



College of Massage Therapists of Ontario

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Discipline Hearing Summary

Ken Hukui (Hamilton, ON)

April 25, 27, 28, May 5, and September 11, 2023

Decision

On July 27, 2023, the Discipline Committee found that Mr. Ken Hukui committed acts of professional misconduct in that he:

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 12: Draping*;
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. Hukui treated the client on three occasions. During the first two appointments, Mr. Hukui failed to obtain the client's written and verbal consent to treat her gluteal area and he exposed her gluteal cleft during treatment. On the third appointment, Mr. Hukui touched the client's buttocks and anus with his knee during treatment.

Penalty and Cost Award

On September 11, 2023, the Discipline Committee held a penalty and costs hearing and ordered the following:

1. Mr. Hukui must appear before a panel of the Discipline Committee following the hearing 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 immediately revoke Mr. Hukui's Certificate of Registration.

3. Mr. Hukui is required to reimburse the College for funding provided to the client under the program required under section 85.7 of the Health Professions Procedural Code¹.
4. Mr. Hukui is required to post security in the amount of \$5,000 to guarantee payments of any amount he is required to pay under paragraph 3 above.
5. Mr. Hukui must pay the College costs in the amount of \$35,112 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](#).

Reprimand Delivered to Mr. Hukui

Mr. Hukui, you have committed sexual abuse of a client, an act that undermines the public's confidence in this profession. The College of Massage Therapists of Ontario and this Discipline Committee have a zero-tolerance policy for sexual abuse of patients, which is also reflected in the mandatory revocation of your Certificate of Registration.

Being a Registered Massage Therapist is a privilege and not a right. You displayed unacceptable behaviour and a lack of professional judgement that amounted to the most serious breach of professional standards. There is nothing quite so damaging to a client than to be abused by a person in a position of trust.

This Discipline Committee wishes to send an unequivocal message that it will not tolerate this type of behaviour from registrants of this College.

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