



College of
Massage
Therapists of
Ontario

College of Massage Therapists of Ontario

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Discipline Hearing Summary

Brian Murray (York, ON)

January 28, 2022

Decision

On January 28, 2022, the Discipline Committee found that Mr. Brian Murray committed acts of professional misconduct in that he:

1. 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, in particular, the Standard for *Maintaining Professional Boundaries and Preventing Sexual Abuse*;
2. 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/or
3. engaged in conduct that would reasonably be regarded by registrants as conduct unbecoming a Massage Therapist.

These findings arose out of Mr. Murray's behaviour toward a colleague at a clinic.

Penalty Order and Cost Award

The Discipline Committee's order included the following:

1. Mr. Murray must 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 College's Public Register.
2. The Registrar is directed to suspend Mr. Murray's Certificate of Registration for six (6) months, to begin on the date of this order.
3. The Registrar is directed to impose the following specified terms, conditions or limitations on Mr. Murray's Certificate of Registration:

- a) Within six (6) months of the date of this order, Mr. Murray must provide proof, acceptable to the Registrar, of successful completion of an individualized course, pre-approved by the Registrar, relating to maintaining professional boundaries, which is to be taken at Mr. Murray's own expense.
4. Mr. Murray is required to pay the College costs in the amount of \$3,475.00 within six (6) months of the date of this order.

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

Reprimand Delivered to Mr. Murray

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

Mr. Murray, the panel would like to acknowledge your cooperation in arriving at joint submissions that lessened the burden of time and resources upon the College and the profession. We also appreciate your presence here today. Having said that, the panel finds that your conduct was unacceptable for a Registered Massage Therapist and a regulated health professional. Massage Therapists are expected to abide by and maintain a commitment to Standards of Practice and ethical behaviours. Boundary violations and lack of strict adherence to professional versus personal roles risk undermining the public's understanding of what an RMT's obligations are as they fulfill different roles in the community. These behaviours erode the public's confidence in this profession and will be sanctioned by the CMTO.

The panel is removing you from the profession while you engage in the remedial course. We expect that you will reflect on the ethics in relation to your actions of boundary violations and that this will deter you from engaging in similar conduct in the future. The panel would like to remind you that being a Registered Massage Therapist and a member of this profession is a privilege and not a right. It is our expectation that you will have learned from this experience and that we will not see you before this Committee in the future.