

Louisiana Board of Massage Therapy



John Bel Edwards
Governor

8/3/2023

CERTIFIED MAIL #9589 0710 5270 0492 4229 50

RETURN RECEIPT REQUESTED

Juanming Ma
3413 N Woodlawn Ave
Metairie, LA 70006
JUANMING2022@GMAIL.COM

Re: New Perfect Massage, E4421 – 4414 Johnston Street, Lafayette, LA 70503

Dear: Juanming Ma

Enclosed please find the decision of the Louisiana State Board of Massage Therapy (“Board”) entered on July 21st, 2023. 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 within thirty 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.

The full text of all laws cited herein are available at <https://legis.la.gov>. Please direct any questions regarding compliance with the Board’s Order to the Board’s Office.

Tricia Thibaut, Executive Director

A handwritten signature in black ink, appearing to be "T. Thibaut", written over a white background.

Louisiana Board of Massage Therapy

Enclosure

9619 Interline Ave, Suite B
Baton Rouge, LA 70809

225-756-3488

www.labmt.org

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF:

**NEW PERFECT MASSAGE, Establishment License No. E4421
4414 Johnson Street
Lafayette, LA 70503**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Pursuant to La. R.S. 37:3555(A)(1), LAC 46:XLIV.6101 and the Louisiana Administrative Procedure Act, an administrative hearing was held before the Louisiana Board of Massage Therapy (“Board”) on July 21, 2023 relative to the June 20, 2023 Order of Summary Suspension for Establishment License No. E4421 issued to Juanming Ma for the operation of New Perfect Massage at 414 Johnson Street in Lafayette (“Respondent”).

Present were: Kathryn Lea Love, Chair; Donna M. Green, Vice-Chair; Rosemary H. Wilkinson, Secretary; Karla Swacker; and Amie Dudzinski, Board Members;

Memry Hodum, Complaint Investigation Officer, recused from the hearing;

Juanming Ma, Owner representing New Perfect Massage assisted by Chinese language interpreter Liuting Chen;

Sheri M. Morris, Counsel for the Board; and

James Raines, Complaint Counsel.

FINDINGS OF FACT

1. Massage Establishment License No. E4421 was issued to Juanming Ma for the operation of New Perfect Massage at 4414 Johnson Street in Lafayette with phone number (337)534-8838 through March 31, 2024.
2. The Board’s staff observed advertisements with the phone number and/or address of record for Respondent on sexually oriented websites including on the following websites: BodyRubPage.com, Eccie.net, xEscortHub.com and SumoSearch. The advertisements for Respondent’s services include photographs of scantily clad women represented to be massage therapists, (Board Exhibit 1.)
3. On June 20, 2023, the Board’s Complaint Investigation Officer issued an Order of Summary Suspension suspending Establishment License No. E4421 and sent notice to Respondent at Respondent’s address of record of the administrative hearing scheduled for

July 21, 2023 at 9:30 a.m. for “revocation of licensure or other action as the Louisiana Board of Massage Therapy deems fit,” (Board Exhibit 2, p. 4).

4. Ms. Ma testified as follows:
 - A. One of the phone numbers on the advertisements was a person who helped her, the husband of one of her former co-workers;
 - B. When she bought the business she used the old phone number and was not aware the number was associated with these advertisements;
 - C. She was not aware of the advertisements;
 - D. She is the only therapist working at the establishment;
 - E. It is impossible for her to have done this;
 - F. She would not do anything of this type;
 - G. She presented two leases and stated in 2021 she moved to 4414 Johnson Street;
 - H. She has had clients with bad behavior who retaliate against her because sometimes she has to call the police; a lot of people are no good;
 - I. There was an incident with one client; the client was dragging her to massage bed and she was afraid he would rape her so she ran away; sometimes clients ask us to touch them; she does not take money from those people;
 - J. Anyone can put comments online and there is no way we can stop people;
 - K. She is self-employed and doesn't hire other people;
 - L. She never goes onto these websites with the advertisements;
 - M. She runs an honest business;
 - N. Now that she is aware of advertisements, she'll pay attention to it but she does not know how to stop the advertisements;
 - O. She has been a Licensed Massage Therapist since 2015;
 - P. She goes by the name Jessica;
 - Q. She placed ads on the internet because business was not good; she confirmed with the person placing the ads that the ads were legal and approved; and
 - R. She paid \$750 for 6 months and got one month free for advertisements on Yelp, Google and Facebook.
5. The advertisements for Respondent on the internet fail to include the license numbers of the massage therapists or of the massage establishment.

CONCLUSIONS OF LAW

1. La. R.S. 37:3558 making sexually oriented businesses ineligible for licensure as a massage establishment makes Respondent ineligible for registration as a massage establishment.

2. Respondent and its owner Juanming Ma violated:
 - A. La. R.S. 37:3564(A) by failing to include the license number of the massage therapists and massage establishment on advertisements; and
 - B. La. R.S. 37:3564(C) by including pictorial representations on advertisements where massage therapist are attired and posed in a manner as to appeal to the prurient interest.
3. Violations of La. R.S. 37:3558(D) and La. R.S. 37:3564(C) constitute sufficient grounds to revoke an establishment license.

ORDER

Considering the applicable laws and the evidence and testimony presented;

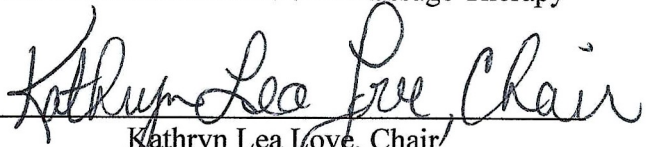
IT IS ORDERED, ADJUDGED AND DECREED that Massage Establishment License No. E4421 issued to Juanming Ma for the operation of New Perfect Massage through March 31, 2024 at 4414 Johnson Street with phone number (337)534-8838 is hereby revoked;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to LAC 46:XLIV.5501(B)(3) all costs of this proceeding are assessed to Juanming Ma and New Perfect Massage; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Juanming Ma and New Perfect Massage are ineligible for licensure until all costs of this proceeding are paid and all advertisements are removed from the sexually oriented websites.

Signed this 3RD day of August 2023.

For the Louisiana Board of Massage Therapy


Kathryn Lea Love, Chair