

FILED DATE **NOV 04 2014**
Department of Health

By: Angel Sanders
Deputy Agency Clerk

FILED
STATE OF FLORIDA
BOARD OF MASSAGE THERAPY

NOV 5 AM 10 57
DIVISION OF
ADMINISTRATIVE
HEARINGS

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2013-19668

DOAH CASE NO.: 14-3041PL

LICENSE NO.: MA 69675

HONG YANG,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF MASSAGE THERAPY (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on October 23, 2014, in Orlando, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order (a copy of which is attached hereto as Exhibit A) in the above-styled cause. Petitioner was represented by Sharmin Hibbert, Assistant General Counsel. Respondent was not present.

Upon review of the Recommended Order, the argument of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

2. There is competent substantial evidence to support the findings of fact.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 464, Florida Statutes.

2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

PENALTY

Upon a complete review of the record in this case, the Board determines that the penalty recommended by the Administrative Law Judge be ACCEPTED. WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

The license of HONG YANG is REVOKED.

The licensee must pay an administrative fine of \$2,500.00 within 30 days of the date this Final Order is filed. Payment shall be made to the Board of Massage Therapy and mailed to, DOH-Compliance Management Unit, 4052 Bald Cypress Way, Bin C-06 Tallahassee, Florida 32399-3276, Attention: Massage Therapy Compliance Officer. **Payment must be made by cashier's check or money order ONLY.** Personal checks will not be accepted.

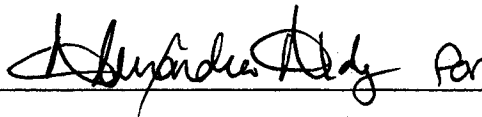
RULING ON MOTION TO ASSESS COSTS

The Board reserves jurisdiction to make a determination regarding investigative costs.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 3 day of NOVEMBER, 2014.

BOARD OF MASSAGE THERAPY

 for

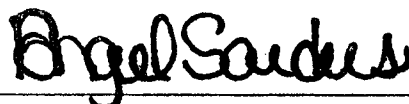
Christy Robinson
Executive Director
for Bridget Burke-Wammack, Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to HONG YANG, 4340 Colden Street, Flushing NY 11355 & Alex Yu, Esquire, 15255 Amberly Drive, Tampa FL 33647; to Elizabeth McArthur, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice delivery to Department of Health-PSU, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-3265 this 4th day of November, 2014.



Deputy Agency Clerk

Hong Yang

Flushing, NY

7013 1090 0001 0261 9509

Alex Yu, Esq.

Alex Yu, Esq.
15255 Amberly Drive
Tampa, FL 33647

7013 1090 0001 0261 9516

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

John H. Armstrong, MD, FACS
State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

TO: Allison Dudley, Chief
Bureau of Health Care Practitioner Regulation

FROM: Christy Robinson, Executive Director,
Boards of Acupuncture, Massage Therapy, Osteopathic Medicine and Speech-
Language Pathology and Audiology and the Council of Licensed Midwifery

DATE: November 2, 2014

RE: Delegation of Authority

While I am out of the office November 3-10, 2014 Alexandra Alday, Program Operations Administrator, will have delegated authority for the Osteopathic Unit.

Thank you,

Christy Robinson,
Executive Director