

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF

THE APPLICATION FOR ESTABLISHMENT LICENSE OF

JADE SPA, LLC

CONSENT AGREEMENT AND ORDER

WHEREAS, JADE SPA LLC (“JADE SPA”) submitted a Louisiana Application for Establishment License to the Louisiana Board of Massage Therapy (“LBMT”) on or about September 20, 2024, and is subject to the jurisdiction and rules and regulations of the LBMT;

WHEREAS, Hongjun Liu (“Ms. Liu”) is listed as the owner of JADE SPA on its LBMT license application, which indicates that JADE SPA is located at 14505 Highway 44, Suite 104, Gonzales, Louisiana;

WHEREAS, by Findings of Fact, Conclusion of Law and Order dated March 19, 2024, the Board denied an application for Essential Oil Body Care, LLC (“Essential Oil”), which establishment was located at the same address as JADE SPA, 14505 Highway 44, Suite 104, Gonzales, Louisiana, based upon the discovery of advertisements related to Essential Oil for sexually-oriented services on websites. The application for Essential Oil listed Fengqin Xia (“Ms. Xia”) as the owner of the establishment;

WHEREAS, on June 13, 2024, an inspection was conducted by a Board investigator at “Essential Oil Body Care” located at 14505 Highway 44, Suite 104, Gonzales, Louisiana. Although not licensed at the time, the establishment was noted to be in operation and owned by Ms. Liu. The investigator noted in her report that Ms. Xia was present at the establishment and asked if she wanted a massage. Although Ms. Xia and Ms. Liu explained that they were not open,

the business was open to the public, there were “open” and “massage” signs lit up, and Ms. Xia offered to provide massage services to the investigator.

WHEREAS, Hongjun Liu, as owner of JADE SPA, 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. Liu has admitted to the following:

1. Ms. Liu is and was at all times the owner of JADE SPA since the submission of the application for establishment license for JADE SPA.
2. Ms. Liu admits that massage therapy services were offered to customers prior to the establishment being licensed by the Board.
3. Ms. Liu admits that the conduct addressed above violated the following rules and regulations of the LBMT: La. R.S. 37:3558; La. R.S. 37:3563; and LAC 46:XLIV §5301.

WHEREAS, Hongjun Liu and JADE SPA recognize their right to have an administrative adjudication of the charges outlined in the Order of Summary Suspension, at which time Hongjun Liu and JADE SPA would be entitled to be represented by legal counsel, to call witnesses, and to present witnesses on their 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. Hongjun Liu and JADE SPA nonetheless waive their right to formal adjudication and, pursuant to La. R.S. 49:975(D), consent to the entry of the Consent Agreement and Order set forth hereinafter. Hongjun Liu and JADE SPA also acknowledge that they waive any rights to which they may be entitled pursuant to the Louisiana Administrative Procedure Act, La R.S. 49:951, *et. seq.*, or which they otherwise may be afforded

by any law, to contest their 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 Hongjun Liu and JADE SPA accept the following administrative action, which is a final decision pursuant to La. R.S. 49:977:

1. The LBMT will grant an establishment license to JADE SPA subject to a probation period of one (1) year (the "Probation Period").
2. JADE SPA will be subjected to three (3) random inspections during the Probation Period.
3. Hongjun Liu and JADE SPA shall change all advertising, including but not limited to, promotional items and website, to reflect the Board registered phone number.
4. All promotional materials, building signage, websites, and any online advertising, including but not limited to Google advertisements, must match the name, address, phone number, and website information on record with the LBMT.
5. JADE SPA is prohibited from using generic signage or verbiage on advertising such as "Massage."
6. During the Probation Period, Hongjun Liu and JADE SPA shall provide the LBMT with its days and hours of operation and shall notify the LBMT of any changes to its days and hours of operation.
7. Hongjun Liu and JADE SPA shall submit the name (and preferred name, if applicable) and contact information of the licensed massage therapist(s) working at the establishment to the LBMT. The licensed massage therapist(s) will also be

responsible for ensuring compliance with the Board's regulations and laws applicable to the practice of massage therapy in the State of Louisiana.

8. Hongjun Liu and JADE SPA shall notify the LBMT in writing within seven (7) days of hiring a new massage therapist.
9. A licensed massage therapist must be present and available at JADE SPA to provide services during all hours of operation.
10. If a licensed massage therapist is not available to work, JADE SPA shall close until a licensed massage therapist is available to work.
11. Hongjun Liu shall provide her personal contact information, including name, address, phone number, and email address, to the LBMT within seven (7) days that all parties sign this Consent Agreement and Order. Hongjun Liu shall promptly notify the LBMT of any changes to her personal contact information.
12. Hongjun Liu and JADE SPA shall provide the LBMT with a list of all non-licensed employees working at the establishment (and preferred name, if applicable). Hongjun Liu and JADE SPA shall notify the LBMT of any changes of the non-licensed staff within seven (7) days of such changes.
13. Hongjun Liu and JADE SPA shall submit all advertisements to the LBMT for review and approval prior to publishing.
14. Hongjun Liu shall provide the name, address, and nature of any and all other businesses in which she has any ownership interest.
15. Hongjun Liu and JADE SPA specifically acknowledge that failure to comply with the terms of this Consent Agreement and Order may result in a denial, revocation,

or suspension of any license, certificate, or registration issued by, or applied for, in accordance with LAC 46:XLIV §1701.

16. By agreeing to the terms of this Consent Agreement and Order, Hongjun Liu and JADE SPA waive all rights to appeal this adjudication.

Effect of Non-Acceptance of Agreement. Hongjun Liu and JADE SPA acknowledge that this Consent Agreement and Order is subject to the approval of the Board. They further acknowledge and agree that if the Board rejects this Consent Agreement and Order, it will be void, and a hearing on the application of JADE SPA and 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 JADE SPA '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. Hongjun Liu and JADE SPA further agree 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.


Address of Board. All payments ordered and any reports required by this Consent Agreement and Order shall be addressed to Louisiana Board of Massage Therapy, 9619 Interline Ave., Suite B, Baton Rouge, Louisiana 70809.

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 Hongjun Liu and JADE SPA.

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 matters for which Hongjun Liu and JADE SPA could be charged under this investigation, and further certify that this Consent Agreement and Order is consistent with the evidence, adequately addresses the complaint, and represents a true and correct statement of that which could be proven at a hearing of this matter.

DATED: 10/11/2024



James Raines
Prosecutor

I, Hongjun Liu, make these acknowledgements and waivers in support of a final disposition of the pending investigation by Consent Agreement and Order ("Order") pursuant to La. R.S. 49:955(D), in lieu of administrative proceedings on the Notice of Intent to Deny, 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 of any member on the committee for discipline 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 proceed with a hearing on the Notice of Intent to Deny or the LBMT's capacity to adjudicate such 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: 10/19/24

Hongjun Liu
Hongjun Liu

SUBSCRIBED AND SWORN TO before me this 11th day of October
2024, at Sonzales, Louisiana

David Carubba
Notary Public
Print Name: David J. Carubba
My Commission Expires: At Death



DAVID J. CARUBBA
Notary Public
Notary ID No. 58332
Ascension Parish, Louisiana

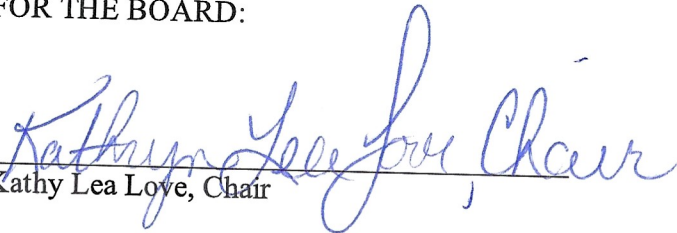


My Commission
Expires at Death

ORDER

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

FOR THE BOARD:


Kathy Lea Love, Chair