

Louisiana Board of Massage Therapy



John Bel Edwards
Governor

Fine and Penalty Schedule – Effective September 9, 2022

Policy and Procedure for Fines and Penalties: Under authority granted by Louisiana Massage Therapists and Massage Establishment Act (**Attachment “A”**), to be uniform in the administration of fines and penalties for violations of the Louisiana Massage Therapists and Massage Establishment Act or the Professional and Occupational Standards for Massage Therapists, the Louisiana Board of Massage Therapy (“Board”) adopted a Fine and Penalty Schedule in 2013 to address violations noted on any inspection report, audit or otherwise brought to the attention of the Board. The board authorizes office staff to implement the stated fines and penalties and to inform the licensee(s) of fines and right to a hearing. Effective September 9th, 2022, the Board ordered the Fine and Penalty Schedule to be amended to provide as follows:

Minor Violations – A failure to comply with a provision of the Practice Act or the Professional and Occupational Standards applicable to Massage Therapists will normally be a minor violation addressed through administrative fines or penalties. If the Board’s Complaint Investigative Officer (CIO) determines that a violation is of a more serious nature, the licensee or provider will be notified of the nature of the violation and the matter will be handled through the formal disciplinary process. Violations which are considered of a minor nature will be addressed through a Notice of Violation (**Attachment “A”**) and will be subject to the following procedures and policies:

1. **Initial Fine:** The minimum administrative fine for an Initial Violation of any statute, rule or regulation shall be divided into the following categories:
 - a. If the penalty is based on violations that are discovered by the Board Staff during in-office audits of required filings, registrations or updates, the minimum fine shall be \$100.00. Examples of such violations would include a failure to timely report to the Board office name or location changes to a license (La. R.S. Chapter 57§3558) or notify the Board office of a Change of Status (Title 46, Chapter 29§2901).
 - b. If the penalty is based on other violations of **any statute**, rule or regulation the minimum fine shall be \$300.00

2. Multiple Violations: The administrative fine for additional violations shall be \$100.00 for the second violation, \$200.00 for the third violation with a maximum penalty of \$750.00.

- | | |
|----------------------|-----------------|
| 3. Initial Violation | \$300.00 |
| 4. Second Violation | \$100.00 |
| 5. Third Violation | \$200.00 |

3. **Repeat/subsequent Violations:** (Attachment “B”) If a violation is issued against a licensee or provider for the same infraction within 24-month period, it will be considered a subsequent violation and the penalty or fines involved will be doubled. If the same violation occurs three times or more over a 36 month period, a hearing before the board will be required.

4. **Payment of Fines/Penalties:** All fines and penalties levied must be paid within 30 days of the date of the Notice of Violation, unless a written notice of intent to contest the violation is submitted to the Board office within 15 days of the date of the Notice of Violation.

5. **Correction Actions:** If corrective measures are needed to remedy a violation, such actions must be taken and received at the office within 30 days of the date of the Notice of Violation or within such other time as shall be noted in the Notice of Violation, unless a written notice of intent to contest the violation is submitted to the Board office within 15 days of the date of the Notice of Violation. Failure to implement corrective action within the delays provided shall result in a new or subsequent violation being issued with additional fines and penalties. . In addition to the other sanctions, the board office may deny a license renewal application until all outstanding fines and penalties are remedied.

6. **Initial Notice of Violation:** (Attachment “C”) The initial Notice of Violation shall be issued: a). by the Board Inspector at the time the inspection is completed; b). by the Board office once the inspection or audit report is filed with the board office; c). by the Board office based upon a complaint or other investigation. The Notice of Violation or follow-up letter from the board office will set forth the law violated, the time to correct the violation, the total fine imposed and the procedure to contest the violation.

7. **Failure to Pay Fine/Penalty:** Failure to timely pay fines and penalties or file a Notice to Contest shall result in interest and administrative costs being added to the amount of the initial fine or penalty. In addition, the failure to timely pay outstanding fines and penalties shall result in additional disciplinary action which could include license suspension or revocation. In addition to the other sanctions, the board office may deny a license renewal application until all outstanding fines and penalties are paid in full.

8. **Serious Violations:** More serious violations of either the Practice Act or the Professional and Occupational Standards applicable to Massage Therapists shall be evaluated by the CIO and will be considered on a case by case basis.

9. **Right to Contest Violations:** If a licensee or provider desires to contest any violation issued by the Board, Notice of Intent to Contest the violation must be provided in writing to the Board office within 15 days the date of the Notice of Violation. A Notice of Intent to Contest form shall be found on the LBMT website or is available from the Board office. Upon receipt of such notice to contest, the contesting party will be advised as to the right for a formal disciplinary hearing or other options to resolve the matter. If scheduled, the contesting party will be provided with a Notice of Formal Disciplinary Hearing will include the date, time and location of the hearing, right to representation, and options as to how the hearing will be conducted.

Any questions should be submitted to the Board Office:

Attachment “A” – Relevant Provisions

The "Louisiana Massage Therapists and Massage Establishments Act" (La. RS. 37:3555, et seq) contains the following provisions:

§3555. Powers and duties of the board

A. The board shall:

(1) Regulate the practice of massage and bodywork in Louisiana by licensing massage therapists who meet the state's minimum standards of education. Among its functions, the board promulgates rules and regulations, issues and renews professional and establishment licenses, collects and assesses fees pursuant to R.S. 37:3562, inspects, investigates, and disciplines licensees, including both individuals and establishments, who violate the law, and imposes fines and penalties.

(2) Perform inspections and investigate persons who may be engaging in practices which violate provisions of this Chapter and impose fines and penalties.

§3563. Grounds for discipline

A. The board may suspend, revoke, or refuse to issue or renew a license after notice and opportunity for hearing pursuant to the Administrative Procedure Act, upon proof of any of the following:

(1) Obtaining a license by means of fraud, misrepresentation, or concealment of material facts, including making false statements on an application or other document required by the board.

(2) Selling, bartering, or offering to sell or barter a license.

(3) Engaging in unprofessional conduct that has endangered or that is likely to endanger the health, welfare, or safety of the public, as further defined by rules of the board.

(4) Conviction of a felony, unless such conviction was reversed on appeal.

(5) Conviction of any crime arising out of or connected with the practice of massage therapy, unless such conviction was reversed on appeal.

(6) Violating or aiding and abetting in the violation of any provisions of this Chapter or the rules and regulations promulgated hereunder.

(7) Failing to comply with license or renewal requirements.

The Professional and Occupational Standards applicable to Massage Therapist are found in Title 46, Part XLIV, and contain the following provisions:

Chapter 37. Continuing Education

§3703. Board Approval of Providers and Programs

A. A continuing education provider is an individual and/or business that sponsors continuing education programs and presenters which has registered with the board and paid the continuing education provider fee provided for in R.S. 37:3562. The provider may also be a presenter. A continuing education provider registration term (providership) shall be for a period not to exceed 24 months. Upon expiration of the 24-month term, the provider may renew for another term. The provider shall be responsible for submitting all continuing education program information forms and payment of the continuing education program approval fee for each program being taught. The education provider fee includes the right to present two continuing education programs, which are identified in the initial registration form, during the providership period without additional charge.

1. A continuing education provider must be registered with the board before disseminating any notices that its program is approved for license renewal credit. In the event a provider does advertise without being registered with the board, that provider may be subject to a fine not to exceed \$1,000.

B. Authority to Review and Revoke Approval. The board retains the right and authority to audit and/or monitor CEU providers. The board may at any time evaluate any provider and deny, revoke, and/or decline to renew approval of that provider for good cause.

C. Approved Providers. In order to register with the board, providers must comply with the following requirements.

1. The provider must retain attendance records for at least four years following each program.

2. The provider must furnish each participant with a certificate or letter of attendance verifying that the program has been completed. The certificate shall contain the provider's name and number, the title of the program and instructor, the program number assigned by the board, the date, the number of CEU hours, and the licensee's name and license number.

3. Within 30 days after the program, the provider must submit to the board attendance records which include the name, license number and date of attendance for each attendee and the provider number, program name, assigned program number and number of CEU hours. Submission of attendance records may be by mail or online through the board's website.

4. A CEU certificate cannot be issued for less than the number of hours approved and attendees must complete the entire course for credit.

D. Continuing Education Program and Presenter Requirements

1. Each program presented for Louisiana CEU credits shall be relevant to and focus on massage theory, practice, methods, or laws, regulations, business or ethical principles pertaining to the practice of massage therapy or the operation of a massage therapy business and shall have stated learning objectives. No Louisiana CEU credits will be approved for programs that include:

- a. instruction in diagnosis;
- b. the treatment of illness or disease; or
- c. any service or procedure that otherwise exceeds the scope of the practice of massage therapy as defined in R.S. 37:3552(10).

2. Each program presented for Louisiana CEU credits shall be taught by a person who:

a. holds a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the U.S. Department of Education, or a substantially equivalent accrediting body of a foreign sovereign state, with a major in a subject directly related to the content of the program to be offered; or

b. has completed at least five years of professional experience in the practice of massage therapy; or

c. has completed at least 100 hours of non-entry level education in the subject matter to be offered and has a minimum of two years of professional experience in the subject.

3. Program Approval

a. Program Information Form. Providers (approved pursuant to §3703 of this Part) shall submit on a program information form provided by the board all CEU programs to be offered or presented during a providership period which shall consist of 24 consecutive months.

i. Once the program information form is submitted to the board, the program described on the form will be added to the list of approved CEU programs contained on the board website unless the provider is notified otherwise.

ii. Each provider is entitled to present two approved programs as part of its biennial provider fee, provided such programs are identified on the initial program information form.

iii. A \$50 per-program fee will be required for each additional program that the provider wishes to present for CEU credit.

iv. Once a program has been included on the approved list, it will remain on that list for the entire 24-month providership period provided that the materials presented for each program do not change.

v. The provider must demonstrate, upon request, that each program and presenter meets the requirements of Paragraphs 1 and 2 of this Subsection and failure to provide such information will result in the program being removed from the approved list.

vi. Any changes and/or amendments to a program during the 24-month providership period will require the completion of a new program information form together with the payment of a \$50 program fee.

vii. Submission of the program information form for a particular program must be submitted no later than 15 days before the program is scheduled to be taught.

b. Other Program Approval. Louisiana licensees may request CEU approval of a non-standard program or course of study by submitting an application form issued by the board. The form, along with a non-refundable program review fee of \$50 per program, must be presented during the year for which CEU credit is sought and the program must comply with the CEU guidelines as set forth in Paragraph 1 of this Subsection. This procedure may be used to apply for approval for activities which may include, but are not limited to, college courses, published works by the therapist, or other educational activities that may be used in lieu of CEUs for the given year. In order to be considered for approval, the non-standard program or course of study must have been completed within 12 months from the date the request for approval is submitted. Protocols for such proposed programs will be established by the board and the licensee will be provided with written notice as to whether the request for CEU credit has been approved.

c. Provider Renewal. A provider approval letter issued by the board pursuant to this Chapter shall be valid for a providership period of 24 months from the date that the letter was issued. Within 30 days from the expiration of the 24-month period, the provider may apply for a renewal of the providership period by submitting a renewal request. The renewal request form may be found on-line at the board website or upon request a renewal form will be mailed to the provider. In order to obtain renewal of the providership, the provider must return the completed renewal form to the board office on or before the expiration date of the current providership period, together with the provider fee of \$100. Failure to renew on or before the expiration date will result in loss of providership status and all programs offered under the provider number will no longer be recognized as approved.

d. Statement as to Approval

i. The provider of a program approved for Louisiana CEU units may announce that the program is approved by the Louisiana Board of Massage Therapy so long as the provider number and the number of approved CEU hours are referenced in the advertising or other promotional materials.

ii. Providers may offer programs that are not approved pursuant to this Section. If a therapist is taking a program with anticipation that the program qualifies for CEU credits, it is the obligation of the therapist to make that determination by checking the list of approved programs on the board website or checking with the board office as to the approval status before taking the program.

Chapter 51. Discipline and Injunctions

§5101. Discipline and Injunctions

A. In addition to other authorized penalties the board may seek injunctive and other relief as provided in La. R.S. 37:3566.

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:

1. conviction or a plea of guilty in any jurisdiction, regardless of adjudication, of a crime directly relating to the practice of massage or to the ability to practice massage. Any plea of "nolo contendere" shall be considered a conviction for purposes of this rule; including pleas of guilty, nolo contendere and pleas under La. C.Cr.P. Article 893 and 894;
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;
4. engaging in or attempting or offering to engage a client in sexual activity, including any genital contact, as provided under §3101 of these rules;
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;
8. violating any provision of any rule of the board, or a lawful order issued at a board hearing, or, failing to comply with a lawfully issued subpoena;
9. operating any massage establishment unless it has been duly licensed as provided herein;
10. operating a massage establishment under a suspended, expired, or revoked license;
11. refusing to permit the board to inspect the business premises of the licensee during regular business hours;
12. practicing massage therapy when a license to practice massage therapy has expired, been revoked, suspended or otherwise acted against, including the denial of licensure by the licensing authority of another state, territory or country;
13. failure to perform any statutory or legal obligation placed upon a licensed massage therapist;
14. inability to skillfully and safely engage in the practice of massage therapy by reason of illness, alcohol or substance abuse or as a result of any mental or physical condition;
15. engaging in the practice of massage therapy without a current massage license;

16. failure to practice massage with that level of care, skill, and treatment which is recognized by a reasonably prudent similar massage therapist as being acceptable under similar conditions and circumstances;

17. failing to keep the equipment and premises of the massage establishment in a clean and sanitary condition;

18. engaging in the practice of reflexology without a current massage therapy license; for the purpose of this rule, *reflexology* is defined as the manipulation of the superficial tissues of the hands and feet, based on the theory that manipulation of body reflex areas or zones can affect other body functions.

Chapter 55. Disciplinary Actions

§5501. Guidelines for Disciplinary Actions

A. When the board finds that an applicant or licensee whom it regulates has committed any of the prohibited acts set forth in the statute or rules, the board may impose appropriate penalties within the ranges recommended in the following disciplinary guidelines.

B. Penalties imposed by the board pursuant to this Section may be imposed in combination or individually, and are as follows:

1. refusal to license an applicant; revocation or suspension of license;
2. issuance of a reprimand or censure;
3. imposition of an administrative fine not to exceed \$1,000 for each count or separate offense.

C. The provisions of this Section are not intended and shall not be construed to limit the ability of the board to informally dispose of disciplinary actions by agreement.

D. The provisions of this Section are not intended and shall not be construed to limit the ability of the board to pursue collateral, civil or criminal actions when appropriate.

Attachment "A"



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

Violation Notice: Administrative Office Audit
Payments of Fines are to be received through **Cashier's Check**
or **Money Order Only – Payable to LBMT**

Questions: admin@labmt.org

Fines & Penalties Schedule

Under authority granted by Louisiana Massage Therapists and Massage Establishment Act to be uniform in the administration of fines and penalties for violations of the Louisiana Massage Therapists and Massage Establishment Act or the Professional and Occupational Standards for Massage Therapists, the Louisiana Board of Massage Therapy ("Board") adopted a Fine and Penalty Schedule in 2013 to address violations noted on any inspection report, audit or otherwise brought to the attention of the Board. To review the full Fine and Penalty Schedule please visit our website at www.LABMT.org.

Right to Contest Violations:

If a licensee or provider desires to contest any violation issued by the Board, a Notice of Intent to Contest the Violation form must be provided in writing to the Board office within 15 days the date of the Notice of Violation. A Notice of Intent to Contest form shall be found on the LBMT website or is available from the Board office. Upon receipt of such notice to contest, the contesting party will be advised as to the right for a formal disciplinary hearing or other options to resolve the matter. If scheduled, the contesting party will be provided with a Notice of Formal Disciplinary Hearing will include the date, time and location of the hearing, right to representation, and options as to how the hearing will be conducted.

Minor Violations

If the penalty is based on violations that are discovered by the Board Staff during in-office audits of required filings, registrations or updates, the minimum fine shall be \$100.00. Examples of such violations would include a failure to timely report to the Board office name or location changes to a license (La. R.S. Chapter 57§3558) or notify the Board office of a Change of Status (Title 46, Chapter 29§2901).

Minor Violation Fine(s):

The initial violation fine is \$100.00

1. Fines/Penalty Payment Schedule & Corrective Actions:

If you do not wish to contest this violation, payment of the penalty/fine is due within **30 days from the date of this notice including proof of corrective for each violation received.**

2. Failure to Pay Fine/Penalty:

Failure to timely pay fines and penalties or file a Notice to Contest may result in interest and administrative costs being added to the amount of the initial fine or penalty. In addition, the failure to timely pay outstanding fines and penalties can result in additional disciplinary action which could include license suspension or revocation. In addition to the other sanctions, the board office may deny a license renewal application until all outstanding fines and penalties are paid in full.

3. Corrective Actions:

All corrective measures will need to be completed for each violation and proof received at the office within 30 days of this notice of violation. Failure to implement corrective action within the deadline shall result in a new or subsequent violation being issued with additional fines and penalties. In addition to the other sanctions, the board office may deny a license renewal application until all outstanding fines and penalties are paid in full.

4. Repeat/subsequent Violations:

If a violation is issued against a licensee or provider for the same infraction within 24-month period, it will be considered a subsequent violation and the penalty or fines involved will be doubled. If the same violation occurs three times or more over a 36 month period, a hearing before the board will be required.

Notice of Initial Violation – Practice Act or the Professional and Occupational Standards

Date of Notice	
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Establishment

Establishment Name		Establishment #					
Owner / Agent Name							
Establishment Address							
Suite #		City		State		Zip	

Licensee

Name		License #					
Establishment Address							
Suite #		City		State		Zip	
Business Phone							

This violation notice is regarding a violation of the Practice Act or the Professional and Occupational Standards.

NOTICE OF VIOLATION(S):

Findings:

As a result of the administrative findings, it has been determined that the above listed Establishment/Licensee has violated the rules of the Practice Act or the Professional and Occupational Standards **listed below.**

The violation(s) noted above must be corrected within the following designated time frame:

- A. If applicable, Notice to Contest Violation must be post marked/email date stamped by _____.
- B. Payment of fines/penalties received in the amount of \$_____ in the form of a Cashier's Check or Money Order made payable to the LABMT, must be received by, _____.
- C. Corrective action must be received in the office by, _____.

If you have any questions please contact the Board office at admin@labmt.org or 225-756-3488



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

Initial Violation Notice: Statute, Rule or Regulation
Payments of Fines are to be received through **Cashier's Check**
or **Money Order Only – Payable to LBMT**

Questions: admin@labmt.org

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.

Fines & Penalties Schedule

Under authority granted by Louisiana Massage Therapists and Massage Establishment Act to be uniform in the administration of fines and penalties for violations of the Louisiana Massage Therapists and Massage Establishment Act or the Professional and Occupational Standards for Massage Therapists, the Louisiana Board of Massage Therapy ("Board") adopted a Fine and Penalty Schedule in 2013 to address violations noted on any inspection report, audit or otherwise brought to the attention of the Board. To review the full Fine and Penalty Schedule please visit our website at www.LABMT.org.

Right to Contest Violations:

If a licensee or provider desires to contest any violation issued by the Board, a Notice of Intent to Contest the Violation form must be provided in writing to the Board office within 15 days the date of the Notice of Violation. A Notice of Intent to Contest form shall be found on the LBMT website or is available from the Board office. Upon receipt of such notice to contest, the contesting party will be advised as to the right for a formal disciplinary hearing or other options to resolve the matter. If scheduled, the contesting party will be provided with a Notice of Formal Disciplinary Hearing will include the date, time and location of the hearing, right to representation, and options as to how the hearing will be conducted.

Violation Fines:

The initial violation fine is \$300.00

Multiple Violations

After the initial violation fee, the fee per violation will increase for each violation but will not exceed \$750.00.

A.	Initial Violation	\$300.00
B.	First Violation	\$100.00
C.	Second Violation	\$200.00
D.	Additional Violations not to exceed	\$750.00

5. Fines/Penalty Payment Schedule & Corrective Actions:

If you do not wish to contest this violation, payment of the penalty/fine is due within **30 days from the date of this notice including proof of corrective for each violation received.**

6. Failure to Pay Fine/Penalty:

Failure to timely pay fines and penalties or file a Notice to Contest may result in interest and administrative costs being added to the amount of the initial fine or penalty. In addition, the failure to timely pay outstanding fines and penalties can result in additional disciplinary action which could include license suspension or revocation. In addition to the other sanctions, the board office may deny a license renewal application until all outstanding fines and penalties are paid in full.

7. Corrective Actions:

All corrective measures will need to be completed for each violation and proof received at the office within 30 days of this notice of violation. Failure to implement corrective action within the deadline shall result in a new or subsequent violation being issued with additional fines and penalties. In addition to the other sanctions, the board office may deny a license renewal application until all outstanding fines and penalties are paid in full.

8. Repeat/subsequent Violations:

If a violation is issued against a licensee or provider for the same infraction within 24-month period, it will be considered a subsequent violation and the penalty or fines involved will be doubled. If the same violation occurs three times or more over a 36 month period, a hearing before the board will be required.

Notice of Initial Violation – Violation of Statute, Rule or Regulation

Date of Notice	
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Establishment

Establishment Name		Establishment #					
Owner / Agent Name							
Establishment Address							
Suite #		City		State		Zip	

Licensee

Name		License #	
Establishment Address			
Suite #		City	
		State	
Business Phone			

This violation notice is regarding a violation of a Statute, Rule or Regulation

NOTICE OF VIOLATIONS:

Findings:

As a result of the findings it has been determined that the above listed Establishment/Licensee has violated the rules and/or regulations applicable to the practice of massage therapy **listed below.**

The violation(s) noted above must be corrected within the following designated time frame:

- A. If applicable, Notice to Contest Violation must be post marked/email date stamped by _____.

- B. Payment of fines/penalties received in the amount of \$_____ in the form of a Cashier's Check or Money Order made payable to the LABMT, must be received by, _____.

- C. Corrective action must be received in the office by, _____.

If you have any questions please contact the Board office at admin@labmt.org or 225-756-3488



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

Violation Notice:
Subsequent/Repeat Violation
 Payments of Fines are to be received through **Cashier's Check or Money Order Only – Payable to LBMT**

Questions: admin@labmt.org

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.

Fines & Penalties Schedule

Under authority granted by Louisiana Massage Therapists and Massage Establishment Act to be uniform in the administration of fines and penalties for violations of the Louisiana Massage Therapists and Massage Establishment Act or the Professional and Occupational Standards for Massage Therapists, the Louisiana Board of Massage Therapy ("Board") adopted a Fine and Penalty Schedule in 2013 to address violations noted on any inspection report, audit or otherwise brought to the attention of the Board. To review the full Fine and Penalty Schedule please visit our website at www.LABMT.org.

Notice of Repeat/Subsequent Violation – Violation of Statute, Rule or Regulation

Date of Notice	
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Establishment

Establishment Name		Establishment #	
Owner / Agent Name			
Establishment Address			
Suite #		City	
		State	
		Zip	

Licensee

Name		License #	
Establishment Address			
Suite #	City	State	Zip
Business Phone			

This violation notice is regarding a repeat/subsequent violation of a Statute, Rule or Regulation.

NOTICE OF VIOLATION(S):

Findings:

On _____ an Initial Violation Notice was issued as a result of the findings associated with an inspection on _____. As stated in the Initial Violation and unless a Notice to Contest Violation was received within 15 days of the initial violation, all fines and corrective measures were due within 30 days of the initial violation notice.

1. Fines/Penalty Payment Schedule & Corrective Actions:

If you do not wish to contest this violation, payment of the penalty/fine is due within **30 days from the date of this notice including proof of corrective for each violation received.**

2. Failure to Pay Fine/Penalty:

Failure to timely pay fines and penalties or file a Notice to Contest may result in interest and administrative costs being added to the amount of the initial fine or penalty. In addition, the failure to timely pay outstanding fines and penalties can result in additional disciplinary action which could include license suspension or revocation. In addition to the other sanctions, the board office may deny a license renewal application until all outstanding fines and penalties are paid in full.

3. Corrective Actions:

All corrective measures will need to be completed for each violation and proof received at the office within 30 days of this notice of violation. Failure to implement corrective action within the deadline shall result in a new or subsequent violation being issued with additional fines and penalties. In addition to the other sanctions, the board office may deny a license renewal application until all outstanding fines and penalties are paid in full.

4. Repeat/subsequent Violations:

If a violation is issued against a licensee or provider for the same infraction within 24-month period, it will be considered a subsequent violation and the penalty or fines involved will be doubled. If the same violation occurs three times or more over a 36 month period, a hearing before the board will be required.

Because corrective action and or fines have not been received a Repeat/Subsequent violation has been issued for the below which include fines being doubled.

The violation(s) noted above must be corrected within the following designated time frame:

- A. Payment of fines/penalties received in the amount of \$_____ in the form of a Cashier's Check or Money Order made payable to the LABMT, must be received by, _____.

- B. Corrective action must be received in the office by, _____.

Failure to pay fines and show corrective actions within 30 days, of this Repeat/Subsequent Violation Notice will result in a third notice being issued. If done so, a hearing before the Board will be required.

If you have any questions please contact the Board office at admin@labmt.org or 225-756-3488



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

Notice of Intent to Contest Violation

Questions: info@labmt.org

FINES AND PENALTY SCHEDULE

Under authority granted by Louisiana Massage Therapists and Massage Establishment Act, to be uniform in the administration of fines and penalties for violations of the Louisiana Massage Therapists and Massage Establishment Act or the Professional and Occupational Standards for Massage Therapists, the Louisiana Board of Massage Therapy ("Board") adopted a Fine and Penalty Schedule in 2013 to address violations noted on any inspection report, audit, administrative office audit or otherwise brought to the attention of the Board. To review the full Fine and Penalty Schedule please visit our website at www.LABMT.org, or by using this direct link.

Notice of Intent to Contest Violation

This notice must be received at the office within 15 days of the initial violation

Date of Initial Violation	
----------------------------------	--

Establishment

Establishment Name		Establishment #	
Owner / Agent Name			
Establishment Address			
Suite #		City	
		State	
		Zip	
Phone #			

Licensee

Licensee Name		License #	
Owner / Agent Name			
Address			
Suite #		City	
		State	
		Zip	
Phone #			

Right to Contest Violations:

If a licensee or provider desires to contest any violation issued by the Board, Notice of Intent to Contest the violation must be provided **in writing to the Board office within 15 days the date of the Notice of Violation.** A Notice of Intent to Contest form shall be found on the LBMT website or is available from the Board office. Upon receipt of such notice to contest, the contesting party will be advised as to the right for a formal disciplinary hearing or other options to resolve the matter. If scheduled, the contesting party will be provided with a Notice of Formal Disciplinary Hearing will include the date, time and location of the hearing, right to representation, and options as to how the hearing will be conducted.

Information Regarding Violation:

Each violation being contested will need to be listed separately and shall include the Violation being contested and the basis to contest the violation. The basis for challenging the violation should be set forth with specific detail. An evaluation of the reasons will be made and depending on the finding, the matter may be resolved without an administrative hearing.

Violation #1
Reason for Contesting Violation #1

Violation #2
Reason for Contesting Violation #2

Violation #3

Reason for Contesting Violation #3

Violation #4

Reason for Contesting Violation #4

Signature: _____

Date: _____