

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF

ALEX LEGAUX

LICENSE NO. 9468

ORDER OF SUMMARY SUSPENSION

Pursuant to La. R.S. 49:961(C), the Louisiana Board of Massage Therapy (“LBMT”) summarily suspends License number 9468 issued to Alex Legaux (“Mr. Legaux”) pending an administrative hearing scheduled for October 31, 2022, at 11:00 a.m.

This Order of Summary Suspension is effective as of October 5, 2022. Upon execution of this Order, Mr. Legaux is not authorized to engage in the practice of massage therapy and must immediately cease and desist from the practice of massage therapy, as defined by La. R.S. 37:3552. Further, Mr. Legaux must cease and desist from referring to himself as a licensed massage therapist.

I. INITIAL FINDINGS

To protect public health, safety, and welfare, emergency action is required due to the nature of the allegations against Mr. Legaux. The LBMT received information regarding Mr. Legaux’s arrest on August 21, 2022, by the New Orleans Police Department, relative to a charge of Sexual Battery, in violation of La. R.S. 14:43.1, and his conduct while providing a massage to S.L. (“Complainant”) on June 4, 2022.

On June 6, 2022, the LBMT received a complaint from the Complainant via the online complaint system. The Complainant advised that on June 4, 2022, she was scheduled for a 90-minute Swedish massage with Mr. Legaux at Spa Isbell (License No. E2259) in New Orleans, Louisiana. The Complainant stated that for the first hour and twenty minutes of the massage, Mr.

Legaux behaved professionally. However, during the last minutes of the service, the Complainant was lying on her stomach with the sheet pulled down to her waist. Mr. Legaux instructed the Complainant to flip over and lay on her back while the sheet was still pulled down to her waist, exposing her breasts. The Complainant further stated that Mr. Legaux initially massaged her shoulders and then began to massage her breasts without consent. He subsequently massaged her stomach, and then slid his hand under the sheet, and then under her underwear, and briefly touched her genitals without her consent. After the massage, the Complainant paid for the massage provided by Mr. Legeaux. The Complainant advised that she filed a police report at the New Orleans Police Department Sixth District on June 5, 2022. She further advised that she had a telephone call with the owner of the spa and advised her of what occurred during her massage. Upon information and belief, Mr. Legeaux was subsequently fired by the spa owner.

On June 5, 2022, New Orleans Police Department Detective Danielle L. Williams (Special Victims Section – Sex Crimes Unit) was notified that a victim stated that she was sexually assaulted by Mr. Legaux at a spa on June 4, 2022. Mr. Legaux was arrested on August 21, 2022, and charged with one count of Sexual Battery (La. R.S. 14:43.1).

Based on the foregoing, it is alleged that Mr. Legaux violated the following rules and regulations applicable to the LBMT:

Code of Conduct for Massage Therapists, La. Admin Code. tit. 46, Pt XLIV, §3101, et seq.:

§3101 Prohibitions of Sexual Activity

- A. All sexual activity by any person or persons in any massage establishment is absolutely prohibited.
- B. No massage establishment owner or operator shall engage in, or permit any person or persons to engage in, sexual activity in a massage establishment or to use that establishment to make arrangements to engage in sexual activity in any other place.

- C. No massage therapist shall engage in sexual activity with a current client of the therapist.

- E. As used in this Rule and §5301 of this Part:
- a. sexual activity—includes:
 - i. coital sexual intercourse;
 - ii. anal sexual intercourse;
 - iii. fellatio, cunnilingus;
 - iv. masturbation;
 - ...
 - b. the purposeful touching of the genitals of another person... whether through draping or clothing, whether resulting in penetration or orgasm or not, and whether by instrumental manipulation, touching with the hands, or other bodily contact;
 - c. any sexual offenses proscribed by the criminal laws of Louisiana including, but not limited to, R.S. 14:83.3 and 83.4.
- F. For purposes of this rule, the term *client* means and includes any person receiving massage therapy services provided for compensation....

La. R.S. 37:3563 Grounds for Discipline

- A. The board may suspend, revoke, or refuse to issue or renew a license after notice and opportunity for hearing pursuant to the Administrative Procedure Act, upon proof of any of the following:

- (3) Engaging in unprofessional conduct that has endangered or that is likely to endanger the health, welfare, or safety of the public, as further defined by rules of the board.

- (6) Violating or aiding and abetting in the violation of any provisions of this Chapter or the rules and regulations promulgated hereunder....

II. DECISION AND ORDER


To maintain public health, safety, and welfare, emergency action is required due to the allegations set forth in the allegations in the complaint against Mr. Legaux. Accordingly, LBMT

License number 9468 issued to Alex Legaux is **SUSPENDED**, effective immediately, pending proceedings for revocation of licensure or other action as the Louisiana Board of Massage Therapy deems fit.

Proceedings before the Louisiana Board of Massage Therapy shall be promptly instituted and determined. Accordingly, an administrative hearing before the Louisiana Board of Massage Therapy is scheduled for October 31, 2022, at 11:00 a.m., at the at the Jones Creek Library, 6222 Jones Creek Road, Meeting Room 1, Baton Rouge, Louisiana, 70817. The hearing panel will consist of current Board Members. The hearing will be conducted in accordance with the Administrative Procedure Act, the Louisiana Massage Therapists and Establishments Act, and the rules promulgated by the LBMT.

Alex Legaux will be given a full opportunity to appear and be heard, with or without counsel, and is entitled to hear a statement of what accusations have been made against him, to present evidence, to cross-examine witnesses, and to have witnesses subpoenaed. Mr. Legaux may request that subpoenas be issued by the Louisiana Board of Massage Therapy and must send a request to the Louisiana Board of Massage Therapy office at least 10 days prior to the hearing, listing the names and addresses of the individuals to be subpoenaed, along with a brief summary as to what the individual will testify. The testimony will be under oath and a court reporter will record the proceedings at the hearing, and any party wishing to obtain a transcript of the hearing may do so at his expense.

Date: 10/5/22


James E. Steele,
Complaint Investigation Officer
Louisiana Board of Massage Therapy