

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF

TIMOTHY S. ROBINSON

LICENSE NO. 8947

VOLUNTARY SURRENDER OF LICENSE

WHEREAS, TIMOTHY S. ROBINSON (“Mr. Robinson”) is a Licensed Massage Therapist in the State of Louisiana as evidenced by LBMT License No. 8947, and is subject to the jurisdiction and rules and regulations of the Louisiana Massage Therapists and Massage Establishments Act (La. R.S. 37:3551, et seq.), and the rules promulgated by the Louisiana Board of Massage Therapy (“LBMT”) (LAC 46:XLIV §101, et seq.);

WHEREAS, the LBMT has received five complaints relative to Mr. Robinson and information regarding Mr. Robinson’s arrest on August 18, 2022, by the New Orleans Police Department, relative to a charge of Sexual Battery in violation of La. R.S. 14:43.1;

WHEREAS, the parties present the following facts as the basis for the Voluntary Surrender of License:

1. Mr. Robinson holds a license with the LBMT as a licensed massage therapist, license number 8947;
2. On October 5, 2021, the LBMT received a complaint from J.S. via the online complaint system. J.S. advised that on September 30, 2021, she had her second massage with Mr. Robinson at Spa Atlantis (536 Bienville Avenue, New Orleans, Louisiana). J.S. recalled that during a massage on September 30, 2021, while she was lying prone, the sheet covering her was folded and rested just below the top of her gluteal cleft. She alleged that when lying supine, Mr. Robinson flipped the sheet up to look underneath it. J.S. stated that this happened during both massages and on both legs. J.S. further advised that Mr. Robinson massaged her inner thigh higher than she had ever experienced during a massage, almost to her genitals. While stretching her arms above her head, Mr. Robinson massaged the side of her chest/rib cage, almost touching her lateral breast on both sides. J.S. stated that she gets regular massages and has never been made to feel uncomfortable like this. J.S. stated that she reported her concerns with the owner of Spa Atlantis, who advised J.S. that she was the third woman to lodge a complaint against Mr. Robinson during that week and that Mr. Robinson had been terminated. The owner of Spa Atlantis encouraged her to file a complaint with the LBMT;
3. On October 5, 2021, the LBMT received a complaint from H.P. via the online complaint system. H.P. advised that on October 4, 2021, she had a couple’s massage with her boyfriend at Spa Atlantis (536 Bienville Avenue, New Orleans, Louisiana). H.P. stated that during the massage, Mr. Robinson pulled her underwear down “extremely low” and did a gesture with his hands that had nothing to do with massaging her glutes. H.P. stopped him and pulled up her underwear. She alleged that Mr. Robinson continued the massage and twisted her shoulder to the point that she was in pain. She asked him to loosen up on the pressure. Mr. Robinson complied but then got “rough” again. H.P. had noted on her client intake form that she had ACL, MCL, and LCL surgery approximately two years prior to the massage. While lying face down, Mr. Robinson raised her ankle and moved it laterally from side to side. H.P. asked Mr. Robinson to stop because it was uncomfortable. She further alleged that Mr. Robinson yelled, “What am I doing now? Lateral movement for your knee is good for it (or

Timothy S. Robinson, LBMT License Number 8947
Initial: 

anyone for that matter)!” H.P. stated that she felt that Mr. Robinson was insensitive and that she was intentionally being attacked for pulling up her underwear earlier in the massage. H.P. ended the massage when Mr. Robinson asked her to turn over because she did not want him to see her topless. H.P. advised that she sent her complaint to the owner of Spa Atlantis. The owner investigated and advised that Mr. Robinson had been fired;

4. On August 14, 2022, the LBMT received a complaint from A.S. via the online complaint system. A.S. advised that on August 4, 2022, she had her third massage with Mr. Robinson at Spa Savior Faire (5014 Freret Street, New Orleans, Louisiana). Prior to beginning the massage, A.S. asked Mr. Robinson to do the same work as he had done the previous massages and focus on her shoulders, upper and lower back, and her glutes. A.S. stated that for approximately 90% of the massage, she was lying on her stomach. When she turned onto her back, Mr. Robinson placed something over her eyes, which she assumed was for relaxation. Mr. Robinson began to press along the top of her sternum and clavicle, as he had done during the previous massages. A.S. stated that she felt the sheet move from above her breasts to her waist. Mr. Robinson continued to press along her clavicle and down to her armpit, down her ribs and along the side of her breasts. Then, with both hands, Mr. Robinson pushed her breasts towards the center of her body. Mr. Robinson repeated it again. A.S. stated that she told Mr. Robinson that her knees hurt and grabbed her knees and held them against her chest. Mr. Robinson continued the massage, while A.S. kept her knees against her chest. A.S. advised that Mr. Robinson did not follow protocol on her glutes regarding draping and massaging near her genitals. A.S. subsequently met with the owner the next day and told the owner what happened. The owner refunded A.S.’s payment and told her that she would have a conversation with Mr. Robinson. She alleged that in the conversation with the owner, Mr. Robinson stated that A.S.’s shoulders were tight, so he decided to do a “pec massage” and removed the sheet to do the massage. Mr. Robinson advised that he felt a level of comfortability with A.S. because it was not her first visit. The owner agreed that A.S. did not come in for a “pec massage,” so doing one was inappropriate and his failure to communicate same was inexcusable;
5. On September 8, 2022, the owner of Spa Savoir Faire, Danielle Leighton, filed a complaint regarding Mr. Robinson via the online complaint system. Ms. Leighton advised that a client informed her on that same day of her massage experience with Mr. Robinson on July 26, 2022. She reported that the client was very upset and took a long time to process what had happened and to come forward with the complaint. The client stated that Mr. Robinson massaged her chest area in an inappropriate manner, and she felt uncomfortable and violated. Ms. Leighton explained that Mr. Robinson was an independent contractor at her establishment from March 23, 2022, to August 16, 2022. Ms. Leighton ended her arrangement with Mr. Robinson when he did not arrive for work on August 16th because he had been arrested for sexual battery. Ms. Leighton stated that prior to Mr. Robinson’s termination, two clients had complained about inappropriate experiences with him. She advised that she and the senior massage therapist addressed both situations with him and felt that they could resolve the concerns internally. However, once she discovered the arrest, she ended her relationship with Mr. Robinson;
6. On September 16, 2022, O.W. filed a complaint against Mr. Robinson via the online complaint system. O.W. stated that during a massage with Mr. Robinson on July 26, 2022, he asked if he could massage her chest, which she thought was “weird.” Mr. Robinson pulled the towel covering her down past her nipples and aggressively rubbed her chest and cupped her breasts with his hands. O.W. advised that this continued for approximately five minutes. O.W. stated that Mr. Robinson took advantage of her, and she did not want this to happen to another person;
7. During the investigation into the above matters, it was discovered that Mr. Robinson was arrested for Misdemeanor Sexual Battery based on the allegation that he committed a “sexual battery upon known female by inappropriately massaging” in that matter entitled “*The State of Louisiana v. Timothy S. Robinson*, Case No. F2178995, First

Timothy S. Robinson, LBMT License Number 8947

Initial: TSR

Parish Court, Parish of Jefferson, State of Louisiana.” Upon information and belief, Mr. Robinson pled guilty to a violation of La. R.S. 14:35, simple battery.

8. On August 18, 2022, Mr. Robinson was arrested and charged with one count of Sexual Battery in violation of La. R.S. 14:43.1. His criminal case is pending in Criminal District Court for the Parish of Orleans.

WHEREAS, the respondent, Mr. Robinson, has indicated his desire to voluntarily surrender his license with the LBMT, particularly License No. 8947, in lieu of further disciplinary proceedings;

WHEREAS, the respondent, Mr. Robinson, acknowledges that in accordance with the written policies of the LBMT, the following will result due to the voluntary surrender of his license:

1. Public notification of this Voluntary Surrender of License by posting a copy of this Voluntary Surrender of License on the LBMT website.
2. He shall be ineligible for reinstatement of his license to practice as a massage therapist in the state of Louisiana and shall be ineligible to apply for a new license to practice as a massage therapist for a period of five (5) years.
3. In the event Mr. Robinson seeks licensure by the LBMT after the five (5) year period addressed above at Paragraph 2, a hearing shall be held by the LBMT to afford Mr. Robinson an opportunity to present evident that he is fit to practice massage therapy in Louisiana. After such hearing, the LBMT may deny or grant licensure, and in the event of licensure, the LBMT may place any conditions or restrictions on Mr. Robinson’s massage therapy practice it deems appropriate.

WHEREAS, Mr. Robinson acknowledges that he has had the opportunity to thoroughly review the contents of this Voluntary Surrender of License, and that he is informed of and understands his rights, including his rights to due process in connection with the administrative charges, and that prior to final disciplinary action against his license, he would be entitled to have notice of a hearing on the allegations and charges asserted against him through the filing of an Administrative Complaint, and to have an administrative adjudication of such charges, at which time Mr. Robinson would be entitled to be represented by legal counsel, to call witnesses and to present evidence on his own behalf in defense or in mitigation of the charges made, and to a decision thereon by the LBMT based upon written findings of fact and conclusions of law pursuant to La. R.S. 49:950, *et seq.*;

WHEREAS, notwithstanding his right to an administrative hearing and a decision thereon as provided by La. R.S. 49:955-965, in recognition of the stipulations set forth above and for the final disposition of this administrative action, Mr. Robinson, nonetheless, waives his right to formal adjudication and voluntarily surrenders to the LBMT his license to practice as a Licensed

Timothy S. Robinson, LBMT License Number 8947
Initial: TS

Massage Therapist in the state of Louisiana as evidenced by License No. 8947. Mr. Robinson also hereby authorizes a member of the Disciplinary Committee or the Board attorney to present this Voluntary Surrender of License to the LBMT for its consideration, and to fully disclose to and discuss with the LBMT the circumstances of this surrender, and he waives any objection to such disclosures under La. R.S. 49:950, *et seq.*;

WHEREAS, Mr. Robinson acknowledges, stipulates and agrees that the voluntary surrender of his license shall be deemed by the LBMT to have the same effect as if the LBMT had entered an order of revocation upon the conclusion of formal administrative proceedings.

WHEREAS, by the voluntary surrender of his license, Mr. Robinson, moreover, acknowledges, stipulates, and agrees that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act or which otherwise may be afforded to him by law, to contest his agreement to, or the force and effect of this document in any Court related to the matters referred to herein;

WHEREAS, Mr. Robinson acknowledges that he has had the opportunity to seek the advice and guidance of legal counsel with respect to this Voluntary Surrender of License and has been represented by counsel in association with this Voluntary Surrender of License;

Effect of Non Acceptance of Agreement. Mr. Robinson acknowledges that this Consent Agreement and Order is subject to the approval of the LBMT. He further acknowledges and agrees that if the LBMT rejects this Voluntary Surrender of License, it will be void, and an Administrative Complaint may be filed relative to the allegations contained herein. If this Voluntary Surrender of License is rejected by the LBMT, it will not constitute a waiver of Mr. Robinson's right to a hearing on the matters alleged in an Administrative Complaint and the admissions contained herein will have no effect. He further agrees that if the LBMT rejects this Voluntary Surrender of License, the members of the LBMT may decide the matter after a hearing, and their consideration of this Voluntary Surrender of License shall not alone be grounds for recusal of any member of the Board, including any claims that the LBMT is biased against him, that it cannot fairly decide the case, or that it has received *ex parte* communication.

WHEREAS, based upon the above, Timothy S. Robinson surrenders his license held with the LBMT, particularly License No. 8947.

Timothy S. Robinson, LBMT License Number 8947
Initial: TS

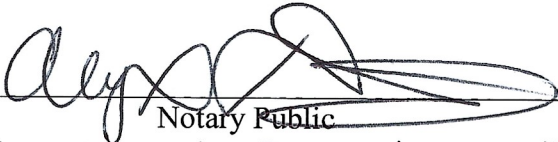

TIMOTHY S. ROBINSON

10-12-22
Date

I, **TIMOTHY S. ROBINSON**, have read the Voluntary Surrender of License and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 10.12.22 
TIMOTHY S. ROBINSON

SUBSCRIBED AND SWORN TO before me this 12th day of October, 2022,
at New Orleans Louisiana.


Notary Public

Print Name: Alyxandra Darensbourg Bar# 39417
My Commission Expires: upon death



ORDER

The Louisiana Board of Massage Therapists, having examined this Voluntary Surrender of License, and upon a unanimous vote of the Board, accepts the Voluntary Surrender of License in this matter on this 31st day of October, 2022.

LOUISIANA BOARD OF MASSAGE THERAPY


Kathryn Love Lea

Board Chair