Louisiana Board of Massage Therapy



John Bel Edwards Governor

11/1/2022

Wei Jiang 1984 Staring Lane Baton Rouge, LA 70810

AND

4060 Beech Ave 5T Flushing, NY 11355 Email: 243531429@qq.com Linbecky23@gmail.com

Enclosed please find the decision of the Louisiana State Board of Massage Therapy ("Board") entered on October 31st, 2022, La. R.S. 49:959(A) provides in part:

A decision or order in a case of adjudication shall be subject to rehearing, reopening, or reconsideration by the agency, within ten days from the date of its entry.

Any request for rehearing must be submitted to the Board's in writing within 10 days of the date of the Order in compliance with La. R.S. 49:959. To the extent practicable, if a rehearing is requested, the rehearing will be held at the next regularly scheduled Board meeting.

Additionally, La. R.S. 49:964(B) provides for judicial review of agency decisions as follows:

Proceedings for review may be instituted by filing a petition in the district court of the parish in which the agency is located <u>within thirty</u> days after the transmittal of notice of the final decision by the agency or, if a rehearing is requested, within thirty days after the decision thereon. Copies of the petition shall be served upon the agency and all parties of record. (Emphasis added.)

The full text of all laws cited herein are available at https://legis.la.gov.

Sincerely

Tricia Thibaut, Executive Director

Enclosure

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Louisiana Board of Massage Therapy



John Bel Edwards Governor

IN THE MATTER OF:

Wei Jiang 1984 Staring Lane Baton Rouge, LA 70810 AND 4060 Beech Ave 5T Flushing, NY 11355 Email: 243531429@qq.com

Linbecky23@gmail.com

Yong Li 9400 Bellaire Bvd Apt 607 Houston Texas

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

- 1. On or around the dates of July 1st, 2022 to August 1st, 2022, the Louisiana State Board of Massage Therapy ("BOARD") received applications to approve the above listed Establishments for New Sunshine Massage owned by Wei Jiang.
- 1. By letter(s) dated October 6th, 2022, sent Certified Mail, Wei Jiang was notified that the applications for each Establishment License would be reviewed by the Board at the October 31st, 2022 meeting. These notifications encouraged Wei Jiang "to attend to answer questions and/or provide additional information that may be needed."
- 2. No representative of Wei Jiang or New Sunshine Massage attended the October 31st, 2022 Board meeting or requested a continuance of the application review to a date on which a representative could be present.
- 3. On Wei Jiang's application submitted to the board office, it was indicated that Wei Jiang was the owner of New Sunshine Massage & Spa INC, 1984 Staring Lane, Baton Rouge, LA 70810. Included in the application packet was documentation from the Louisiana Secretary of State stating as such. Wei Jiang has been the owner at this location since July 15th, 2022. Publicly information shows that this location is and has been operating without an Establishment License and accepting appointments although not licensed by the BOARD.

CONCLUSIONS OF LAW

- 1. Pursuant to La. R.S. 37:3555(B)(1), the Louisiana State Board of Massage Therapy authorizes the BOARD to "accept or deny entrance of any applicant applying for licensure."
- 2. Wei Jiang and New Sunshine Massage have advertised and/or engaged in the practice of massage therapy without a current license issued by the BOARD in violation of La. R.S. 37:3556(A).
- 3. La. R.S. 37:3558(3) requires "the entity which controls the physical location where the services are provided" to obtain a massage establishment license. Wei Jiang and New Sunshine Massage & Spa Inc failed to obtain a massage establishment license for the physical locations where services are being provided and failed to pay the establishment license fee for all "locations where one or more persons are regularly engaged in the practice of massage therapy," in violation of La. R.S. 37:3558.
- 4. La. R.S. 37:3551 C. In all pictorial representations for any advertisement representing massage therapy, including such representations through video, all persons representing massage therapists shall be attired and posed in a manner as to avoid appealing to the prurient interest. Persons representing clients shall be appropriately draped and posed.

ORDER

Considering the applicable laws and the evidence and testimony presented;

IT IS ORDERED, ADJUDGED AND DECREED that pursuant to La. R.S. 37:3555(B)(1) the Massage Establishment applications New Sunshine Massage & Spa INC and DBA's owned and operated by Wei Jiang for the address of 1984 Staring Lane Baton Rouge, LA 70810, are hereby denied;

IT IS ORDERED, ADJUDGED AND DECREED that New Sunshine Massage & Spa Inc and Wei Jiang shall be ineligible for licensure without appearing before the Louisiana State Board of Massage Therapy; and

IT IS ORDERED, ADJUDGED AND DECREED that New Sunshine Massage shall immediately discontinue advertising and offering massage therapy for 1984 Staring Lane, Baton Rouge, LA 70810.

Signed this		of	Novem	ber.
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For the Louisiana Board of Massage Therapy

Kathryn Lea Love, Board Chair