

## Discipline Summary

### German Garcia (Kitchener, ON)

### May 6, 7, 9 and 10, 2024

#### Decision

On September 30, 2024, the Discipline Committee found that Mr. Garcia 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 *Standards of Practice: Consent, Client-centred Care, Communication, Professional Boundaries, and Draping and Physical Privacy*;
2. did anything to a client for a therapeutic or other health-related purpose without consent, when consent was required by law;
3. failed to reveal the exact nature of a treatment used by him following a request to do so by 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.

The Discipline Committee found that Mr. Garcia treated a client's buttocks, inner thighs and chest wall without consent and without having the client complete a Consent to Treatment of Sensitive Areas form, which is required for all three sensitive areas.

Mr. Garcia also failed to secure the draping while treating the client's buttocks, which left the client's gluteal cleft exposed. During treatment, he also failed to tell the client why he was treating her abdomen after the client asked him for an explanation.

The complete decision and reasons is available on [the Canadian Legal Information Institute \(CanLII\) website](#).

A penalty and costs hearing will be scheduled soon. The hearing date will be posted on the College [website](#).