



College of Massage Therapists of Ontario

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Discipline Hearing Summary

Alexey Gudov (Maple, ON)

June 10 and 11, 2020 and January 7, 2021

Decision

On October 28, 2020, the Discipline Committee found that Mr. Gudov, a Registered Massage Therapist (RMT), committed acts of professional misconduct in that he:

1. contravened a Standard of Practice of the profession or a published standard of the College, specifically the *Standard for Maintaining Professional Boundaries and Preventing Sexual Abuse and Communication/Public Health Standard 7: Consent*;
2. did anything to a client for a therapeutic, preventative, palliative, cosmetic or other health-related purpose in a situation in which consent is required by law, without such consent; and
3. 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.

The findings in this case arose from Mr. Gudov treating a client's gluteal area without obtaining informed written consent, failing to provide adequate draping, and violating professional boundaries when demonstrating a stretch to the client.

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

Penalty Order and Cost Award

On January 7, 2021 the Discipline Committee made the following penalty and costs order:

1. Mr. Gudov is required to appear before a panel of the Discipline Committee by electronic means, 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 suspend Mr. Gudov's Certificate of Registration for a period of three (3) months commencing on the date of this order.
3. The Registrar is directed to impose the following specified terms, conditions and limitations on Mr. Gudov's Certificate of Registration:
 - a. Within six (6) months of the date of this order, Mr. Gudov must provide proof, acceptable to the Registrar, of successful completion of an individualized course, pre-approved by the Registrar, relating to standards and boundaries, which is to be taken at Mr. Gudov's own expense.
4. Mr. Gudov is required to pay to the College costs in the amount of \$2,000.00, within one (1) year of the date of this order.

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

Reprimand Delivered to Mr. Gudov

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

Mr. Gudov, the panel would like to acknowledge your cooperation in this matter and feels that you have demonstrated insight regarding your conduct.

The panel finds that your actions have constituted a serious breach of the standards of practice of this profession. Obtaining and maintaining informed consent is vital to the safety of your clients, particularly in the context of sensitive areas. Failing to uphold this standard can lead, as it has in this case, to the risk of the client misunderstanding the purpose of your touch and feeling violated.

The panel is concerned that you did not maintain proper draping. The Draping Standard clearly states that Registered Massage Therapists must maintain appropriate and secure draping at all times, to ensure client privacy.

In addition, maintaining professional boundaries is essential to the trust within a client/therapist relationship. Our clients depend on [RMTs] to keep them safe. The panel is assured that you have taken responsibility for this oversight and that in the future you will communicate better with your clients so that they are in full control of their treatment. Your failure to adhere to the College's Standard of Practice impacts the public's confidence in the profession and jeopardizes the relationship between Massage Therapists and the public.

The panel would like to remind you that being a Registered Massage Therapist is a privilege and not a right. The panel is satisfied that by completing the course work and remediation ordered you will be able to return to the profession and practise safely within the province of Ontario.