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Department of Health

By *Amy J. Conway*
Deputy Agency Clerk

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

IN RE: Emergency Suspension of the License of
Xavier Havenol Robinson, L.M.T.
License Number: MA 107719
Case Number: 2025-63992

ORDER OF EMERGENCY SUSPENSION OF LICENSE

Joseph A. Ladapo, MD, PhD, State Surgeon General, ORDERS the emergency suspension of the license of Xavier Havenol Robinson, L.M.T., (Robinson) to practice as a massage therapist in the State of Florida. Robinson holds license number MA 107719. Robinson's address of record is 1129 Lake Victoria Drive, Apartment Q, West Palm Beach, Florida 33411. The following findings of fact and conclusions of law support the emergency suspension of Robinson's license to practice as a massage therapist in the State of Florida.

FINDINGS OF FACT

1. The Department of Health (Department) is the state agency charged with regulating massage therapists in the State of Florida, pursuant to chapters 20, 456, and 480, Florida Statutes. Section 456.074(7), Florida Statutes, authorizes the State Surgeon General to summarily suspend Robinson's license to practice as a massage therapist in the State of Florida.

2. At all times material to this Order, Robinson was licensed to practice massage therapy in the State of Florida, pursuant to chapter 480.

3. At all times material to this Order, Robinson practiced as a massage therapist at Massage Envy.

4. On or about November 1, 2025, Patient E.H. presented to Massage Envy for a massage. Robinson was Patient E.H.'s massage therapist.

5. In preparation for the massage, Patient E.H. disrobed to her lower undergarments, laid face-down on the massage table, and covered herself with the provided drape.

6. Patient E.H. informed Robinson that she did not like or want her legs to be massaged, and asked him to concentrate on her shoulders and back.

7. Robinson asked Patient E.H. if she would agree to a quick massage of her legs, to which Patient E.H. said, "yes, but just a minute or two."

8. During the massage, Robinson moved the draping around a lot, and Patient E.H. was completely undraped by the time Robinson finished massaging her backside.

9. Patient E.H. did not consented to being fully undraped.

10. Robinson asked Patient E.H. to turn over onto her back, holding the sheet up between them. Robinson then re-draped Patient E.H. once she was on her back.

11. Robinson undraped one of Patient E.H.'s legs and massaged it. When Robinson moved to the other leg, he did not re-drape the first leg, leaving both legs undraped.

12. Robinson then pulled Patient E.H.'s underwear down.

13. Patient E.H. froze in shock and panic.

14. Robinson rubbed her labia and/or clitoris with his hand.

15. Robinson then inserted one or more of his fingers into Patient E.H.'s vagina and ran his other hand over her breast and nipple.

16. Patient E.H. turned towards her side, away from Robinson, to try to get him to stop.

17. Robinson pulled Patient E.H.'s underwear up, and Robinson kept repeating "it's okay."

18. At some point during the incident, Patient E.H. became completely undraped.

19. Robinson told Patient E.H. to get into a fetal-like position, facing down with her legs bent underneath her.

20. Patient E.H. complied with the instruction and remained fully undraped.

21. Robinson got onto the massage table, kneeling behind Patient E.H., and pushed his body against Patient E.H.'s buttocks and back.

22. The massage therapist-patient relationship is founded on mutual trust. The practice of massage therapy places patients in isolated, vulnerable settings where they can be subject to abuse by their massage therapists. Due to the potential for abuse that is inherent under these circumstances, massage therapists must possess good judgment and good moral character in order to practice massage therapy professionally and within the boundaries of the generally accepted examination or treatment of a patient. Massage therapists must also refrain from engaging in conduct that harms the patient or places the patient in a situation that violates their safety and welfare.

23. Robinson willfully abused his position as a massage therapist to sexually violate a patient who trusted him to act professionally and within the boundaries of the generally accepted practice of massage therapy. Robinson's predatory actions indicate that Robinson lacks the good judgment and good moral character necessary to safely practice massage therapy. Therefore, Robinson's

continued practice as a massage therapist constitutes an immediate, serious danger to the health, safety, or welfare to the public.

24. Robinson's lack of good judgment and good moral character, his disregard for his patient's physical and emotional well-being, his apparent comfort in behaving outside the bounds of massage therapy, and his failure to recognize that his actions were causing his patient distress demonstrate a significant disregard for the laws and rules that govern massage therapists and indicate that there is a significant likelihood that Robinson's conduct will continue.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the State Surgeon General concludes as follows:

1. The State Surgeon General has jurisdiction over this matter pursuant to section 20.43, Florida Statutes, and chapters 456 and 480 as set forth above.

2. Section 480.046(1)(p), Florida Statutes, subjects a massage therapist to discipline, including suspension, for violating any provision of chapters 480 or 456 or any rules adopted pursuant thereto.

3. Section 480.0485, Florida Statutes, prohibits sexual misconduct in the practice of massage therapy and defines sexual misconduct, in pertinent part, as
a:

[V]iolation of the massage therapist-patient relationship through which the massage therapist uses that relationship to induce or attempt to induce the patient to engage, or to engage or attempt to engage the patient, in sexual activity outside the scope of practice or the scope of generally accepted examination or treatment of the patient.

4. Section 480.033(15), Florida Statutes (2025), defines sexual activity to mean any direct or indirect contact by any employee or person, or between any employees or persons, with the intent to abuse, humiliate, harass, degrade, or arouse, or gratify the sexual desire of, any employee or person, or which is likely to cause such abuse, humiliation, harassment, degradation, or arousal, or sexual gratification:

- (a) With or without the consent of the employee or person.
- (b) With or without verbal or nonverbal communication that the sexual activity is undesired.
- (c) With or without the use of any device or object.
- (d) With or without the occurrence of penetration, orgasm, or ejaculation.
- (e) Including, but not limited to, intentional contact with the genitalia, groin, femoral triangle, anus, buttocks, gluteal cleft, breast or nipples, mouth, or tongue.
- (f) Including, but not limited to, the intentional removal of any drape without specific written informed consent of the patient.

5. Robinson violated section 480.046(1)(p) through a violation of section 480.0485 by using the massage therapist-patient relationship to engage, or attempt to engage, Patient E.H. in sexual activity outside the scope of practice or

generally accepted examination and treatment in one or more of the following ways:

- a. By completely undraping Patient E.H.;
- b. By touching Patient E.H.'s breast;
- c. By rubbing Patient E.H.'s labia and clitoris; and/or
- d. By inserting one or more finger into Patient E.H.'s vagina.

6. Section 456.074(7), Florida Statutes, mandates the Department issue an emergency order suspending the license of any licensee upon a finding of the State Surgeon General that probable cause exists to believe that the licensee has committed sexual misconduct as defined and prohibited in section 456.063(1), Florida Statutes, or the applicable practice act, and that such action constitutes an immediate serious danger to the public.

7. Robinson's continued practice of massage therapy constitutes an immediate danger to the health, safety, or welfare of the public.

8. Therefore, the Department is mandated to summarily suspend Robinson's license to practice as a massage therapist in accordance with section 456.074(7).


WHEREFORE, in accordance with sections 456.074(7), it is **ORDERED**

THAT:

1. The license of Xavier Havenol Robinson, L.M.T., license number MA 107719, is hereby immediately suspended.

2. A proceeding seeking formal discipline of the license of Robinson to practice as a massage therapist will be promptly instituted and acted upon in compliance with section 120.569, Florida Statutes.

DONE and ORDERED this 4/6/2026.

Signed by:


Joseph A. Ladapo, MD, PhD
State Surgeon General

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NOTICE OF RIGHT TO JUDICIAL REVIEW

Pursuant to sections 120.60(6) and 120.68, Florida Statutes, this Order shall be judicially reviewable. Review proceedings are governed by Rule 9.100, Florida Rules of Appellate Procedure. Such proceedings are commenced by filing a Petition for Review, accompanied by a filing fee prescribed by law, with the District Court of Appeal and providing a copy of that Petition to the Department of Health Agency Clerk within 30 days of the date this Order is filed.