

## Discipline Hearing Summary

### Andrew Prosperi (Markham, ON)

July 20, 2023

#### Decision

On July 20, 2023, the Discipline Committee found that Mr. Prosperi engaged in the following acts of professional misconduct:

1. sexually abused a client;
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, in particular, the Standard for *Maintaining Professional Boundaries and Preventing Sexual Abuse and Communication/Public Health Standard 7: Consent*;
3. physically abused a client; and
4. 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. Prosperi was given notice of the written hearing, but he did not participate. The findings of professional misconduct related to an April 2018 Massage Therapy appointment, during which Mr. Prosperi touched a client's breasts without any therapeutic reason or consent. He was also criminally convicted of sexual assault for this conduct.

#### Penalty Order and Cost Award

The Discipline Committee's order included the following:

1. Mr. Prosperi must appear before a panel of the Discipline Committee to be reprimanded within 30 days of the date of the order, 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 immediately revoke Mr. Prosperi's Certificate of Registration.

3. Mr. Prosperi must reimburse the College for funding provided to the client [for therapy or counselling] under the program required under section 85.7 of the Health Professions Procedural Code<sup>1</sup>.
4. Mr. Prosperi must, within 30 days of the date of the order, post security in the amount of \$8,000 to guarantee payments of any amount he is required to pay under paragraph 3 above.
5. Mr. Prosperi must pay the College costs in the amount of \$8,778 within 30 days of the date of the order.

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

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<sup>1</sup> Schedule 2 of the [Regulated Health Professions Act, 1991](#).