

Louisiana Board of Massage Therapy
State of Louisiana

JOHN BEL EDWARDS
GOVERNOR



October 22, 2019

Heart Felt Massage
Attention: Melinda C. Smith
587 Oriole Road
Morse, LA 70559

Certified Mail R.R. R.

Re: Unauthorized Practice of Massage Therapy – “Heart Felt Massage” - Cease and Desist
Notice

Dear Melinda C. Smith:

The Louisiana Board of Massage Therapy (“Board”) regulates the practice of massage therapy from a licensing standpoint and also enforces the legal and ethical standards to which licensed therapists must comply. The Board office recently received a complaint regarding billing/insurance issues raised by a client who received several massage sessions from you in August and September of 2019 at “Heart Felt Massage” located in Morse, Louisiana. The Board has advised the complaining party that it does not have jurisdiction to handle customer complaints regarding quality of services or billing disputes. However, in processing the complaint, it was noted that while you hold a current massage therapist license (LA7907), your registration with the board does not reflect that “Heart Felt Massage” is a business location where you provide professional services. In addition, the Board office has no record of “Heart Felt Massage” being registered or licensed as a massage establishment.

La. Revised Statute 37:3557 provides as follows:

“§3557. Massage Establishments

A. Massage establishments shall be required to be licensed as follows:

“(1) Each person engaging in the practice of massage therapy at a massage establishment shall be the holder of a Licensed Massage Therapist Identification Card (LMT-ID Card), which shall identify the therapist as being properly licensed and shall authorize the therapist to provide off site massage services.

“(2) All locations where one or more persons are regularly engaged in the practice of massage therapy shall register with the board as a massage establishment. Additionally, all locations

more than one person is regularly engaged in the practice of massage therapy shall pay the establishment license fee.

“(3) Obtaining a massage establishment license shall be the responsibility of the entity which controls the physical location where the services are provided, which entity may be a sole proprietor, lessee, owner, partnership, corporation, cooperative, association, or other legal entity.”

A check of the website for “Heart Felt Massage” indicates that the business advertises that it provides massage services, but the promotion does not contain the establishment license number of the establishment or the individual license number of the therapist providing the services as required by La. R.S. 37:3564. Practicing Massage Therapy or advertising as providing massage services without a license is a violation of La. R.S. 37:3564 and is considered a misdemeanor under R.S. 37: 3565 (A) and may result in a criminal investigation. “Heart Felt Massage” **should immediately cease and desist such activity until properly licensed.**

Before steps are taken to conduct a compliance site inspection at the business location and/or refer this matter to local police authorities for investigation of possible criminal violations, the Board wanted to provide the operators of Heart Felt Massage with the opportunity to address this matter and become properly licensed. If the Board office has not been advised within 15 days from the receipt of this letter that the business will comply with this notice, a follow-up investigation will be undertaken and if a continued violation of the rules and/or statutes is found, it could result in the imposition of fines and penalties or referral of the matter for a criminal investigation.

Should you have any questions concerning this matter or about steps required to have “Heart Felt Massage” properly registered or licensed as a massage establishment, feel free to contact the Board office.

Sincerely,

Louisiana Board of Massage Therapy