

# LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF

BEN LI

LICENSE NO. 9442

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## ORDER OF SUMMARY SUSPENSION

Pursuant to La. R.S. 49:977.3(C), the Louisiana Board of Massage Therapy (“LBMT”) summarily suspends License number 9442 issued to Ben Li (“Mr. Li”) pending an administrative hearing scheduled for January 29, 2024, at 9:30 a.m.

This Order of Summary Suspension is effective as of December 18, 2023. Upon execution of this Order, Mr. Li is not authorized to engage in the practice of massage therapy and must immediately cease and desist from the practice of massage therapy, as defined by La. R.S. 37:3552. Further, Mr. Li must cease and desist from referring to himself as a licensed massage therapist.

### I. INITIAL FINDINGS

To protect public health, safety, and welfare, emergency action is required due to the nature of the allegations against Mr. Li.

On May 9, 2023, the Board was notified by the FSMTB, a non-profit corporation comprised of massage therapy licensing boards and agencies in the United States that the Florida Board of Massage Therapy rescinded the approval of World of Beauty Academy, which means that the school’s approval is voided back to its initial date of operation. World of Beauty Academy closed on June 20, 2022. As a result of the Florida Board of Massage Therapy’s action, education from the school does not meet the educational requirements for taking the MBLEx or recognition of a past MBLEx result, regardless of the date the education from the school was obtained.

As part of the school's closure, World of Beauty Academy provided FSMTB with a comprehensive student roster containing the names of all individuals who attended the school while it was in operation. FSMTB compared the list provided by World of Beauty roster and determined that Mr. Li was not listed on the roster, although, Mr. Li had listed World of Beauty as where he obtained his required education. FSMTB stated that Mr. Li's name not being on the roster from World of Beauty supports a finding of misrepresentation or fraud on his MBLEEx application regarding his educational eligibility to sit for the MBLEEx.

FSMTB's policy states that inaccuracies, falsification, or misrepresentation of information which calls into question the accuracy of the MBLEEx application and eligibility to sit for the MBLEEx may be grounds for denial of application, invalidation of an MBLEEx result and/or suspension of future access to the MBLEEx or other FSMTB programs and services. The FSMTB Board of Directors considered all available information from February 25, 2023, and determined that you did not possess the education to be eligible to take the MBLEEx and violated FSMTB policies through inaccuracies and/or misrepresentations of his education on his MBLEEx application.

Correspondence from FSMTB dated May 9, 2023, states that your MBLEEx result was invalidated, and that you are suspended from access to the MBLEEx for a period of twelve (12) months. After the suspension, access to the MBLEEx may be granted, provided you meet certain requirements as set forth in the letter from FSMTB.

Whereas a valid MBLEEx score is a requirement for licensure as a Massage Therapist in the State of Louisiana, you are no longer qualified for licensure.

Based on the foregoing, it is alleged that Mr. Li violated the following rules and regulations applicable to the LBMT:

**La. R.S. 37:3556 Licensure; qualifications**

- A. No person shall engage in the practice of massage therapy without a current license issued pursuant to this Chapter unless such person is exempt under the provisions of this Chapter. To receive a massage therapist license in this state, an applicant shall pay the application fee pursuant to R.S. 37:3562 and shall submit evidence satisfactory to the board of meeting the following requirements:
  - (2) Has passed a national examination approved by the board under R.S. 37:3557 within two years from the date the application is filed.

**La. R.S. 37:3563 Grounds for discipline**

- A. The board may suspend, revoke, or refuse to issue or renew a license after notice and opportunity for hearing pursuant to the Administrative Procedure Act, upon proof of any of the following:
  - (1) Obtaining a license by means of fraud, misrepresentation, or concealment of material facts, including making false statements on an application or other document required by the board.
  - (7) Failing to comply with license or renewal requirements.

**LAC 46:XLIV §1301 Examination Requirements**

- A. Persons seeking a license must first pass a national examination that is:
  - 1. approved and/or accredited by the National Commission for Certifying Agencies, an accrediting arm of the National Organization for Competency Assurance and approved by the board; or
  - 2. approved and administered by the Federation of State Massage Therapy Boards including, specifically, the massage and bodywork licensing examination (MBLEx); and
  - 3. taken and passed within two years from the date the license application is filed.

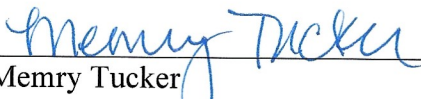
**II. DECISION AND ORDER**

To maintain public health, safety, and welfare, emergency action is required due to the allegations set forth in the allegations in the complaint against Mr. Li. Accordingly, LBMT License number 9442 issued to Ben Li is SUSPENDED, effective immediately, pending proceedings for revocation of licensure or other action as the Louisiana Board of Massage Therapy deems fit.

Proceedings before the Louisiana Board of Massage Therapy shall be promptly instituted and determined. Accordingly, an administrative hearing before the Louisiana Board of Massage Therapy is scheduled for January 29, 2024, at 9:30 a.m., at the at the Jones Creek Library, 6222 Jones Creek Road, Meeting Room 2, Baton Rouge, Louisiana, 70817. The hearing panel will consist of current Board Members. The hearing will be conducted in accordance with the Administrative Procedure Act, the Louisiana Massage Therapists and Establishments Act, and the rules promulgated by the LBMT.

Ben Li will be given a full opportunity to appear and be heard, with or without counsel, and is entitled to hear a statement of what accusations have been made against him, to present evidence, to cross-examine witnesses, and to have witnesses subpoenaed. Mr. Li may request that subpoenas be issued by the Louisiana Board of Massage Therapy and must send a request to the Louisiana Board of Massage Therapy office at least 10 days prior to the hearing, listing the names and addresses of the individuals to be subpoenaed, along with a brief summary as to what the individual will testify. The testimony will be under oath and a court reporter will record the proceedings at the hearing, and any party wishing to obtain a transcript of the hearing may do so at his expense.

Date: 12-18-23

  
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Memry Tucker  
Complaint Investigation Officer  
Louisiana Board of Massage Therapy

