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BOARD OF MASSAGE  
AND BODYWORK THERAPY

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

MAEHWA CHO

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. Maehwa Cho submitted an application for licensure by the Board, where she indicated that she had been arrested for performing massage services without a license.
2. Ms. Cho's criminal background check indicated that she was arrested on July 25, 2013 in Voorhees and charged with engaging in prostitution. She was convicted of local ordinance violations on October 14, 2013 and assessed a total of \$1,060.
3. The transcripts of her court appearance on October 14, 2013 indicate that she admitted under oath that she was performing

massage therapy without a license in violation of a local ordinance.

4. At administrative proceedings in New York, Ms. Cho testified that she was not arrested for prostitution.

5. When asked why she did not indicate that she was arrested on charges of prostitution, Ms. Cho stated that she did not know that she was being arrested on charges of prostitution.

6. The investigative report relating to Ms. Cho's arrest makes it clear that Ms. Cho was arrested on charges of prostitution.

7. Ms. Cho was arrested on July 25, 2013. Ms. Cho was represented by an attorney on October 14, 2013 when she appeared in municipal court, and an interpreter was present. By the time that Ms. Cho appeared at administrative proceedings in New York on March 4, 2014, and applied for licensure in April of 2014, Ms. Cho knew or should have known that she had been arrested on charges of engaging in prostitution.

#### CONCLUSIONS OF LAW

1. The conduct underlying Ms. Cho's conviction for twice acting in violation of local ordinance requirements with respect to performing massage therapy constitutes engaging in conduct relating adversely to the practice of massage and bodywork therapy in violation of N.J.S.A. 45:11-21(f).

2. Ms. Cho's assertion on her application for licensure that she had been charged with unlicensed practice of massage, and

her denial at administrative proceedings that she had been arrested on charges of prostitution, constitute 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, 2015, provisionally denying Ms. Cho's application for licensure. A copy of the Order was served upon 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 30<sup>th</sup> business day following entry unless Ms. Cho 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. Cho's request for consideration and reasons therefor.

The certified mailing of the Provisional Order was signed for on September 5, 2015. The regular mailing of the order was not returned. No response has been received to date. The Board therefore considered this matter, and 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 *15<sup>m</sup>* DAY of *December*, 2015,

ORDERED that:

1. Ms. Cho'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, LMIST  
Chairperson