

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

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

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

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

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
QINGHUA ZHANG, L.M.T.,	:	
RESPONDENT.	:	ORDER 0008878

Division of Legal Services and Compliance Case No. 22 MAB 018

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

Qinghua Zhang, L.M.T.
Kaukauna, WI 54130

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. Qinghua Zhang, L.M.T. (Respondent), (Year of Birth 1972) is licensed in the state of Wisconsin as a massage therapist or bodywork therapist, having license number 15152-146, first issued on November 20, 2019, and current through February 28, 2025. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Kaukauna, Wisconsin 54130.

2. In 2018, Respondent worked as a massage therapist at a spa in Florida (Spa).

3. On August 22, 2019, in the Circuit Court of the Nineteenth Judicial Circuit in Martin County Florida, Case Number 432019CF000191CFA, Respondent pled no contest to one count of Engaging in Prostitution, a misdemeanor, in violation of Florida Statute § 796.07(2e); and one count of Use of a Structure or Conveyance for Prostitution, misdemeanors in violation of Florida Statute § 796.07(4a1). The Court ordered, “[D]efendant is hereby Adjudication Withheld of the above crime(s).”¹

4. Case Number 432019CF000191CFA and the allegations contained therein, related to Respondent’s work at the Spa.

5. In August through October 2019, the Florida Department of Health investigated Respondent and her license to practice massage therapy in Florida related to the actions described in paragraph 3.

6. On August 1, September 4, and October 15, 2019, the Florida Department of Health mailed letters to Respondent at two Florida addresses believed to belong to Respondent alerting her of the investigation and requesting her response to the allegations.

7. On October 9, 2019, Respondent applied for licensure in Wisconsin as a massage therapist. On her application, she was asked if any disciplinary action was pending against her in any jurisdiction. Respondent answered, “No.” The application also asked if Respondent had ever surrendered a professional license in any jurisdiction and whether any governmental credentialing agency had ever taken disciplinary action against her. Respondent answered, “No.” The application for licensure advised Respondent that she had a “Continuing Duty of Disclosure” during the application process.

8. On October 28, 2019, Respondent signed a “Voluntary Relinquishment of License” with the Florida Department of Health the purpose of which was to avoid further administrative action with respect to its investigation of Respondent and allegations of prostitution related to her license to practice massage therapy in Florida.

9. The Wisconsin Board granted Respondent full licensure on November 20, 2019. Prior to this date, Respondent did not advise the Board that disciplinary action was pending against her Florida license or that she had signed a “Voluntary Relinquishment of License” with the Florida Department of Health.

10. On January 13, 2020, the Florida Board of Massage Therapy issued a Final Order accepting Respondent’s surrender of her license to practice massage therapy. The Florida Order resulted from the Florida Department of Health’s investigation described in paragraph 5, and provided that it was a disciplinary action against Respondent’s license, and that Respondent agrees to never reapply for licensure as a massage therapist in the state of Florida.

¹ Adjudication Withheld in Florida is a special sentence in which the judge orders probation but does not formally convict the defendant of a criminal offense.

11. For approximately six months in 2022, until it closed in December of 2022, Respondent operated and worked as a massage therapist at a massage therapy business located in Oshkosh, Wisconsin (Business).

12. In October and/or November 2022, Respondent allowed an unlicensed individual to perform massage therapy at the Business.

13. On November 21, 2022, in Winnebago County Circuit Court, Case number 2022CM000939, Respondent was charged with Massage/Bodywork Therapy—Employment of Unlicensed Persons, a misdemeanor in Violation of Wis. Stat. §§ 460.145 and 460.15.

14. On February 23, 2023, Respondent applied to renew her Wisconsin massage therapy license. She answered “No” regarding whether she had any pending charges, prior convictions, and/or ordinance violations since her last renewal.

15. In June and July, 2023, the charges in Case Number 2022CM000939 were amended to add a charge of Disorderly Conduct, a violation of City of Oshkosh Code 17-1.

16. On July 20, 2023, in Winnebago County Circuit Court, Case number 2022CM000939, Respondent entered a no contest plea, and judgment was entered on one count of Disorderly Conduct, an ordinance violation, in violation of City of Oshkosh code 17-1. The original charge of Massage Therapy/Bodywork Therapy – Employment of Unlicensed Persons was dismissed on the Prosecutor’s Motion.

17. 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, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Based on the Findings of Fact, Respondent engaged in unprofessional conduct by engaging in fraud, misrepresentation, or deceit in applying for or procuring a license to practice massage therapy or bodywork therapy, in connection with applying for or procuring periodic renewal of a license, or in otherwise maintaining a license, pursuant to Wis. Admin. Code § MTBT 5.02(3).

3. Based on the Findings of Fact, Respondent engaged in 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. Based on the Findings of Fact, Respondent engaged in unprofessional conduct by being convicted of offenses the circumstances of which substantially relate to the practice of massage therapy or bodywork therapy, pursuant to Wis. Admin. Code § MTBT 5.02(26).

5. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 460.14(2), and Wis. Admin. Code ch. MTBT 5.

ORDER

1. The attached Stipulation is accepted.
2. Respondent's license to practice as a massage therapist or bodywork therapist in the state of Wisconsin (license number 15152-146) is **SUSPENDED** for a period of six (6) months, beginning ten (10) calendar days from the date of this Order.
3. Respondent's license to practice as a massage therapist or bodywork therapist in the state of Wisconsin (license number 15152-146), is also **LIMITED** as follows:
 - a. Within ninety (90) days of the date of this Order, Respondent shall, at her own expense, successfully complete six (6) hours of education on the topic of ethics. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Respondent shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the course(s) from the Board or its designee. Respondent must take and pass any exam offered for the course(s).
 - b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
 - c. The Board or its designee may change the number of credit hours and/or education topics in response to a request from Respondent. The Board or its designee may consider the topic availability and/or hours of education when determining if a change to the ordered education should occur.
 - d. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all the ordered education.
4. Within ninety (90) days from the date of this Order, Respondent shall pay **COSTS** of this matter in the amount of \$1,944.00. If costs are not paid within ninety (90) days from the date of this Order, interest shall accrue at the statutory rate of 12% per annum, pursuant to Wis. Stat. § 440.22(2).
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://dspsmonitoring.wi.gov>.

6. In the event Respondent violates any term of this Order, Respondent's license (number 15152-146), or Respondent's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

WISCONSIN MASSAGE THERAPY AND BODYWORK THERAPY AFFILIATED
CREDENTIALING BOARD

By: Jaime Ehmer
A Member of the Board

11/28/2023

Date

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

QINGHUA ZHANG, L.M.T.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0008878

Division of Legal Services and Compliance Case No. 22 MAB 018

Qinghua Zhang, 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.

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, 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.

Qinghua Zhang
Qinghua Zhang, L.M.T., Respondent
Kaukauna, WI 54130
License No. 15152-146

10/05/2023
Date

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

10/05/2023
Date

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

QINGHUA ZHANG, L.M.T.,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0008878

Division of Legal Services and Compliance Case No. 22 MAB 018

Qinghua Zhang, 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.

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, 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.

Qinghua Zhang, L.M.T., Respondent
Kaukauna, WI 54130
License No. 15152-146

Date



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

10/5/2023

Date