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Department of Health

By: Deputy Agency Clerk

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

IN RE: Emergency Suspension of the License of
Victor Yaikiel Jimenez Milian, L.M.T.
License Number: MA 106341
Case Number: 2025-61675

ORDER OF EMERGENCY SUSPENSION OF LICENSE

Joseph A. Ladapo, MD, PhD, State Surgeon General, ORDERS the emergency suspension of the license of Victor Yaikiel Jimenez Milian, L.M.T., (Jimenez Milian) to practice as a massage therapist in the State of Florida. Jimenez Milian holds license number MA 106341. Jimenez Milian's address of record is 2717 9th Street Southwest, Lehigh Acres, Florida 33976. The following findings of fact and conclusions of law support the emergency suspension of Jimenez Milian'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 Jimenez Milian's license to practice as a massage therapist in the State of Florida.

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

3. On or about November 14, 2025, Jimenez Milian provided massage therapy services to Patient B.B. at Massage Envy.

4. In preparation for the massage, Patient B.B. completely disrobed, laid face-down on the massage table, and covered herself with a sheet.

5. During the massage, Patient B.B. turned over onto her back, and Jimenez Milian massaged Patient B.B.'s neck.

6. Jimenez Milian brushed his thumb close to Patient B.B.'s face and mouth, as if caressing Patient B.B.'s face.

7. Jimenez Milian massaged Patient B.B.'s left arm and then held Patient B.B.'s left wrist firmly against the massage table with one hand. Jimenez Milian used his other hand to choke Patient B.B.

8. Patient B.B. gasped while being choked and stated "no."

9. Patient B.B. attempted to sit up, but Jimenez Milian pushed Patient B.B. back down onto the massage table.

10. Patient B.B. became frozen in fear.

11. Jimenez Milian continued to use one hand to hold Patient B.B.'s wrist and used his other hand to touch Patient B.B.'s breasts and stomach.

12. Jimenez Milian touched Patient B.B.'s vagina and used his finger(s) to penetrate Patient B.B.'s vagina.

13. Jimenez Milian rubbed his penis against Patient B.B.'s vagina.

14. Jimenez Milian slapped Patient B.B.'s face multiple times with his palm and with his erect penis.

15. Jimenez Milian grabbed Patient B.B. by the hair and thrust his erect penis into Patient B.B.'s mouth while Patient B.B. was lying on the massage table.

16. Patient B.B. attempted to move her body away from Jimenez Milian.

17. Jimenez Milian forced Patient B.B. over onto her stomach and moved her legs so they were hanging off the side of the massage table and her feet were touching the floor.

18. Jimenez Milian stood behind Patient B.B. and briefly penetrated Patient B.B.'s vagina with his penis.

19. Jimenez Milian then turned patient B.B. towards him, stood her up, and pushed down on her shoulders, in an attempt to have Patient B.B. perform oral sex on Jimenez Milian.

20. Patient B.B. again stated, "no."

21. Jimenez Milian announced he was "going to cum."

22. Jimenez Milian ejaculated on to Patient B.B.'s stomach.

23. Jimenez Milian handed Patient B.B. tissues to wipe off his semen from her stomach. Jimenez Milian then took the soiled tissues from Patient B.B. and left the treatment room with them.

24. Respondent choked Patient B.B., slapped Patient B.B. with Respondent's hand and/or penis, touched Patient B.B.'s vagina, touched Patient B.B.'s breasts, penetrated Patient B.B.'s vagina with his finger(s) and/or penis, attempted to engage Patient B.B. in oral sex, and ejaculated on Patient B.B. These actions were outside the scope of practice and generally accepted massage therapy examination or treatment of the patient.

25. 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.

26. Jimenez Milian 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. Jimenez Milian's predatory actions indicate that Jimenez Milian lacks the good judgment and good moral character necessary to safely practice massage therapy. Therefore, Jimenez Milian's continued practice as a massage therapist constitutes an immediate, serious danger to the health, safety, or welfare to the public.

27. Jimenez Milian'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 Jimenez Milian'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, 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. Jimenez Milian 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 B.B. in sexual activity outside the scope of practice or generally accepted examination and treatment in one or more of the following ways:

- a. Choking Patient B.B.;
- b. Slapping Patient B.B. in her face with Jimenez Milian's hand and/or penis;
- c. Touching Patient B.B.'s vagina;
- d. Touching Patient B.B.'s breasts;
- e. Penetrating Patient B.B.'s vagina with Jimenez Milian's finger(s) and/or penis;
- f. Attempting to engage and/or engaging Patient B.B. in oral sex, and/or
- g. Ejaculating on Patient B.B.

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. Jimenez Milian'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 Jimenez Milian's license to practice as a massage therapist in accordance with section 456.074(7).

WHEREFORE, in accordance with section 456.074(7) it is **ORDERED THAT:**

1. The license of Victor Yaikiel Jimenez Milian, L.M.T., license number MA 106341, is hereby immediately suspended.

2. A proceeding seeking formal discipline of the license of Jimenez Milian 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 6/24/2026.

Signed by:

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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.