

IN THE MATTER OF
JOYCE WANG, R.M.P
RESPONDENT

REGISTRATION NUMBER: R00195

* BEFORE THE STATE
* BOARD OF CHIROPRACTIC
* AND MASSAGE THERAPY
* EXAMINERS

* CASE NUMBER: 09-71M

* * * * *

FINAL ORDER OF REVOCATION OF REGISTRATION

The State Board of Chiropractic Examiners and Massage Therapy Examiners ("the Board") notified Joyce Wang, ("the Respondent"), D.O.B. 2/26/1961, Registration Number: R00195, of the Board's intent to revoke her registration to practice non-therapeutic massage, under the Maryland Chiropractic Act ("the Act"), Md. Health Occ. Code Ann. ("H.O.") §§ 3-101 *et seq.* (2009 Repl. Vol.). Specifically, the Board charges the Respondent with violating the following:

H.O. § 3-5A-11. Denials; suspensions; revocations.

(a) *Denial or certification or registration.*-Subject to the hearing provisions of § 3-315 of this title, the Board may deny a certificate or registration to any applicant, reprimand any certificate holder or registration holder, place any certificate holder or registration holder on probation, or suspend or revoke the certificate of a certificate holder or the registration of a registration holder if the applicant, certificate holder, or registration holder:

- (2) Fraudulently or deceptively uses a license or registration;
- (4) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

(6) Knowingly does any act that has been determined by the Board, in its regulations, to exceed the scope of practice authorized to the individual under this subtitle;

(20) Engages in conduct that violates the professional code of ethics, or;

(21) Knowingly does an act that has been determined by the Board to be a violation of the Board's regulations

Code Md. Regs. tit. 10, § 43.18.:

.03 Standards of Practice.

C. A certificate holder or registration holder shall:

(1) Use professional discretion and integrity in relationships with members of the public and health care community;

(6) Practice massage therapy or non-therapeutic massage only as defined in the scope of practice set out in Health Occupations Article, §3-5A-01, Annotated Code of Maryland

D. A certificate holder or registration holder may not:

(2) Knowingly engage in or condone behavior that:

(a) Is fraudulent,

(d) Involves moral turpitude;

.05 Professional Boundaries.

(2) Engage in a sexually intimate act with a client; or

(3) Engage in sexual misconduct that includes, but is not limited to:

(a) Therapeutic deception,

(b) Non bona fide treatment, or

(c) A sexually exploitative relationship.

FINDINGS OF FACT

The charges are based on the following facts that the Board has reason to believe are true:

1. At all times relevant herein, the Respondent was registered to practice non-therapeutic massage in the State of Maryland. The Respondent was initially issued a registration to practice non-therapeutic massage on or about July 29, 2004.

2. At all times relevant herein, the Respondent operated a purported massage therapy business, known as JNW Massage, located at 2413 and 2411 York Road in Timonium, Maryland.

3. On November, 4, 2009, Baltimore County police executed a search and seizure warrant on 2411 and 2413 York Road, Timonium, Maryland.

4. The search and seizure was granted by a Baltimore County judge after the Baltimore County police established probable cause that prostitution activities were occurring at 2411 and 2413 York Rd, Timonium, Maryland ("York Road locations").

5. The Baltimore County police had conducted an eleven month investigation after receiving numerous complaints that prostitution activities were occurring at the York Road locations.

6. While conducting numerous hours of surveillance at the York Road locations, the Baltimore County police interviewed several male visitors that were seen entering and leaving the York Road locations. The male visitors acknowledged to the Baltimore County police that they had paid for and engaged in various sexual acts with Asian women, while inside the York Road locations.

7. One male visitor was interviewed by Baltimore County police. The visitor informed the police that he had been to the York Road locations on more than one

occasion. The visitor informed the police that he paid a fee of approximately \$150-\$200 for a brief massage that was followed by sexual intercourse.

8. Immediately prior to the execution of the search and seizure warrant, a Baltimore County police detective, working in an undercover capacity, went to 2413 York Road.

9. Once inside 2413 York Road, the undercover detective requested to see a woman named Yoyo. The undercover detective was led by an unknown Asian woman into a room that contained an uncovered folding massage table.

10. The unknown Asian woman made a telephone call, and then she left the room.

11. A few moments later, the Respondent entered the room where the undercover detective was waiting. The Respondent asked the undercover detective if it was his first time at the establishment.

12. The detective told the Respondent that it was his first visit to the establishment and that his friend told him to ask for Yoyo.

13. After the detective declined the Respondent's request to take a shower, the Respondent covered the massage table with a thin layer of tissue paper.

14. The Respondent told the undercover detective to remove his clothes, while she made arrangements for a woman to come and take care of him.

15. The Respondent left the room and another woman, who identified herself as Yoyo, entered the same room.

16. After being told the cost for services, the undercover detective gave Yoyo two hundred dollars (\$200). Yoyo placed the money that the detective had given her in

her robe pocket. Yoyo left the room and returned a few moments later.

17. When Yoyo returned to the room, she disrobed, climbed onto the undercover detective's back, and began massaging on his back and arms. After Yoyo finished massaging the detective's back and arms, he rolled onto his back and asked Yoyo to perform fellatio on him with a condom.

18. After Yoyo agreed to perform fellatio, the undercover detective provided a predetermined signal for the police executing the search and seizure warrant, to enter and execute the search warrants on the York Road locations.

19. When Yoyo heard the police approaching the room, she jumped to the floor, put on her robe and ran from the room. She was caught by the police and placed under arrest.

20. During the search of 2413 York Road, the Respondent was located in a bathroom. Another worker and a customer were found in a bedroom, partially clothed.

21. During the search of the York Road locations, the police found surveillance cameras mounted to various areas of the exteriors of the York Road locations. The cameras were directly wired to video monitoring systems located inside the York Road locations.

22. The police found condoms and U.S. currency in several areas throughout the York Road locations.

23. Following the execution of the search and seizure warrant, the police interviewed JZ, a customer, who was located inside the York Road location, at the time of the execution of the warrant.¹

24. JZ told the police that he had been to the Respondent's place of

business on at least two other occasions. JZ also told the police that he met with a different Asian woman each time that he visited the York Road locations.

25. JZ informed the police that upon arriving at the York Road locations, the Respondent always instructed him to park in the rear of 2411 York Road.

26. JZ also informed the police that he knew from his previous visits to the York Road locations, the cost of a shower, a massage, and sexual acts.

27. JZ told police that he went to 2411 York Road to hire a prostitute.

28. JZ indicated that when he arrived at 2411 York Road, on November 4, 2009, he was greeted at the door by the Respondent.

29. JZ also told the police that the Respondent escorted him into the living room and told him to wait while she left the room

30. JZ further informed the police, that the Respondent returned to the living room with two (2) women. The Respondent allowed JZ select the woman that he wanted.

31. After selecting a woman, JZ and the woman that he selected, went to the bathroom, removed their clothing, and took a shower together.

32. After showering, JZ and the woman went to a bedroom, where they were eventually found by the police.

33. Following the execution of the search warrant, the Respondent was arrested.

34. The Respondent was charged in the District Court of Maryland for Baltimore County with two (2) counts of Prostitution, in violation of Md. Crim. Law Code Ann. § 11-306, two (2) counts of Human Trafficking, in violation of Md. Crim. Law

¹ The name of the customer has been omitted in order to protect the customer's identity.

Code Ann. § 11-303, two (2) counts of receiving or acquiring money from a person engaged in prostitution with the intent to profit from a crime, in violation of Md. Crim. Law Code Ann. § 11-304(a) and Practicing Massage Therapy without Certification, in violation of Md. Health Occ. Code Ann. § 3-5A-11.

35. On March 2, 2010, a trial on the charges was held in the District Court of Baltimore County, with Judge Sally C. Chester, presiding. The Respondent pled not guilty to the charges.

36. Judge Chester found the Respondent guilty of two (2) counts of receiving or acquiring money from a person engaged in prostitution with the intent to profit from a crime, in violation of Md. Crim. Law Code Ann. § 11-304(a).

37. Following a finding of guilt, the Respondent was granted probation before judgment. She was placed on unsupervised probation and ordered to pay a fine in the amount of ten thousand dollars (\$10,000).

38. The Respondent's conduct, as set forth above, is a violation of H.O. § 3-5A-11 (a) §3-313 (2), (4), (6), (20), and (21); Code Md. Regs. tit. 10, § 43.07.03 .3 C (1) and (6); Code Md. Regs. tit. 10, § 43.07.03 .3 D (2) (a) and (d); and Code Md. Regs. tit. 10, § 43.07.03.05 (2) and (3).

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated H.O. § 3-5A-11 (a) §3-313 (2), (4), (6), (20), and (21); Code Md. Regs. tit. 10, § 43.07.03 .3 C (1) and (6); Code Md. Regs. tit. 10, § 43.07.03 .3 D (2) (a) and (d); and Code Md. Regs. tit. 10, § 43.07.03.05 (2) and (3).

ORDER

Based on the foregoing findings of fact and conclusions of law, it on is this day, 9/23/2010 of 2010 that the majority of the Board hereby:

ORDERED that the registration of the Respondent, Joyce Wang to practice non-therapeutic massage therapy, Registration Number: RO0195, is hereby **REVOKED** and the Board will not accept, from the Respondent, any future application for licensure, certification, and/or registration; and it is further

ORDERED that for purposes of public disclosure and as permitted by Md. State Govt. Code Ann. §§ 10-601 *et seq.* (2009 Repl. Vol.), this document consists of the contents of the foregoing Findings of Fact, Conclusions of Law, and Order, and is reportable to any entity to whom the Board is obligated to report; and it is further

ORDERED that this Order is final and a public document pursuant to Md. State Govt. Code Ann. §§ 10-601 *et seq.* (2009 Repl. Vol.).

9-23-2010
Date

Kay B. O'Hara for/ by direction of
Kay B. O'Hara, D.C., President
State Board of Chiropractic and Massage
Therapy Examiners