



College of Massage Therapists of Ontario

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Discipline Hearing Summary

Philippe Caine (Amaranth, ON)

October 5, 2020

Decision

On October 5, 2020, the Discipline Committee found that Mr. Philippe Caine, a Registered Massage Therapist (RMT), committed acts of professional misconduct in that he:

1. sexually abused a client, by engaging in a concurrent sexual and treating relationship;
2. contravened a Standard of Practice of the profession or a published standard of the College or failed to maintain the Standard of Practice of the profession, specifically the Standard for Maintaining Professional Boundaries and Preventing Sexual Abuse;
3. failed to cooperate with an authorized representative of the College;
4. signed or issued, in his professional capacity, a document that he knew contained a false or misleading statement;
5. submitted an account or charged for services that he knew was false or misleading;
6. engaged in conduct or performed an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by registrants as disgraceful, dishonourable or unprofessional; and
7. engaged in conduct that would reasonably be regarded by registrants as conduct unbecoming a Massage Therapist.

Penalty Order and Cost Award

The Discipline Committee's order included the following:

1. Mr. Caine is required to appear before a panel of the Discipline Committee immediately following the hearing of this matter to be reprimanded, with the fact of the reprimand and the text of the reprimand to appear on the public register of the College.

2. The Registrar is directed to revoke Mr. Caine's Certificate of Registration [effective October 5, 2020].
3. Mr. Caine is required to reimburse the College for funding provided [for] the client [for therapy or counselling] under the program required under section 85.7 of the Health Professions Procedural Code, being Schedule 2 to the *Regulated Health Professions Act, 1991*.
4. Mr. Caine is required to pay to the College costs in the amount of \$4,000.00, within forty (40) months of the date of this order, at a rate of \$100.00 per month.

The complete Decision and Reasons will be available online on the Canadian Legal Information Institute (CanLII) [website](#).

Reprimand Delivered to Mr. Caine

The following reprimand was delivered by a panel of the Discipline Committee:

The panel would like to acknowledge your cooperation in the hearing process.

The panel is appalled by the conduct in which you have engaged. There is an expectation of professionalism and ethical behavior at all times by those granted the privilege of practising Massage Therapy in Ontario.

As a Massage Therapist, you are in a unique position of authority and trust and are responsible for helping clients, often when they are most vulnerable. This panel would like to remind you that being a Registered Massage Therapist is a privilege and not a right.

You took advantage of your authority in this most egregious way by committing billing fraud while engaging in a concurrent sexual and treating relationship with a client. As you are aware, the College has a zero-tolerance policy for the sexual abuse of [a] client, which is derived from the *Regulated Health Professions Act, 1991* and is reflective of the mandatory revocation of your Certificate of Registration and reprimand order for today.

You have demonstrated that this behaviour is disgraceful, dishonorable and unprofessional. Public safety and public protection are at the forefront of this College's mandate. Although revocation was mandatory in your case, this Panel would not have been satisfied with any other outcome other than revocation of your Certificate of Registration, given the serious and disturbing nature of your conduct. Here we have a serious breach of trust - your actions are unacceptable. The Panel is confident that the public is safer not having you practise as a regulated health professional.