

# 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, 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 9<sup>th</sup>, 2022, the Board ordered the Fines 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 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:** Initial Violation will be **\$300.00**, First Violation will be **\$100.00**, Second violation will be **\$200.00**, Additional Violation not to exceed **\$750.00**.

A. Initial Violation	<b>\$300.00</b>
B. First Violation	<b>\$100.00</b>
C. Second Violation	<b>\$200.00</b>
D. Additional Violations Not to exceed	<b>\$750.00</b>

3. **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.

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:** 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:

**Email:**

[admin@labmt.org](mailto:admin@labmt.org)

**\*Mail:**

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

**Phone #**

225-756-3488

\*Please note the Board office will be relocating mid-November of 2022. Please see visit [www.LABMT.org](http://www.LABMT.org) for the confirmed address