

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

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STATE OF WISCONSIN  
BEFORE THE MASSAGE THERAPY AND  
BODYWORK THERAPY AFFILIATED CREDENTIALING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LIN LI,  
RESPONDENT.

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FINAL DECISION AND ORDER

**0004516**

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Division of Legal Services and Compliance Case No. 14 MAB 001

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Lin Li  
532 Chase Blvd. Apt #9  
Sun Prairie, WI 53590

Wisconsin Massage Therapy and Bodywork Therapy Affiliated Credentialing Board  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Lin Li (DOB May 14, 1970) is licensed in the state of Wisconsin to practice massage therapy and bodywork therapy, having license number 12449-146, first issued on June 10, 2013, with registration current through February 28, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 532 Chase Blvd., Apt #9, Sun Prairie, Wisconsin 53590.

2. Respondent co-owns and operates Sunshine Wellness, a business located in Sun Prairie, Wisconsin (Sunshine).

3. On May 2, 2014, a Department investigator made a visual inspection of Sunshine.
4. The Department investigator first made contact with two individuals, Hong Li and Li Glander, who identified themselves as massage therapists. Ms. Li and Ms. Glander subsequently informed the investigator that neither had a valid Wisconsin license to practice massage therapy and bodywork therapy.
5. Ms. Li and Ms. Glander both claimed to be studying massage, but neither could provide identifying information about the program(s) they alleged to be attending.
6. The Department investigator observed two framed and posted licenses issued to Respondent and another individual, Ping Zhao (12217 – 146), as well as a commercial liability insurance policy effective 10-21-13 to 10-21-14.
7. During the course of the Department investigator's inspection, Respondent arrived at Sunshine and identified herself as an owner of the business.
8. Respondent acknowledged to the Department investigator that Ms. Li and Ms. Glander are providing massage therapy without licenses. Respondent stated that she and Ms. Zhao are teaching Ms. Li and Ms. Glander how to give massage. Respondent described Ms. Li and Ms. Glander as "apprentices."
9. Respondent informed the Department investigator that Sunshine does not keep client files of any kind. Respondent stated that Sunshine had kept some records in the past, but that its clients disliked filling out forms, so Sunshine stopped keeping client records.
10. Respondent informed the Department investigator that Sunshine does not use informed consent forms.
11. Respondent informed the Department investigator that the Sunshine premises do not feature a price list for the services provided there, but that a price list is available on the Sunshine website.

### CONCLUSIONS OF LAW

1. The Wisconsin Massage Therapy and Bodywork Affiliated Credentialing Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 460.14(2), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
2. By the conduct described in the Findings of Fact, Respondent Lin Li, violated Wis. Stat. § 460.11(1) and Wis. Admin. Code § MTBT 5.01(6)<sup>1</sup> by practicing massage therapy without first obtaining the informed consent of the client.
3. By the conduct described in the Findings of Fact, Respondent Lin Li, engaged in unprofessional conduct as defined by Wis. Admin. Code § MTBT 5.01(8) by failing to maintain

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<sup>1</sup> All references to the Wisconsin Administrative Code are to the Code in effect at the time of the alleged conduct.

for a period of at least 5 years, records necessary for the continuity of the client's massage therapy.

4. By the conduct described in the Findings of Fact, Respondent Lin Li, engaged in unprofessional conduct as defined by Wis. Admin. Code § MTBT 5.01(20) by aiding or abetting the practice of massage therapy by an uncertified person.

5. As a result of the above conduct, Lin Li, is subject to discipline pursuant to Wis. Stat. § 460.14(2).

#### ORDER

1. The attached Stipulation is accepted.
2. Respondent Lin Li, is REPRIMANDED.
3. The massage therapy and bodywork therapy license issued to Lin Li, (license number 12449-146) is LIMITED as follows:
  - a. Within six (6) months of the date of this Order, Respondent shall successfully complete ten (10) credits of education on the topic of professional ethics.
  - b. Respondent shall be responsible for obtaining the course(s) required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the course(s) from the Wisconsin Massage Therapy and Bodywork Therapy Affiliated Credentialing Board, or its designee, prior to commencement of the course(s).
  - c. The Board or its designee may reject any course and may accept any course for less than the number of hours for which Respondent seeks approval.
  - d. Within thirty (30) days of completion of each educational component, Respondent shall file an affidavit with the Department Monitor stating under oath that she has attended, in its entirety, the course(s) approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations.
  - e. Respondent is responsible for all costs associated with compliance with this educational requirement.
  - f. None of the education completed pursuant to this requirement may be used to satisfy any other continuing education requirements that have been or may be instituted by the Board or Department.

g. In addition to the educational requirements set forth in paras. 3.a-f above, Respondent shall file an affidavit with the Department Monitor verifying under oath that all of the continuing education otherwise required to maintain her licensure has been completed by or before the renewal deadline of February 28, 2017.

4. Within ninety (90) days from the date of this Order, Lin Li, shall pay COSTS of this matter in the amount of \$500.00.

5. Proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 12449-146) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs and completion of the education.

7. This Order is effective on the date of its signing.

WISCONSIN MASSAGE THERAPY AND BODYWORK  
THERAPY AFFILIATED CREDENTIALING BOARD

by:

  
A Member of the Board

2/2/2016  
Date

STATE OF WISCONSIN  
BEFORE THE MASSAGE THERAPY AND  
BODYWORK THERAPY AFFILIATED CREDENTIALING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

LIN LI,  
RESPONDENT.

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STIPULATION

**0004516**

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Division of Legal Services and Compliance Case No. 14 MAB 001

Respondent Lin Li, and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- **all other applicable rights** afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

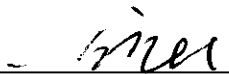
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Medical Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

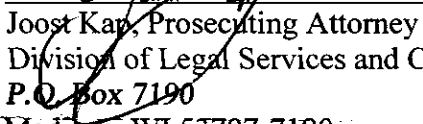
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
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Lin Li, Respondent  
532 Chase Blvd., Apt #9  
Sun Prairie, WI 53590  
License no. 12449-146

1/25/2016  
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Date

  
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Joost Kap, Prosecuting Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

1/28/16  
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Date