any massage therapist in the state who has committed a violation of N.D.C.C. ch. 43-25 or of any administrative rule adopted by the Board.

D. N.D.C.C. § 43-25-10(1)(a) allows the Board to take disciplinary action against a licensee upon the grounds that the licensee is guilty of fraud or deceit in admission to the practice of massage.

E. The Board found grounds to support allegations that Xue violated N.D.C.C. § 43-25-10(1)(a) and decided to initiate a disciplinary action.

F. Xue acknowledges she has been informed and understands she has the right to seek the advice of legal counsel in this matter.

G. Xue acknowledges she has been informed and understands she has the right to a hearing and appeal pursuant to N.D.C.C. ch. 43-25 and N.D.C.C. ch. 28-32 prior to any adverse action being taken against her license.

III. AGREEMENT

The Board and Xue agree to resolve this matter as follows:

1. Xue waives her right to an administrative hearing and appeal that are set forth in N.D.C.C. ch. 43-25 and ch. 28-32.
2. Xue's massage therapy license will be suspended upon execution of this Agreement.
3. While on suspension, Xue shall comply with all laws and rules related to the practice of massage.
4. While on suspension, Xue will obtain valid education and provide the Board and the Federation of State Massage Therapy Boards (FSMTB) with valid transcripts.
5. While on suspension, Xue will retake the Massage & Bodywork Licensing Examination (MBLEx) and obtain a passing score no later than December 31, 2025. Upon obtaining a passing MBLEx score and completing the other requirements of this Agreement, Xue must submit proof of the passing score to the Board and apply to the Board for reinstatement of her license no later than December 31, 2025.
6. If Xue does not complete the requirements of this Agreement by December 31, 2025, her license will be revoked.
7. The Board will determine if Xue fulfills the terms of this Agreement. If Xue fails to fulfill the terms of this Agreement, the Board may take further disciplinary action against her license without a hearing or appeal.
8. There are no covenants, promises, undertakings, or understandings outside this Agreement other than those herein specifically set forth.

9. This Agreement shall be governed by the substantive laws of the State of North Dakota without regard to conflict of law principles.

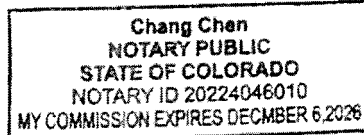
Dated this 10 day of January, 2025

Jingmei Xue
Jingmei Xue

State of Colorado
County of Denver

This record was acknowledged before me on
this 10 day of January, 2025 by Jingmei Xue.

Chang Chen
Notary Public



Dated this 28 day of January, 2025

BOARD OF MASSAGE THERAPY

By:

Robert A. Hagen
Its President