

FILED

MAR 26 2014

**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

ENJI PIAO

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. Enji Piao submitted an application for certification to the Massage, Bodywork and Somatic Therapy Examining Committee¹ (the Committee) dated May 14, 2012.

2. On Ms. Piao's application, she indicated she had never been arrested for, charged with or convicted of any offense.

3. The results of a criminal history background check indicated that Ms. Piao had been arrested in Florida in 2010 and

¹ The Board replaced the Committee on September 4, 2012, pursuant to P.L. 2007, c. 377, "The Massage and Bodywork Therapy Licensing Act."

had entered a plea of nolo contendere to practicing massage therapy without a license.

4. The applicant indicated that she had checked "no" on her application in response to questions about her arrest and conviction history because of negligence, and because English was not her primary language.

CONCLUSIONS OF LAW

1. Ms. Piao's failure to provide accurate information about her arrest and her plea of nolo contendere on her application, constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

2. The conduct underlying Ms. Piao's plea of nolo contendere, i.e., the practice of massage therapy without a license, relates adversely to the practice of massage and bodywork therapy within the intendment of N.J.S.A. 45:1-21(f).

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Licensure was entered on October 4, 2013, provisionally denying Ms. Piao's application for licensure. A copy of the Order was served upon respondent 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 record reflects that the certified mailing of the Provisional Order was returned. The regular mailing was not returned. The Board determined that service had been effected as the mailings had been sent to the applicant's address of record with the Board. The Board further determined that as no discrepancies had been raised with respect to the findings and conclusions 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 March, 2014,

ORDERED that:

1. Ms. Piao's application for certification, deemed as of September 4, 2012 to constitute an application for licensure, is hereby denied. The Board will not entertain any subsequent application for licensure for a period of one year, dating from the issuance of a Final Order in this matter.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By: Cynthia Sinicropi-Philibosian
Cynthia Sinicropi-Philibosian
Chairperson