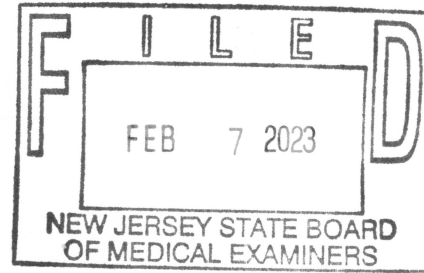


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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS
STATE BOARD OF COSMETOLOGY AND
HAIRSTYLING
BOARD OF MASSAGE AND BODYWORK THERAPY

IN THE MATTER OF THE UNLICENSED
PRACTICE OF MEDICINE, THE SKIN CARE
SPECIALIST LICENSE AND THE LICENSE
TO PRACTICE MASSAGE AND
BODYWORK THERAPY

Administrative Action

FINAL CONSENT ORDER

ISABELLE DOS SANTOS, LMBT
License #18KT00185500
License #32WC00552500

This matter was opened to the New Jersey State Board of Medical Examiners, State Board of Cosmetology and Hairstyling, and Board of Massage and Bodywork Therapy (the "Boards") upon receipt of information alleging that Isabelle Dos Santos ("Respondent") has exceeded the scope of her professional licenses and engaged in the unlicensed practice of medicine. Respondent is not a licensed physician, but does hold license number 18KT00185500 with the New Jersey Board of Massage and Bodywork Therapy and license number 32WC00552500 with the New

Jersey Board of Cosmetology and Hairstyling. Respondent was the owner and operator of Katica Body Contour ("Katica"), which was located at 464 North Avenue in Elizabeth, but is now closed.

On January 12, 2022, the Enforcement Bureau ("EB") investigators conducted an inspection of Katica and an interview of Respondent. In examination rooms, investigators found needles, syringes, lancets, lidocaine and Prilocaine creams as well as microblading equipment, among other items. Respondent denied having an employer registration to operate a massage business. Unlicensed employees present that day acknowledged performing lymphatic drainage massages.

On May 24, 2022, Respondent appeared and testified before the Board of Massage and Bodywork Therapy, with her counsel to answer questions about her business and the EB's inspection of her office. Legal counsel for the Board of Medical Examiners and the Board of Cosmetology and Hairstyling were present at the inquiry. Respondent admitted that she did not obtain a cosmetology shop license prior to opening Katica. Respondent represented that prior to closing Katica, she had been providing body contour services, weight loss, along with post-surgical and lymphatic massages and saw between five and fifteen clients per day. Respondent indicated that approximately 50% of her clients were post-surgical patients who had undergone cosmetic procedures abroad. She added that she performs lymphatic drainage massages on those clients and in doing so explained that fluid sometimes drains out of their incisions. Respondent advised that all clients treated by her at Katica were treated in her capacity as a licensed massage and bodywork therapist. Respondent denied maintaining any records and notes for her massage and bodywork therapy practice. Respondent also denied being familiar with the statutes and regulations governing her professions.

Respondent initially denied using the syringes, needles, lidocaine and prilocaine creams observed during the inspection, but acknowledged that a photograph posted on her Instagram page showed her holding a syringe and inserting it into a client's abdomen to extract fluid. Respondent stated that she learned how to use a syringe during a phlebotomy class at Trinitas Regional Medical Center in 1997, but noted that she did not complete the course. She estimated having used syringes on three or four patients, but acknowledged having testified that 50% of her clients came to her for fluid drainage following cosmetic procedures.

Multiple services which Respondent advertised constitute the practice of medicine and/or exceed the scope of Respondent's cosmetology and massage and bodywork licenses. These services include: micropigmentation, facial fillers, vampire facials, ear candling, chemical peels, teeth whitening and laser hair removal, in violation of N.J.A.C. 13:28-2.15(b)(5)-(8),(10), (11). Although Respondent represented that a physician with whom she shared office space performed the vampire facials and administered the facial fillers, she admitted that neither the physician's name nor credentials appeared anywhere on the advertising materials and that the physician did not contribute financially towards advertising nor share in fees with her. Thus, Respondent's advertisement misrepresented the scope of her licenses' authority and/or who would be performing these services, in violation of N.J.S.A. 45:5B-13. Moreover, Respondent offered cosmetology services in a shop that was not licensed by the Board of Cosmetology and Hairstyling, in violation of N.J.S.A. 45:5B-9.

Respondent's advertising and provision of services, including medical treatment, as described above constitutes the unlicensed practice of medicine in violation of N.J.S.A. 45:1-18.2.

Further, Respondent's providing of body contouring and weight-loss services, her practice of providing lymphatic drainage massages, and her utilization of syringes demonstrates that

Respondent practiced outside the scope of her license as a massage and bodywork therapist, as defined in N.J.S.A. 45:11-55 and N.J.A.C. 13:37A-1.2, and in violation of N.J.S.A. 45:1-21(h), and which the Board has deemed to be professional misconduct in violation of N.J.S.A. 45:1-21(e).

Respondent's admissions that she employed an individual to perform micropigmentation and/or microblading services, and that she performed ear candling and teeth whitening services demonstrate that she exceeded the scope of her skin care license as each of the aforementioned services all constitute prohibited practices exceeding the scope of Cosmetology and Hairstyling. N.J.A.C. 13:28-2.15(b)(5)(i), (10),(11). Additionally, facial fillers and vampire facials involve injectables and exceed the scope of cosmetology practice. N.J.A.C. 13:28-2.15(b)(2), (7). Thus, Respondent's advertising that such services were offered either misrepresented the scope of Respondent's practice under her cosmetology license and/or misrepresented who would be performing these services where the medical doctor's information was omitted from the advertisement in violation of N.J.S.A. 45:5B-7 and N.J.S.A. 1:1-21(b). Finally, Respondent offered cosmetology services in a business that was not Board-licensed in violation of N.J.S.A. 45:5B-8; N.J.S.A. 45:5B-12(g). Thus, the Board deems Respondent's practice outside the scope of her authority, misrepresentation of the scope of her license and/or who would be performing services, and the performance of such services in an unlicensed shop to constitute a violation of Board regulations, misrepresentation, and professional misconduct in violation of N.J.S.A. 45:1-21(b), (e), and (h) and unlawful practice in violation of N.J.A.C. 13:28-2.15(b).

The parties, desiring to resolve this matter without the need for a hearing, and it appearing that Respondent has read the terms of the within Final Consent Order and understands their meaning and effect and consents to be bound by same, and the Boards finding that the within disposition adequately protects the public health, safety and welfare, and for good cause shown,

IT IS, therefore, on this 7th day of FEBRUARY, 2022³

ORDERED THAT:

1. Respondent's license to practice massage and bodywork therapy in New Jersey is hereby suspended for a minimum of five years. Respondent's period of active suspension shall begin nunc pro tunc on January 13, 2022, the date Respondent ceased to practice as a massage and bodywork therapist. The active period of suspension shall conclude on October 31, 2023, with the remainder of the suspension period to be stayed, and served as a period of probation. Respondent's period of active suspension will be tolled for any length of time that Respondent practices massage and bodywork therapy in any other jurisdiction.

2. Respondent shall cease and desist from the advertising, offering for sale and provision of any and all medical services at Katica in Elizabeth or any other location in New Jersey. The provision of medical services includes, but is not limited to the use of any needles, syringes, lancets, and the administration of any medications, including lidocaine.

3. Respondent is assessed a civil penalty by the Board of Medical Examiners in the amount of \$10,000 pursuant to N.J.S.A. 45:1-25.

4. Respondent is assessed a civil penalty by the Board of Cosmetology and Hairstyling in the amount of \$5,500 for professional misconduct in violation of N.J.S.A. 45:1-21(e), misrepresentation in violation of 45:1-21(b), and for engaging in unlawful practice in violation of 45:1-21(h) and N.J.A.C. 13:28-2.15(b).

5. Respondent is assessed a civil penalty by the Board of Massage and Bodywork Therapy in the amount of \$4,500 for professional misconduct in violation of N.J.S.A. 45:1-21(e) and for practicing outside the scope of her license in violation of N.J.S.A. 45:1-21(h).

6. Respondent shall pay the aggregate penalty of \$20,000. A Certificate of Debt reflecting the \$20,000.00 currently due and owing shall be filed pursuant to N.J.S.A. 45:1-24 to protect the judgment. In addition, but not in lieu of the filing of the Certificate of Debt, the Boards will allow the penalty owed to each Board to be paid in 12 equal monthly installments. Each payment shall be due on the first business day of each month, commencing on February 1, 2023. In the event that a monthly payment is not received within five days of its due date, the entire balance shall become due and owing. Respondent may prepay at any time. Interest on all financial assessments shall accrue in accordance with Rule of Court 4:42-11.

7. Payment of \$10,000 to the Board of Medical Examiners shall be divided in 12 equal payments of \$833.34 and shall be made by bank check, money order, wire transfer or credit card made payable to the New Jersey Board of Medical Examiners and mailed to the New Jersey State Board of Medical Examiners, Attention: Antonia Winstead, Executive Director, 140 East Front St., 2nd Floor, P.O. Box 183, Trenton, NJ 08608. Payment of \$5,500 to the Board of Cosmetology and Hairstyling shall be divided into 12 equal payments of \$458.33 and shall be made by bank check, money order, wire transfer or credit card made payable to the New Jersey Board of Cosmetology and Hairstyling, Attention: Jay A. Malanga, Executive Director, Board of Cosmetology and Hairstyling, 124 Halsey Street, 6th Floor, P.O. Box 45003, Newark, New Jersey 07101. Payment of \$4,500 to the Board of Massage and Bodywork Therapy shall be divided into equal payments of \$375.00 and shall be made by bank check, money order, wire transfer or credit card made payable to the New Jersey Board of Massage and Bodywork Therapy and mailed to the State Board of Massage and Bodywork Therapy, Attention: Lisa Tadeo, Acting Executive Director, State Board of Massage and Bodywork Therapy, 124 Halsey Street, P.O. Box 45048,

Newark, New Jersey 07101. Any payment in a form other than those noted in this Paragraph will be rejected and returned to the sender.

8. Prior to the conclusion of the active suspension and the reinstatement of Respondent's license to practice massage and bodywork therapy in New Jersey, Respondent shall take and successfully pass either the examination offered by the National Certification Board for Therapeutic Massage and Bodywork or the Massage and Bodywork Licensing Examination (MBLEx) offered by the Federation of State Massage Therapy Boards.

9. Respondent, prior to resuming the practice of massage and bodywork therapy, shall complete and file an application for reinstatement with the Board and shall:

a. At the discretion of the Board, appear before the Board or a committee thereof to discuss readiness to reenter practice as a massage and bodywork therapist. Respondent shall be permitted to petition the Board for this appearance three (3) months prior to the conclusion of the active term of suspension. Respondent agrees that this allowance is merely to afford Respondent and the Board advance time to begin the process of addressing her resumption of practice, and that she cannot be granted the ability to resume practice prior to the conclusion of the entire period of active suspension.

b. Affirmatively establish fitness, competence and capacity to actively practice as a massage and bodywork therapist, to the satisfaction of the Board.

c. Provide the Board with a full account of conduct during the intervening period of time from the date this Order is filed to application for reinstatement of license and at minimum establish her compliance with all the terms of this Order.

d. The Board may advise the Attorney General and any victims/complainants of the application for reinstatement and consider any information submitted in response to such notification.

10. The parties hereby stipulate that entry of this Final Consent Order is without prejudice to further action, investigation, and prosecution by the Boards, the Attorney General, the Director of the Division of Consumer Affairs or other law enforcement resulting from Respondent's conduct.

11. Failure to comply with any of the terms of this Final Consent Order may result in further disciplinary action and any additional sanction determined by the Boards to be appropriate based on the conduct found.

12. Respondent shall be subject to an entry of an Order of Automatic Suspension immediately suspending her license to practice massage and bodywork therapy without prior notice or opportunity for a hearing, upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that Respondent has failed to comply with any of the provisions of this Order.

a. The evidence upon which the Order of Automatic Suspension is based shall be provided to Respondent.

b. Respondent shall have the right to apply for removal of the automatic suspension within thirty days after receiving notice of the Order. The application shall be submitted in writing to the Executive Director of the Board, shall be limited to a showing that the information upon which the Board relied was false and shall include any and all documents or other written evidence supporting Respondent's application.

c. If requested by Respondent, the Board, or a Committee of the Board, shall meet within a reasonable time following receipt of Respondent's application. At that meeting, Respondent shall be granted an opportunity to make a statement and present evidence limited to a showing that the information upon which the Board relied was false. If the application is heard by

a Committee of the Board, the Committee's decision shall take effect immediately and shall be subject to review by the full Board at its next regularly scheduled meeting.

NEW JERSEY STATE BOARD OF MEDICAL
EXAMINERS



By: _____
Otto Sabando, D.O.
Board President

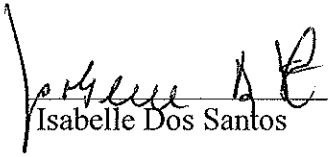
NEW JERSEY STATE BOARD OF COSMETOLOGY
AND HAIRSTYLING

By: _____
Janice Alvarez
Board President

NEW JERSEY BOARD OF MASSAGE AND
BODYWORK THERAPY

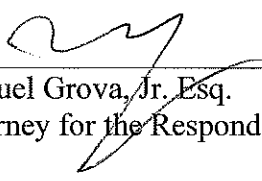
By: _____
David Bank
Board Chair

I have read the within Final Consent Order,
understand its terms and agree
to be bound by them.


Isabelle Dos Santos

Dated: 2/1/2023

Consent is hereby given
as to the form and entry of
this Final Consent Order.


Manuel Grova, Jr. Esq.
Attorney for the Respondent

Dated: 2/1/23

**NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS**

All Orders filed by the New Jersey State Board of Medical Examiners are "government records" as defined under the Open Public Records Act and are available for public inspection, copying or Examination. See N.J.S.A. 47:1A-1, et seq., N.J.S.A. 52:14B-3(3). Should any inquiry be made to the Board concerning the status of a licensee who has been the subject of a Board Order, the inquirer will be informed of the existence of the Order and a copy will be provided on request. Unless sealed or otherwise confidential, all documents filed in public actions taken against licensees, to include documents filed or introduced into evidence in evidentiary hearings, proceedings on motions or other applications conducted as public hearings, and the transcripts of any such proceedings, are "government records" available for public inspection, copying or examination.

Pursuant to N.J.S.A. 45:9-22, a description of any final board disciplinary action taken within the most recent ten years is included on the New Jersey Health Care Profile maintained by the Division of Consumer Affairs for all licensed physicians. Links to copies of Orders described thereon are also available on the Profile website. See <http://www.njdoctorlist.com>.

Copies of disciplinary Orders entered by the Board are additionally posted and available for inspection or download on the Board of Medical Examiners' website. See <http://njconsumeraffairs.gov/bme>.

Pursuant to federal law, the Board is required to report to the National Practitioner Data Bank (the "NPDB") certain adverse licensure actions taken against licensees related to professional competence or conduct, generally including the revocation or suspension of a license; reprimand; censure; and/or probation. Additionally, any negative action or finding by the Board that, under New Jersey law, is publicly available information is reportable to the NPDB, to include, without limitation, limitations on scope of practice and final adverse actions that occur in conjunction with settlements in which no finding of liability has been made. Additional information regarding the specific actions which the Board is required to report to the National Practitioner Data Bank can be found in the NPDB Guidebook issued by the U.S. Department of Health and Human Services in April 2015. See <http://www.npdb.hrsa.gov/resources/npdbguidebook.pdf>.

Pursuant to N.J.S.A. 45:9-19.13, in any case in which the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, the Board is required to notify each licensed health care facility and health maintenance organization in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders entered by the Board is provided to the Federation on a monthly basis.

From time to time, the Press Office of the Division of Consumer Affairs may issue press releases including information regarding public actions taken by the Board.

Nothing herein is intended in any way to limit the Board, the Division of Consumer Affairs or the Attorney General from disclosing any public document.