

Michael Mangan

member: Michael Mangan

Hearing Date: July 21, 1998

Charges of Professional Misconduct

- Sexual abuse of a client;
- Failing to keep records as required;
- Contravening or failing to maintain a standard of practice of the profession or a published standard of the College;
- Engaging in conduct or performing an act, in the course of practising the profession that would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional; and
- Incompetence within the meaning of section 52 of the Code.

Brief Synopsis of Facts

- The member initiated an agreement with a client for treatments in exchange for specific sewing services to be provided by the client.
- The client agreed to the exchange and the treatments commenced.
- The relationship between the member and the client progressed to a personal relationship involving dating and ultimately a consensual sexual relationship.
- The client continued to receive treatments from the member while involved in a personal relationship with him.
- The member suddenly demanded payment for treatments although he had not previously billed the client.
- The member did not maintain client records for treatments provided to the client.
- The member submitted his resignation from the College just before the commencement of the hearing.
- The College continued with the charges against the member pursuant to provision under the Regulated Health Professions Act, 1991.

Decision

The panel of the Discipline Committee found the member guilty of all charges.

Penalty

- Revocation of the member's Certificate of Registration;
- Written reprimand;

- 12-month suspension in relation to the charges of engaging in conduct or performing an act, in the course of practising the profession that would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional;
- 6-month suspension in relation to the charge of incompetence;
- Cost – \$10,000 plus the costs of any expense incurred by the College associated with the complainant's participation in any therapy as a result of the member's conduct.

Panel's Reasons for Decision

The panel accepted the evidence presented and found the facts substantially supported the conviction for each of the charges. The panel maintained its commitment to the zero tolerance philosophy in regard to sexual abuse of clients by a Massage Therapist.