



NOTICE OF INITIAL VIOLATION

Louisiana Board of Massage Therapy

2645 O'Neal Lane, Bldg. C, Ste. E, Baton Rouge, LA 70816

(225)756-3488

www.labmt.org

Payment: Cashier's Check or Money Order Only

Certified Mail

R.R.

Date of Notice	September 19, 2022	License or Registration #	LA 7917		
Establishment/Therapist/Provider Name	Huanyou Lu				
Address	2577 Holiday Drive				
City	New Orleans	State	LA	Zip	70131
Phone Number	626-861-9317	Email	2224950613@QQ.COM		

A. Based on an investigation/audit conducted on behalf of the Board, the above named licensee/provider has been determined to have violated the rules and/or regulations applicable to the practice of massage therapy as follows:

La. R.S. 37:3551, et seq. Chapter 57. Massage Therapists and Establishments

§3558. 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 where more than one person is regularly engaged in the practice of massage therapy shall pay the establishment license fee.

B. A massage establishment shall employ or contract only licensed massage therapists to perform massage therapy.

§3559. License regulations

A. Each licensed massage therapist who works at a massage establishment shall display his LMT-ID Card in plain view in an appropriate public manner. A licensed massage therapist who is working outside of a massage establishment shall have in his possession his LMT-ID Card and shall present it for review upon request of a client or board representative.

B. Name or location changes to any license shall be submitted to the board within thirty days of the change with appropriate fees.

C. The license is nontransferable and shall be for the sole use and benefit of the licensee or location issued.

§3563. Grounds for discipline

(7) Failing to comply with license or renewal requirements

§3564. Regulation of advertising

- A. A person or an entity that does not hold a license as a massage therapist, physical therapist, or chiropractor, a certificate to practice athletic training, or a license as a massage establishment shall not use the words "massage", "body work", or any derivative or variation of the word "massage", including specific bodywork or massage modalities, on any sign or other form of advertising. Any advertisement by a massage therapist or a massage establishment shall contain the license number of such therapist or establishment. Building signs with promotional material shall also include the professional or establishment number.
- C. In all pictorial representations for any advertisement representing massage therapy, including such representations through video, all persons representing massage therapists shall be attired and posed in a manner as to avoid appealing to the prurient interest. Persons representing clients shall be appropriately draped and posed.

Chapter 33. Displaying and Ownership of License

§3301. How to Display; Board Ownership

Each massage establishment shall post, in plain sight, its establishment license and the license or the licensed massage therapist identification card (LMT-ID) of each massage therapist who practices in the massage establishment. Each massage therapist must have his licensed massage therapist identification card (LMT-ID) in his possession while providing massage therapy for a client and present it for review upon request.

Chapter 53. Misconduct and Negligence in the Practice of Massage Therapy

§5301. Unprofessional Conduct

A. The following acts shall constitute misconduct in the practice of massage therapy or incorrect practice of massage for which disciplinary penalties may be imposed:

- 3. aiding, assisting, procuring, or advising any unlicensed person to practice massage therapy, contrary to this Rule or to a rule of the department or the board;
- 9. operating any massage establishment unless it has been duly licensed as provided herein;
- 10. operating a massage establishment under a suspended, expired, or revoked license
- 12. practicing massage therapy when a license to practice massage therapy has expired, been revoked, suspended or otherwise acted against, including the denial of licensure by the licensing authority of another state, territory or country;

- B. The penalty/fine for the above noted violations are \$150 for a single violation and \$50 for each additional violation up to a maximum of \$750; the penalty/fine for the violation(s) noted above total: **\$ 200.00.** The payment of the penalty/fine is due within **30 days from the date of this notice money order or cashier's check only.** Unless a timely notice of intent to **contest this violation is filed within 15 days** of the notice of violation, failure to timely pay the fine may result in formal disciplinary action under LA R.S. 37:3563 (A) which could include license suspension or revocation.

C. Unless a Notice of Intent to Contest is timely filed, the violation or violations noted above must be corrected within the following designated time frame:

- (i) X Thirty (30) days from the date of this Notice of violation;
- (ii) Within days from the date of this Notice of Violation.

D. Notice of intent to contest any of the noted violations, must be provided in writing to the Board office at the address noted above within 15 days of the date of this Notice of Violation. Upon receipt of such

notice to contest, the contesting party will be advised as to the right for a formal disciplinary hearing or other options to resolve the matter. If scheduled, the contesting party will be provided with a Notice of Formal Disciplinary Hearing which will include the date, time and location of the hearing, right to representation, and options as to how the hearing will be conducted. A Notice of Intent to Contest form can be found on the LBMT website or can be requested from the board office.

Any questions regarding this notice may be directed to the board office.

Louisiana Board of Massage Therapy