

FILED

JUL - 6 2016

BOARD OF MASSAGE
AND BODYWORK THERAPY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

IN THE MATTER OF THE LICENSE OF : Administrative Action
 :
 LIRONG PEI :
 License # 18KT00860000 : FINAL ORDER OF DISCIPLINE
 :
 :
 TO PRACTICE MASSAGE ANDBODYWORK :
 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 on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent was granted a license by the Board on June 22, 2015.
2. Because of an administrative error, respondent was licensed without the Board having had an opportunity to review the results of the Criminal History Background Check, which indicated that respondent had been convicted of prostitution in California in 2004, and sentenced to a 36-month probation.
3. On or about September 8, 2014, a letter of inquiry issued on behalf of the Board, asking respondent to forward to the Board documentation and information concerning the arrest and conviction. The request was sent to respondent's address of

record with the Board by certified and regular mail. The certified mailing was signed for.

4. On respondent's application for licensure, submitted in 2014, respondent indicated "N" for "no" in response to questions as to whether she had ever been charged with or convicted of any crime or offense.

CONCLUSIONS OF LAW

1. The conduct underlying respondent's arrest and conviction for prostitution relates adversely to the practice of massage and bodywork therapy within the intendment of N.J.S.A. 45:1-21(f).

2. Respondent's failure to respond to the Board inquiry of September 8, 2014 constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

3. Respondent's indication on her application for licensure that she had never been charged with or convicted of any crime or offense constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") was filed on January 28, 2016. 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 POD was mailed to the respondent on January 28, 2016 by regular and certified mail with return receipt requested #7011 0470 0002 1552 9365 to respondent's address of record at 122 Lamplighter Court, Marlton, New Jersey 08053. The regular mail was not returned to the Board office, however, the certified mail was returned as "unclaimed". Therefore, the Board deems service to have been effected. To date, the Respondent has not submitted a response to the Provisional Order. Respondent was advised the matter would be finalized unless she requested modification or dismissal, and she failed to respond.

Accordingly, the Board considered the matter, determined that further proceedings were not necessary and the Provisional Order should be made final without modification.

ACCORDINGLY, IT IS on this 6th DAY of July, 2016
ORDERED that:

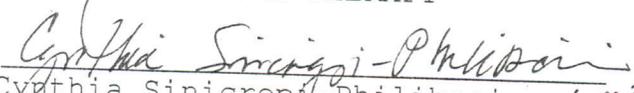
1. Respondent's license to practice massage and bodywork therapy is hereby suspended for a period of two (2) years based upon her failure to respond to the Board's inquiry, and her misrepresentation on her application with respect to an offense that relates adversely to the practice of massage and bodywork therapy. Moreover, respondent's misrepresentation on her application indicates a lack of rehabilitation with respect to the 2004 conviction, so that the violation of N.J.S.A. 45:1-21(f) is also a basis for the suspension.

2. A civil penalty in the amount of \$1,500 is hereby imposed for respondent's failure to respond to a Board inquiry, and for engaging in misrepresentation.

3. Respondent's license to practice massage and bodywork therapy shall not be reinstated until respondent has paid the entire penalty amount, and until she has provided a complete response to the Board's original inquiry concerning her conviction; and until she has demonstrated rehabilitation with respect to the 2004 offense.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By:


Cynthia Sinicropi-Philibosian, LMBT
Board Chairperson