

FILED

JUN 26 2013

**New Jersey State Board of
Massage and Bodywork
Therapy Examiners**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MASSAGE AND BODYWORK
THERAPY

IN THE MATTER OF THE
APPLICATION OF

JING J. SUN

FINAL ORDER OF
DENIAL OF LICENSURE

TO PRACTICE MASSAGE AND
BODYWORK THERAPY IN THE
STATE OF NEW JERSEY

This matter was opened to the Board of Massage and Bodywork Therapy (the Board) upon receipt of information which the Board has reviewed and the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Jing J. Sun submitted an application for licensure online.
2. On Ms. Sun's application, she indicated "No" for "no" in response to the questions as to whether she had ever been arrested or charged with any violation of law, or convicted of any crime or offense.
3. Ms. Sun underwent a criminal history background check which indicated that Ms. Sun had been arrested on August 28, 2003

and charged with prostitution; she had been arrested on June 15, 2006 for commercializing sex, and pled no contest to disorderly conduct/obscene conduct on July 26, 2006; and was arrested on June 16, 2006 as a deportable alien.

4. On or about December 17, 2012, Ms. Jin was asked to provide documentation related to her arrest, and a narrative statement explaining the underlying conduct that gave rise to the arrest, and why she checked "no" on her application to the questions about arrests and convictions. Some documentation was provided in response, but no narrative statement or explanation was provided.

CONCLUSIONS OF LAW

1. Ms. Sun's failure to disclose on her arrest/conviction history, her plea of no contest to an offense relating adversely to the practice of massage and bodywork therapy, constitutes a violation of N.J.S.A. 45:1-21(b).

2. Respondent's failure to fully respond to the Board's inquiry constitutes a violation of N.J.A.C. 13:45C-1.2, -1.3, subjecting her to denial of her request for licensure pursuant to N.J.S.A. 45:1-25.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on April 11, 2013, provisionally denying Ms. Sun's application for licensure. A copy of the Order was forwarded to the applicant by certified and

regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless the applicant requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting the applicant's request for consideration and reasons therefor.

The Provisional Order was sent to the applicant's address of record with the Board, and the record reflects that the certified mailing of the order was signed for. The regular mailing was not returned. No response has been received to date. Accordingly, the Board determined that service had been effected, inasmuch as the mailings had been sent to the applicant's address of record. The Board further determined that as no material discrepancies had been raised with respect to the findings of fact and conclusions of law of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY,

IT IS on this 26th DAY of June , 2013,

ORDERED that:

1. Ms. Sun's application for licensure as a Massage and

Bodywork Therapist in New Jersey is hereby denied.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By:  _____
Deborah Overholt
Chairperson