

FILED

AUG 23 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

MICHELLE A. FREDA

FINAL ORDER OF
DENIAL OF LICENSURE

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

This matter was opened to the New Jersey State 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. Michelle A. Freda submitted an application for licensure online on or about January 23, 2013.
2. On Ms. Freda's application, she indicated "N" for "no" in response to the questions as to whether she had been arrested or charged with any violation of law, or convicted of any crime or offense.
3. Ms. Freda underwent a criminal history background check

which indicated that Ms. Freda had been arrested nine times, with the first arrest dating from 2006, and the ninth arrest on November 14, 2009. The charges ranged from being under the influence of a controlled substance, to petty theft, to grand theft, to burglary. There appears to have been one conviction on charges of petty theft brought in 2008, for which she was fined.

4. Ms. Freda acknowledged that from 2006 through 2009 she was homeless and suffering from untreated mental illness. She indicated that since 2010 she is on medication and well.

CONCLUSIONS OF LAW

1. Ms. Freda's failure to disclose on her application that she had been arrested on nine occasions constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Licensure was entered on May 16, 2013, provisionally denying Ms. Freda's application. A copy of the Order was forwarded to Ms. Freda 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 respondent 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 respondent's request for consideration and reasons therefor.

Ms. Freda replied to the Provisional Order, explaining her current diagnosis, and claiming that her answering "N" for "no" in response to the questions about arrests and convictions was accidental. The Board considered Ms. Freda's submissions, but nevertheless determined that any "mistake" or "accident" that led to neglecting to mention nine arrests was not credible and warranted disciplinary action. The Board therefore determined to finalize the Provisional Order and deny Ms. Freda's application, permitting her to apply again for licensure in one year.

ACCORDINGLY,

IT IS on this 23rd DAY of August, 2013,

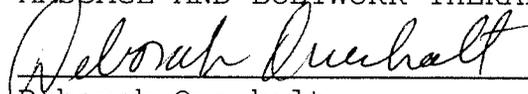
ORDERED that:

1. Ms. Freda's application for licensure as a massage and bodywork therapist in New Jersey is hereby denied. No application for licensure from Ms. Freda will be entertained by the Board for a period of one year, dating from any Final Order entered in this matter. In the event that Ms. Freda applies again for licensure, she shall provide a report from her treating therapist indicating whether she has been compliant in taking prescribed medications,

and whether she is fit and competent to provide massage and
bodywork therapy services to the public.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By:



Deborah Overholt
Chairperson