

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JUHUA YOU, L.M.T.,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

ORDER 000827 1

Division of Legal Services and Compliance Case No. 22 MAB 002

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

Juhua You, L.M.T.
Oshkosh, WI 54902

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. Juhua You, L.M.T. (Respondent), (Year of Birth 1972) is licensed in the state of Wisconsin as a massage therapist and bodywork therapy, having license number 13983-146, first issued on October 3, 2016, and current through February 28, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Oshkosh, WI 54902.

Prior Discipline

2. On December 1, 2020, via Board Order Number 0007102, Respondent was reprimanded with her license suspended for two (2) weeks, for allowing unlicensed individuals to provide massage services and have sexual contact with clients at the facility she was managing.

Current Discipline

3. At all times relevant to this proceeding, Respondent worked as a massage and/or bodywork therapist at one (1) or more facilities she owned and/or managed in Oshkosh, Wisconsin Rapids, Plover, and Wausau, Wisconsin.

4. Respondent admitted that two (2) individuals she hired and employed to perform massage therapy in 2021 at the Oshkosh facility were not licensed to perform massage therapy.

5. On December 23, 2021, in Winnebago County Circuit Court Case Number 21CF732, Respondent was charged with one (1) count of Keeping Place of Prostitution, in violation of Wis. Stat. § 944.34(1), a felony.

6. The charges referenced in paragraph five (5) stem from allegations that Respondent's employees at the Oshkosh location engaged in sexual acts with clients in return for monetary compensation.

7. On August 11, 2022, Respondent informed the Department that she was entering into a plea agreement which required her to close her businesses and surrender her license.

8. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The 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 committed unprofessional conduct by employing illegal or unethical business practices pursuant to Wis. Admin. Code § MTBT 5.02(5).

3. By the conduct described in the Findings of Fact, Respondent committed unprofessional conduct by permitting or assisting any person to perform acts constituting massage therapy or bodywork therapy without sufficient qualifications, necessary credentials, adequate informed consent, or adequate supervision pursuant to Wis. Admin. Code MTBT § 5.02(22).

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 460.145 as no person may employ or contract for the services of an individual to provide massage therapy or bodywork therapy who is required to be licensed under s. 460.02 unless the individual is licensed under this chapter

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 460.14(2)(g) and (j).

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER by Respondent of her license to practice massage therapy and bodywork therapy in the state of Wisconsin (license no. 13983-146), as well as her right to apply to renew such license, is accepted.

3. In the event Respondent petitions the Board for reinstatement of her license to practice massage therapy and bodywork therapy in the state of Wisconsin or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$790.00, before any petition or application for a credential will be considered by the applicable board or Department.

4. In the event Respondent petitions the Board for reinstatement of her license to practice massage therapy or bodywork therapy, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board and such decision is not reviewable.

5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:


Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>.

6. 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

Date

11/29/2022

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JUHUA YOU, L.M.T.,
RESPONDENT.

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STIPULATION

ORDER 000827 1

Division of Legal Services and Compliance Case No. 22 MAB 002

Juhua You, L.M.T. (Respondent), 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. Respondent is represented by Attorney Scott Ceman.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Massage Therapy and Bodywork Therapy Affiliated Credentialing 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 or Respondent's attorney, 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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

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

Juhua You

Juhua You, L.M.T., Respondent
Oshkosh, WI 54902
License No. 13983-146

8/30/2022
Date

N/A - Ms. You is going on this

Scott Ceman, Attorney for Respondent
Ceman Law Office, LLC
130 State St., Ste. #280
Oshkosh, WI 54903

Date

Gretchen Mrozinski

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

9/8/22
Date

