

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF:

**OASIS MASSAGE, Establishment License No. E4734
1511 Ambassador Caffery Parkway
Lafayette, LA 70506**

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. E4734 issued to Hai Ju Cheng for the operation of Oasis Massage at 1511 Ambassador Caffery Parkway in Lafayette (“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;

Hai Ju Cheng, Owner and representing Oasis Massage 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. E4734 was issued to Hai Ju Cheng for the operation of Oasis Massage at 1511 Ambassador Caffery Parkway in Lafayette with phone number (337)787-5021 through March 31, 2024.
2. The Board’s staff observed advertisements with the phone number and/or address of record for Respondent on SkipTheGames.com, SumoSearch, RubMaps and BackPage(ly). 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. E4734 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, pp. 4-5).

4. Ms. Cheng testified as follows:
 - A. She was sick last year and hired manager to run the business;
 - B. She was the only therapist working at the establishment until she got sick and hired Wong Zi Yan to manage the business;
 - C. She had an argument with the manager who did not realize the consequences;
 - D. The phone number in the ads is not her phone number it is the manager's phone number;
 - E. The manager left in the end of April or early May of 2023; and
 - F. Wong Zi Yan showed her a massage therapist license but she did not verify the license on the Board's site because she wasn't thinking about it, she was just thinking about finding someone to manage the business while she was sick.
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 Hai Ju Cheng, 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 therapists 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 to revoke an establishment license.

ORDER

Considering the applicable laws and the evidence and testimony;

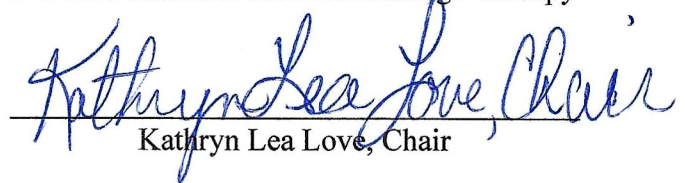
IT IS ORDERED, ADJUDGED AND DECREED that Massage Establishment License No. E4734 issued to Hai Ju Cheng for the operation of Oasis Massage through March 31, 2024 at 1511 Ambassador Caffery Parkway in Lafayette with phone number (337)787-5021 is hereby revoked;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all costs of this proceeding are assessed to Hai Ju Cheng and Oasis Massage; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Hai Ju Cheng and Oasis Massage are ineligible for licensure by the Louisiana Board of Massage Therapy until all costs of this proceeding are paid in full and all advertisements including the address and/or phone number of records for Oasis Massage are removed from the sexually oriented websites.

Signed this 7th day of August 2023.

For the Louisiana Board of Massage Therapy


Kathryn Lea Love, Chair