

**FILED**

**OCT 16 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

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IN THE MATTER OF THE  
APPLICATION OF

YING Y. CUI

FINAL ORDER OF  
DENIAL OF LICENSURE

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

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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. Ying Y. Cui submitted an application for licensure by the Board.
2. When asked about prior arrests or convictions, Ms. Cui indicated on her application that she was charged with disorderly conduct in 2006, and the case was "dispositioned" in 2007. She did not indicate that she had been arrested on any other occasion.

3. Ms. Cui failed to indicate that she had been arrested in 2006 on charges of prostitution, with the charges ultimately reduced to disorderly conduct. Ms. Cui also failed to indicate that she had been arrested on January 31, 2007 and charged with prostitution, with the charges dismissed on May 2, 2007; and that she pled guilty to attempted unauthorized practice of a profession on May 2, 2007 and was granted a conditional discharge. Moreover, Ms. Cui failed to indicate that she had been arrested on June 20, 2008 and charged with unauthorized practice of a profession and prostitution; and entered a guilty plea to unauthorized practice of a profession on December 1, 2009 and was sentenced to a conditional discharge.

#### CONCLUSIONS OF LAW

1. Ms. Cui's inaccuracy with respect to the initial charges brought on the 2006 arrest, and her failure to indicate that she had been arrested on charges relating adversely to the practice of massage and bodywork therapy on two additional occasions, and had entered guilty pleas to conduct relating adversely to massage and bodywork therapy, constitutes misrepresentation within the intendment 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 July 23, 2014, provisionally denying Ms. Cui's application for licensure. A copy of the Order was served upon Ms. Cui 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 30<sup>th</sup> business day following entry unless Ms. Cui 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 Ms. Cui's request for consideration and reasons therefor.

The record reflects that the certified mailing of the Provisional Order was signed for, and the regular mailing was not returned. The Board therefore determined that service had been effected, as the mailings had been sent to Ms. Cui's address of record. 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 *16<sup>th</sup>* DAY of *October*, 2014,

ORDERED that:

1. Ms. Cui's application for licensure as a massage and bodywork therapist in the State of New Jersey is hereby denied.

No subsequent application for licensure will be entertained for a period of two years, dating from the filing of this order.

NEW JERSEY STATE BOARD OF  
MASSAGE AND BODYWORK THERAPY

By: *Cynthia Sinicropi-Philibosian*  
Cynthia Sinicropi-Philibosian  
Chairperson