# LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF

LANA BROOKS

LICENSE NO. 5019

## ORDER OF SUMMARY SUSPENSION

Pursuant to La. R.S. 49:977.3(C), the Louisiana Board of Massage Therapy ("LBMT") summarily suspends License number 5019 issued to Lana Brooks ("Ms. Brooks") pending an administrative hearing scheduled for January 29, 2024, at 9:30 a.m.

This Order of Summary Suspension is effective as of December 18, 2023. Upon execution of this Order, Ms. Brooks 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, Ms. Brooks must cease and desist from referring to herself as a licensed massage therapist.

## I. <u>INITIAL FINDINGS</u>

To protect public health, safety, and welfare, emergency action is required due to the nature of the allegations against Ms. Brooks.

On August 4, 2023, the LBMT received an anonymous complaint via e-mail. The complaint alleged that Ms. Brooks, under the name "Malonna Sky," posted on Instagram and Onlyfans offering sexual massage services. The complaint further alleged that the posts contained pornographic pictures and videos of Ms. Brooks performing said massage services.

Upon investigation, the Facebook page for Malonna Sky¹ contains posts of Ms. Brooks in sexually suggestive situations, including while providing massages to clients. The "About" section on the Facebook page indicates that her occupation is "Master Massage Therapist at Malonna

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<sup>&</sup>lt;sup>1</sup> www.facebook.com/malonna.sky

Sky's Mobile Massage Experience." Under "Work and education", she describes her massage therapy services as follows:

Professional Body Work that can address and cater to most physical issues... Our Erotic Experience is designed to relax, nurture, and awaken the powerful pleasure of touch, intimately bringing you to a heightened sense of sexual awareness. For our Couples the Erotic Experience can create deeper intimacy between partners and create openness to explore new things.

The page also contains posts with sexually suggestive pictures and videos of Ms. Brooks, including a video of Ms. Brooks performing a sexually suggestive massage with the caption, "Polyparty presents Pu\$\$y Power <devil emoji> featuring Malonna Sky aka Lalamoolah."

The public Instagram account for Malonna Sky² contains an about section that states "A REAL therapist Doing REEL THINGS Malonna Sky's Mobile Experience. #nolaentertainment #nolamassagetherapist." It also contains a link to the Malonna Sky OnlyFans page. The Instragram account contains sexually suggestive pictures and videos, including videos of Ms. Brooks performing erotic massage.

The OnlyFans page for Malonna Sky contains an about section which states "Sexy Therapist Creating Intimacy and Fantasy.. Reality is only a click away. I'm a massage omnissage Therapist. Malonna Sky's Mobile Experience." The OnlyFans cover photo was of Ms. Brooks.

Based on the foregoing, it is alleged that Ms. Brooks 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.

<sup>&</sup>lt;sup>2</sup> www.instagram.com/lalamoolah

- 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.

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- 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. 37:3546. Regulation of advertising

- A. A person or an entity that does not hold a license as a massage therapist, physical therapist, or chiropractor, a certificate to practice athletic training, or a license as a massage establishment shall not use the words "massage", "body work", or any derivative or variation of the word "massage", including specific bodywork or massage modalities, on any sign or other form of advertising. Any advertisement by a massage therapist or a massage establishment shall contain the license number of such therapist or establishment. Building signs with promotional material shall also include the professional or establishment number.
- B. No sexually oriented business, as defined in R.S. 37:3558(C), shall use the word "massage", "body work", or any derivative or variation of the word "massage", including specific bodywork or massage modalities, on any sign or other form of advertising.
- C. In all pictorial representations for any advertisement representing massage therapy, including such representations through video, all persons representing massage

therapists shall be attired and posed in a manner as to avoid appealing to the prurient interest. Persons representing clients shall be appropriately draped and posed.

#### 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:

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(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.

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(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 Ms. Brooks. Accordingly, LBMT License number 5019 issued to Lana Brooks 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 January 29, 2024, at 9:30 a.m., at the at the Jones Creek Library, 6222 Jones Creek Road, Meeting Room 2, 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.

Lana Brooks 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 her, to present evidence, to cross-examine witnesses, and to have witnesses subpoenaed. Ms. Brooks 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 her expense.

Date: 12-18-23

Memry Tucker Memry Tucker

Complaint Investigation Officer

Louisiana Board of Massage Therapy