

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF

THE APPLICATION FOR MASSAGE LICENSE OF

QIONG WANG

CONSENT AGREEMENT AND ORDER

WHEREAS, QIONG WANG (“Ms. Wang”) submitted a Louisiana Application for Licensure to the Louisiana Board of Massage Therapy (“LBMT”) on or about July 25, 2024, and is subject to the jurisdiction and rules and regulations of the LBMT;

WHEREAS, in association with her application, Ms. Wang submitted a Right to Review report indicating that she had a prior arrest on July 11, 2018, for Prostitution by Massage under La. R.S. 14:83.3, and Pandering under La. R.S. 14:84, as well as a letter from the East Baton Rouge District Attorney’s Office indicating that no formal charges would be field against her related to this arrest;

WHEREAS, based on the information reviewed related to Ms. Wang’s application, a Notice of Intent to Deny Application for Licensure was issued to her on August 28, 2024, indicating that she could request a hearing before the Board regarding her application, which would take place at the October 14, 2024 meeting of the Board;

WHEREAS, an Affidavit of Probable Cause related to the arrest was reviewed, which indicated that the illegal conduct related to the arrest occurred in April, 20¹⁸~~24~~, at Olive Massage in Baton Rouge, Louisiana;

WHEREAS, by letter dated September 5, 2024, Ms. Wang, through counsel, requested a hearing before the Board regarding the Notice of Intent to Deny Application for Licensure;

WHEREAS, in response to the allegations, Ms. Wang advised that in July, 2018, she had just moved to Louisiana from Ohio, and was at Olive Massage, where the arrest occurred, visiting a family member, and was not employed there at the time of her arrest;

WHEREAS, Ms. Wang, through counsel, provided immigration documentation from the U.S. Department of Homeland Security indicating she had an address in Ohio in April, 2018, and was present at an Application Support Center in Westerville, Ohio, on April 24, 2018, and further denied that she engaged in the conduct asserted in the Affidavit of Probable Cause;

WHEREAS, Ms. Wang also advised that she is the owner of Sunshine LF Massage in Harvey, Louisiana. Board staff reviewed all available information and advertising regarding this establishment and did not locate any activity on illicit websites;

WHEREAS, Ms. Wang, through counsel, has indicated her desire to resolve this matter through a Consent Agreement and Order provided for in LAC 46:XLIV §5901 and La. R.S. 49:975(D) of the Louisiana Administrative Procedure Act;

WHEREAS, Ms. Wang recognizes her right to have an administrative adjudication of the charges outlined in the Notice of Intent to Deny, at which time Ms. Wang would be entitled to be represented by legal counsel, to call witnesses, and to present witnesses on her behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law in accordance with the Louisiana Administrative Procedure Act. Ms. Wang nonetheless waives her right to formal adjudication and, pursuant to La. R.S. 49:975(D), consents to the entry of the Consent Agreement and Order set forth hereinafter. Ms. Wang also acknowledges that she waives any rights to which she may be entitled pursuant to the Louisiana Administrative Procedure Act, La R.S. 49:951, *et. seq.*, or which she otherwise may be

afforded by any law, to contest her agreement to, or the force and effect of this Consent Agreement and Order, in any Court or other forum.

IT IS HEREBY ORDERED that in consideration of the foregoing and pursuant to the authority vested in the Board by La R.S. 49:975(D), the Board orders and Ms. Wang accepts the following administrative action, which is a final decision pursuant to La. R.S. 49:977:

1. The LBMT will grant a license to Qiong Wang, which, in accordance with LAC 46:XLIV §1407(B), will be subject to a probation period of one (1) year (the “Probation Period”).
2. By agreeing to the terms of this Consent Agreement and Order, Ms. Wang waives all rights to appeal this adjudication.

Effect of Non-Acceptance of Agreement. Ms. Wang acknowledges that this Consent Agreement and Order is subject to the approval of the Board. She further acknowledges and agrees that if the Board rejects this Consent Agreement and Order, it will be void, and a hearing on the application of Ms. Wang and the Notice of Intent to Deny issued by the Board relative to the allegations contained herein may proceed. If this Consent Agreement and Order is rejected by the Board, it will not constitute a waiver of Ms. Wang’s right to a hearing on the matters alleged in the Notice of Intent to Deny and the admissions contained herein will have no effect. Ms. Wang further agrees that if the Board rejects this Consent Agreement and Order, the members of the Board may decide the matter after a hearing, and their consideration of this Consent Agreement and Order shall not alone be grounds for recusal of any member of the Board, including any claims that the Board is biased against them, that it cannot fairly decide the case, or that it has received *ex parte* communication.

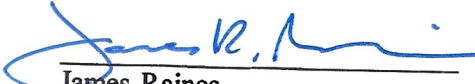
IT IS HEREBY FURTHER ORDERED that this Consent Agreement and Order shall take effect immediately upon its adoption by the Board and is a public record of the Board. The terms of this Consent Agreement and Order shall be published and reported in, including but not limited to, the LBMT website.

THE ADMISSIONS AND FINDINGS CONTAINED HEREIN are intended solely for the purpose of resolving the case at hand or in connection with other matters before the LBMT involving Qiong Wang.

THIS CONSENT AGREEMENT AND ORDER shall take effect immediately upon adoption by the Board and is a matter of public record.

I, **JAMES R. RAINES**, serving as Prosecutor, do hereby acknowledge negotiation and preparation of this Consent Agreement and Order in order to resolve, with prejudice, all the application of Qiong Wang, and further certify that this Consent Agreement and Order is consistent with the evidence, adequately addresses the allegations of the Notice of Intent to Deny, and represents a true and correct statement of that which could be proven at a hearing of this matter.

DATED: 10/31/24


James Raines
Prosecutor

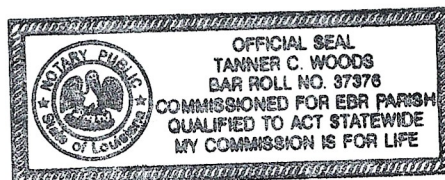
I, QIONG WANG, make these acknowledgements and waivers in support of a final disposition of the pending application by Consent Agreement and Order ("Order") pursuant to La. R.S. 49:975(D), in lieu of the institution and prosecution of formal administrative proceedings, and accordingly consent to the entirety of the Order set forth hereinbefore and further waive any right to which I may be entitled under the Louisiana Administrative Procedure Act or any other law to contest, in any court, my agreement to this Order. By my subscription hereto, I also hereby authorize the Prosecutor to present this Order to the LBMT for its consideration and to disclose to and discuss with the LBMT the nature and results of the investigation of this matter. I herein waive any objection to such disclosure based on due process of law under either the State or Federal Constitution or under State statutory law, including La. R.S. 49:977.2. I expressly acknowledge that the disclosure of such information to the LBMT shall be without prejudice to the Prosecutor's authority to prosecute any issues raised in the Notice of Intent to Deny, or the LBMT's capacity to adjudicate the allegations raised in the Notice of Intent to Deny, should the LBMT decline to approve this Consent Agreement and Order. I further acknowledge my awareness that should the LBMT approve this Consent Agreement and Order that the Consent Agreement and Order will become a matter of public record.

DATED: 10/7/2024

Qiong Wang
QIONG WANG

SUBSCRIBED AND SWORN TO before me this 7th day of OCTOBER,
2024, at 9:30 AM, Louisiana.

Tanner Woods
Notary Public
Print Name: TANNER C. WOODS
My Commission Expires: AT DEATH



ORDER

By a majority vote of the Board members voting in favor of the Consent Agreement and Order at the Board meeting on October 14th, 2024, the Board hereby adopts said Agreement, and makes it an Order of this Board.

FOR THE BOARD:


Kathryn Lea Love, Chair