

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF:

LUNA MASSAGE 2, Establishment License No. E4638
1737 W. Sale Road, Suite 103
Lake Charles, LA 70605

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Pursuant to La. R.S. 37:3555(A)(1), LAC 46:XLIV.6101 and the Louisiana Administrative Procedure Act, an administrative hearing was held before the Louisiana Board of Massage Therapy (“Board”) on July 21, 2023 relative to the June 20, 2023 Order of Summary Suspension for Establishment License No. E4638 issued to Yufeng Zhou for the operation of Luna Massage 2 at 1737 W. Sale Road, Suite 103 in Lake Charles (“Respondent”).

Present were: Kathryn Lea Love, Chair; Donna M. Green, Vice-Chair; Rosemary H. Wilkinson, Secretary; Karla Swacker; and Amie Dudzinski, Board Members;

Memry Hodum, Complaint Investigation Officer, recused from the hearing;

Yufeng Zhou, Owner and representing Luna Massage 2 assisted by Chinese language interpreter Liuting Chen;

Sheri M. Morris, Counsel for the Board; and

James Raines, Complaint Counsel.

FINDINGS OF FACT

1. Massage Establishment License No. E4638 was issued to Yufeng Zhou for the operation of Luna Massage 2 at 1737 W. Sale Road, Suite 103 in Lake Charles with phone number (337)660-5606 through March 31, 2024.
2. The Board’s staff observed advertisements with the phone number and/or address of record for Respondent on RubRatings, BackPageGals.com, BodyRubPage.com, Rubmaps and SumoSearch.com. The advertisements for Respondent’s services include photographs of scantily clad women represented to be massage therapists, (Board Exhibit 1).
3. On June 20, 2023, the Board’s Complaint Investigation Officer issued an Order of Summary Suspension suspending Establishment License No. E4638 and sent notice to Respondent at Respondent’s address of record of the administrative hearing scheduled for July 21, 2023 at 9:30 a.m. for “revocation of licensure or other action as the Louisiana Board of Massage Therapy deems fit,” (Board Exhibit 2, p. 5).

4. Ms. Zhou testified as follows:
 - A. She did not put up these advertisements;
 - B. The old business was Luna Massage, she changed the business name to Luna Massage 2 when she bought the business;
 - C. In 2022, her son told her about advertisements and she stopped paying for ads;
 - D. She thought the ads would be removed when she stopped paying;
 - E. She is not a massage therapist; she is in a training program at HCP in Texas;
 - F. There is only one massage therapist working at Luna Massage 2;
 - G. The massage therapist's name is Li Chen who also goes by Coco; and
 - H. No one named Lilley or Amy works at Luna Massage 2.
5. The advertisements for Respondent on the internet fail to include the license numbers of the massage therapists or of the massage establishment.

CONCLUSIONS OF LAW

1. La. R.S. 37:3558(D) making sexually oriented businesses ineligible for licensure as a massage establishment makes Respondent ineligible for registration as a massage establishment.
2. Respondent and its owner Yufeng Zhou, Owner violated:
 - A. La. R.S. 37:3564(A) by failing to include the license number of the massage therapist and massage establishment on advertisements; and
 - B. La. R.S. 37:3564(C) by including pictorial representations on advertisements where massage therapist are attired and posed in a manner as to appeal to the prurient interest.
3. Violations of La. R.S. 37:3558(D) and La. R.S. 37:3564 constitute sufficient grounds for revoking and establishment license.

ORDER

Considering the applicable laws and the evidence and testimony;


IT IS ORDERED, ADJUDGED AND DECREED that Massage Establishment License No. E4638 issued to Yufeng Zhou for the operation of Luna Massage 2 through March 31, 2024 at 1737 W. Sale Road, Suite 103 in Lake Charles 4414 Johnson Street with phone number (337)660-5606 is hereby revoked;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that pursuant to LAC 46:XLIV.5501(B)(3) all costs of this proceeding are assessed to Yufeng Zhou and Luna Massage 2; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Yufeng Zhou and Luna Massage 2 are ineligible for licensure until all costs of this proceeding are paid in full and all advertisements are removed from the sexually oriented websites.

Signed this ^{3RD} ___ day of August 2023.

For the Louisiana Board of Massage Therapy


Kathryn Lea Love, Chair