

Discipline Hearing Summary

Jeremy Finn (Smith Falls, ON)

January 16, 2023

Decision

On January 16, 2023, the Discipline Committee found that Mr. Finn engaged in the following acts of professional misconduct:

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*, the *Consent Standard* and the *Draping Standard*; and
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.

Mr. Finn admitted that he did not obtain the client's prior written consent before treating sensitive areas. Over the course of a long-standing treating relationship, the registrant failed to maintain professional boundaries, including by engaging in non-clinical conversations with the client, commenting on the client's appearance, hugging the client, and kissing the client.

Penalty Order and Cost Award

The Discipline Committee's order included the following:

1. Mr. Finn must 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 College's public register.
2. The Registrar is directed to suspend Mr. Finn's certificate of registration for six (6) months, beginning on January 16, 2023.
3. The Registrar is directed to impose the following terms, conditions or limitations on Mr. Finn's certificate of registration:

- a) Within six (6) months of January 16, 2023, Mr. Finn must provide proof, acceptable to the Registrar, of successful completion of an individualized ethics course, pre-approved by the Registrar, relating to maintaining professional boundaries, which is to be taken at his own expense;
4. Mr. Finn must pay the College costs in the amount of \$3,475.00 within 90 days of January 16, 2023.

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

Reprimand Delivered to Mr. Finn

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

Mr. Finn, the panel would like to acknowledge your cooperation in arriving at joint submissions, which assisted in the process and 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 totally unacceptable for a Registered Massage Therapist, and a regulated health professional. The panel finds the long-standing boundary violations and inappropriate relationship that you engaged in with this client are simply unacceptable for a Registered Massage Therapist and a trusted healthcare professional. You engaged in behaviour that violated the physical integrity of your client. You exploited your position of trust towards your client while they were in a vulnerable state.

Public safety and public protection are at the forefront of this College's mandate. You have shown a complete disregard for your client and your professional obligations by contravening the Standards of Practice of the profession, which place importance on draping, consent and maintaining professional boundaries, which were the core issues in this case. The panel has very little tolerance for behaviour that puts vulnerable clients at risk. We believe that the penalty imposed in this matter fulfills this mandate and that you have learned from this experience.