

Louisiana Board of Massage Therapy  
State of Louisiana

JOHN BEL EDWARDS  
GOVERNOR



Earth & Body Spa, LLC  
1001 W. Judge Perez Drive  
Chalmette, LA 70043

Certified Mail or Hand Delivered

Attention: Kevin Gonzales

**CEASE AND DESIST NOTICE**

Date: July 17, 2019

Re: Unauthorized Practicing and Advertising Massage Therapy by "Earth & Body Spa LLC".

Dear Sir/Sirs:

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

**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.

**§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.

### §3565. Penalties

A. Violation of the provisions of this Chapter shall be considered a misdemeanor and any person, including the owner or operator of a massage establishment, upon conviction, shall be fined not less than one hundred or more than one thousand dollars or imprisoned for not more than six months, or both.

### §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.

The Board had received a prior complaint that “Rejuv Massage Therapy Center”, Establishment License E2865, located at 1001 W. Judge Perez Drive, Chalmette, Louisiana, had unlicensed therapists working at the business. A recent inspection of the premises revealed that “Rejuv Massage Therapy Center” was apparently no longer occupying the building and there was signage at the location for “Earth & Body Spa LLC” offering “Massage” services. The Board office has no record of “Earth & Body Spa LLC” having a massage establishment license. Accordingly, it appears that “Earth & Body Spa LLC” is advertising and/or providing massage therapy services without a Louisiana Massage Therapy license. Since the business does not have a current license, “Earth & Body Spa LLC” is **hereby notified to immediately cease and desist advertising and/or performing massage therapy services at the referenced location.**

The Board will conduct a follow-up investigation of this matter within 15 days of your receipt of this letter and your failure to immediately comply with this notice shall result in the matter being referred to the appropriate police authorities for a criminal investigation for the violation of the above statute. The Board also has the option to pursue civil injunctive remedies which could result in imposition of civil penalties and an award of attorney fees.

If you feel that "Earth & Body Spa LLC" is currently licensed or otherwise exempt from the license requirements of the statutes, a representative of the business needs to immediately notify the Board office in writing at 2645 O'Neal Lane, Bldg. C, Suite E, Baton Rouge, La. or contact the Board office at 225-756-3488. 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.

Should you have any questions concerning this notice, you may contact the Board Office.

Regards,

Louisiana Board of Massage Therapy

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