

FILED

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**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

HONG J. LENG

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. Hong J. Leng submitted an application for licensure by the Board of Massage and Bodywork Therapy.
2. On Ms. Leng's application, she indicated that she had never been charged with or convicted of any crime or offense.
3. A criminal history background check revealed that Ms. Leng had been charged with engaging in prostitution on August 17, 2012 in Upper Saddle River, New Jersey. On November 27, 2012 Ms. Leng was convicted of engaging in prostitution, in that she offered to engage in sexual intercourse and oral sex for \$160.00 with an undercover police officer in violation of N.J.S. 2C:34-

1(B)1, a disorderly persons offense. She was assessed a total of \$397.00 in fines and costs. Ms. Leng maintains that although she took off her clothes in a hotel room, she did not engage in prostitution.

4. The applicant claimed that she did not disclose the conviction because she did not fully understand the question about arrests and convictions, and believed it did not apply to things that had happened before the application.

CONCLUSIONS OF LAW

1. Ms. Leng's failure to disclose the arrest and conviction on her application constitutes misrepresentation in violation of N.J.S.A. 45:11-21(b).

2. The conduct underlying Ms. Leng's conviction relates adversely to the practice of massage and bodywork therapy within the intendment of N.J.S.A. 45:1-21(f). Ms. Leng's failure to disclose the conviction on her application constitutes an indication of lack of rehabilitation.

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Licensure was entered on April 22, 2014, provisionally denying Ms. Leng's application. 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 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.

The record reflects that the certified mailing of the Provisional Order was served upon respondent on or about June 21, 2014. The regular mailing of the Provisional Order was not returned. No response has been received to date. The Board considered this matter, and determined that service had been effected, as the mailings had been sent to respondent'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 *12th* DAY of *November*, 2014,

ORDERED that:

1. Ms. Leng'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 four years, dating from the filing this order. At

the time of any subsequent application for licensure, Ms. Leng shall be asked to demonstrate rehabilitation.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By: Cynthia Sinicropi-Philibosian
Cynthia Sinicropi-Philibosian
Chairperson