

# Louisiana Board of Massage Therapy

9619 Interline Ave, Suite B

Baton Rouge, LA 70809



John Bel Edwards  
Governor

8/3/2023

Huifang Yu, LA 8780

8320 Oak Street

Sorrento, LA 70778

EMAIL: [HUIFANGYUTX@GMAIL.COM](mailto:HUIFANGYUTX@GMAIL.COM)

Re: Magical Massage & Spa, LLC – E4349 and Rose Massage E4688

Enclosed please find the Facts & Findings for the hearing held on July 21<sup>st</sup>, 2023 in regards to Magical Massage and Rose Massage. It shows on the Establishment Licenses for E4349 and E4688 that you are one of the licensed therapist working at these locations. The Establishment License for E4349 and E4688 have been voluntarily surrendered. You are ordered to Cease & Desist working at these locations immediately.

Regards,

Louisiana Board of Massage Therapy



**Louisiana Board of Massage Therapy**  
9619 Interline Ave, Suite B  
Baton Rouge, LA 70809  
225-756-3488 www.labmt.org

## CEASE AND DESIST NOTICE

Date: 8/2/2023

Issued To:  
Huifang Yu, LA 8780  
Rose Massage  
2705 W Hwy 30  
Suite D  
Gonzales, LA 70737

Re: Rose Massage E4688

The Louisiana Board of Massage Therapy (Board) is charged with licensing and regulating those persons who engage in the practice of Massage Therapy. The regulations are found in Louisiana Massage Therapists and Massage Establishments Act, La R.S. 37: Chapter 57.

Title 46 - PROFESSIONAL AND OCCUPATIONAL STANDARDS - Part XLIV. Massage Therapists  
Chapter 27. Inspections

**§2701. Inspections - Licensed and Unlicensed Establishments**

- A. The board may make periodic inspections of all massage establishments, including licensed and/or unlicensed massage establishments.
- B. Such inspections may include, but need not be limited to, confirmation that the site is being utilized for massage therapy and a determination of whether the establishment is in compliance with the laws and rules governing the establishment's operation, facilities, personnel, safety, and sanitary requirements.
- C. Failure to cooperate with such inspections may lead to disciplinary action.

**Applicable Provisions of Louisiana Revised Statute 37, Chapter 57 are as follows:**

**§3556. Licensure; qualifications**

- A. No person shall engage in the practice of massage therapy without a current license issued pursuant to this Chapter unless such person is exempt under the provisions of this Chapter.

**§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.
- (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.

- 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.
- D. All licenses are the property of the board and shall be surrendered upon demand of the board.

**§3561. License renewal requirements**

- A. Each license shall be renewed annually, on or before its expiration date by submitting a renewal application form, payment of the renewal fee specified in R.S. 37:3562, and providing evidence that the licensee has completed continuing education requirements, as established by rule of the board.
- B. Any license not renewed on or before its expiration date shall expire and all rights and privileges under the license shall cease.

**§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.

B. No sexually oriented business, as defined in R.S. 37:3558(C), shall use the word "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.

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.

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**If you feel that the therapist/establishment cited is exempt from the license requirements of the statutes, notify the Board office in writing at the address listed above. The Board office can also advise as to the steps required to become properly licensed in the State of Louisiana to engage in the practice of massage therapy. The Board may also elect to pursue civil injunctive remedies which could result in imposition of civil penalties and an award of attorney fees. Failure to comply with this notice may result in the matter being referred to the appropriate police authorities for a criminal investigation for the violation of the above statutes.**

Louisiana State Board of Massage Therapy



**Louisiana Board of Massage Therapy**  
9619 Interline Ave, Suite B  
Baton Rouge, LA 70809  
225-756-3488 www.labmt.org

## CEASE AND DESIST NOTICE

Date: 8/2/2023

Issued To:

Huifang Yu, LA 8780  
Magical Massage & Spa, LLC  
602 S. Burnside Ave  
Gonzales, LA 70737

Re: Magical Massage & Spa, LLC

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Louisiana State Board of Massage Therapy

**LOUISIANA BOARD OF MASSAGE THERAPY**

**IN THE MATTER OF**

**MAGICAL MASSAGE AND SPA, LLC**

**LICENSE NO. E4349**

**CONSOLIDATED WITH**

**IN THE MATTER OF**

**ROSE MASSAGE, LLC**

**LICENSE NO. E4688**

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**VOLUNTARY SURRENDER OF LICENSES**

**WHEREAS**, DAVID BENOIT (“**Mr. Benoit**”) is the owner of two licensed massage establishments in the State of Louisiana as evidenced by LBMT License No. E4349 (Magical Massage and Spa, LLC) and LBMT License No. E4688 (Rose Massage, LLC), and is subject to the jurisdiction and rules and regulations of the Louisiana Massage Therapists and Massage Establishments Act (La. R.S. 37:3551, et seq.), and the rules promulgated by the Louisiana Board of Massage Therapy (“LBMT”) (LAC 46:XLIV §101, et seq.);

**WHEREAS**, as part of the LBMT’s review of licensed massage establishments, the LBMT regularly searches websites where businesses offering illicit services and/or illegal prostitution regularly advertise. The LBMT searches these websites to compare the names, addresses, and phone numbers of its licensed massage establishments.

**WHEREAS**, the phone number associated with Magical Massage and Spa, LLC (“Magical Massage”) - (225) 210-8763 - and address associated with Magical Massage - 602 S. Burnside Avenue, Gonzales, Louisiana, 70737 - were identified on “RubsGuide,” “CallGirlxGuide,” “SkipTheGames,” “PickEscorts,” “BodyRubPage,” “BackPageGals,” and “PinkBodyRubs.” The advertisements include photographs of scantily clad Asian women described as “newly arrived

young beautiful Asian girls,” “PROFFESIONAL and PLEASING masseuses to TREAT YOU to THE ASIAN DIFFERENCE,” “TREAT YOURSELF! With our GORGEOUS ladies and their caring touch, your trip to CLOUD NINE is one call away,” “Young and beautiful professional Asian masseurs will bring you a unique and excellent massage experience,” and “Excellent massage techniques and gentle service attitude are guaranteed to satisfy you.”

**WHEREAS**, after reviewing the advertisements, Memry Hodum, Complaint Investigation Officer for the LBMT, signed an Order of Summary Suspension, summarily suspending license no. E4349 issued to Magical Massage on June 20, 2023. A hearing regarding further action regarding the license of Magical Spa was scheduled for July 21, 2023.

**WHEREAS**, the phone number associated with Rose Massage, LLC (“Rose Massage”) - (225) 390-8238 - and address associated with Rose Massage - 52705 Louisiana 30 W, Suite D, Gonzales, Louisiana, 70737 - were identified on “CallgirlxGuide,” “BackPageGals,” “BodyRubPage,” “PickEscorts,” “SkipTheGames,” and “RubsGuide.” The advertisements include photographs of scantily clad Asian women described as “hot sensual pretty Asian with like no other,” “New Face, New Feeling and Different Experience,” “We Offer Lots Of Techniques You Have Never Had The PLEASURE Of!” and “The ultimate GRATIFICATION is just one call away!!!”

**WHEREAS**, after reviewing the advertisements, Memry Hodum, Complaint Investigation Officer for the LBMT, signed an Order of Summary Suspension, summarily suspending license no. E4688 issued to Rose Massage on June 20, 2023. A hearing regarding further action related to the license of Rose Massage was scheduled for July 21, 2023.

**WHEREAS**, the respondent, Mr. Benoit, has indicated his desire to voluntarily surrender his licenses with the LBMT, particularly License No. E4349 (Magical Massage) and License No. E4688 (Rose Massage), in lieu of further disciplinary proceedings;

**WHEREAS**, the respondent, Mr. Benoit, acknowledges that in accordance with the written policies of the LBMT, the following will result due to the voluntary surrender of his licenses:

1. Public notification of this Voluntary Surrender of Licenses by posting a copy of this Voluntary Surrender of Licenses on the LBMT website.
2. He shall be ineligible for reinstatement of his establishment licenses in the state of Louisiana and shall be ineligible to apply for a new establishment license for a period of five (5) years.

**WHEREAS**, Mr. Benoit agrees that he shall pay costs associated with the investigation of this matter in the amount of \$500.00 when he submits this Voluntary Surrender of Licenses to be approved by the LBMT, which amount shall be made by certified check or money order.

**WHEREAS**, Mr. Benoit acknowledges that he has had the opportunity to thoroughly review the contents of this Voluntary Surrender of Licenses, and that he is informed of and understands his rights, including his rights to due process in connection with this Voluntary Surrender of Licenses;

**WHEREAS**, Mr. Benoit further acknowledges that failure to reimburse the costs set forth above will require the Board to take further action in collection of this debt. Respondent has thirty (30) days to reimburse the expenses before the debt will be considered final and transferred to the Louisiana Office of Debt Recovery (ODR). After transfer, the debt is subject to an additional collection fee of up to twenty-five percent (25%) of the total debt liability, as provided for in LA R.S. 47:1676 (E).

**WHEREAS**, by the voluntary surrender of his licenses, Mr. Benoit, moreover, acknowledges, stipulates, and agrees that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act or which otherwise may be afforded to him by law, to contest his agreement to, or the force and effect of this document in any Court



related to the matters referred to herein, and further waives the right to appeal the acceptance and approval of this Agreement by the LBMT;

WHEREAS, Mr. Benoit acknowledges that he has had the opportunity to seek the advice and guidance of legal counsel with respect to this Voluntary Surrender of License;

WHEREAS, based on the above, David Benoit surrenders his licenses held with the LBMT, particularly License No. E4349 (Magical Massage and Spa, LLC) and License No. E4688 (Rose Massage, LLC).

David Benoit  
DAVID BENOIT

7-14-2023  
Date

I, DAVID BENOIT, have read the Voluntary Surrender of Licenses and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 7-14-2023

David Benoit  
DAVID BENOIT

SUBSCRIBED AND SWORN TO before me this 14 day of July, 2023, at Metairie, Louisiana

Kevin P. Grissp  
Notary Public

Print Name: Kevin Grissp LSBA-426036

My Commission Expires: with death

**ORDER**

The Louisiana Board of Massage Therapists, having examined this Voluntary Surrender of Licenses, and upon a unanimous vote of the Board, accepts the Voluntary Surrender of Licenses in this matter on this 3<sup>RD</sup> day of August, 2023.

**LOUISIANA BOARD OF MASSAGE THERAPY**

  
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Kathryn Lea Love  
Board Chair