

Louisiana Board of Massage Therapy



John Bel Edwards
Governor

CEASE AND DESIST NOTICE

Rain Stone Spa LLC
5850 Main Street
Suite 5
Zachary, LA 70791

11/2/2022

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.

The above named 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

- 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

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

225-756-3488

www.labmt.org

§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.

Chapter 29. Notification to Board of Change of Status

§2901. Name, Ownership and/or Location Changes

- A. All name, location and/or ownership changes of licensure must be reported in writing to the board within 30 days of occurrence using a form provided by the board.

Chapter 41. Health Data Recordkeeping

§4101. Health Data

- A. Data concerning an individual's health status must be systematically and continuously collected, recorded, and communicated in order to determine therapeutic needs, according to the following criteria.

- 4. Current client records are to be maintained at the licensed establishment location in a confidential manner.
- 5. All client records must be maintained for a minimum of five calendar years after the last service is performed for that client. After five years from the last date of service, client records may be disposed of in an appropriate and confidential manner

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:
 - 2. false, deceptive, or misleading advertising;
 - 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;
 - 5. making deceptive, untrue, or fraudulent representations in the practice of massage;
 - 6. practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities which the licensee knows or has reason to know that he is not competent to perform;

7. delegating professional responsibilities to a person when the licensee delegating such responsibilities knows or has reason to know that such person is not qualified by training, experience, or licensure to perform them;
15. engaging in the practice of massage therapy without a current massage license;

Based on the above violations, you are hereby notified to immediately cease and desist advertising and/or performing massage therapy services. 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 statutes. The Board may also elect to pursue civil injunctive remedies which could result in imposition of civil penalties and an award of attorney fees. If you feel that you are currently licensed or otherwise exempt from possessing a license from the license requirements of the statutes, you need to immediately notify the Board office in writing at 2645 O'Neal Lane, Bldg. C Suite E. Baton Rouge LA 70816. 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.

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