

# EXAMPLES OF PROFESSIONAL MISCONDUCT: *PATIENT CARE*

## Introduction

*This information is based on nationally-accepted standards of practice and applies to MTAM Members. This information is reviewed annually and subject to change. Last revised: 10/2016*

## Definition

Professional misconduct is an act or omission that is in breach of the accepted ethical and professional standards of practice.

## Details

The following are acts of professional misconduct regarding patient care:

- Contravening a term, condition or limitation imposed on the massage therapist's certificate of registration.
- Contravening a standard of practice of the profession or a published standard of the provincial association, or failing to maintain a standard of practice of the profession.
- Doing anything to a patient in which consent is required by law, without such consent.
- Abusing a patient, verbally or physically.
- Practicing massage therapy while the massage therapist's ability to do so is impaired by any substance.
- Discontinuing professional services that are needed unless the patient requests the discontinuation, alternative services are arranged, the patient is given a reasonable opportunity to arrange alternative services, or the patient is abusive and the massage therapist has made all reasonable attempts or arranged alternative services.
- Practicing massage therapy while the massage therapist is in a conflict of interest.
- Breaching an agreement with the patient relating to professional services for the patient or fees for such services.
- Failing to maintain the massage therapist's practice premises in a safe and sanitary manner.

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- Failing to reveal the exact nature of a secret remedy or treatment used by the member following a request to do so by the patient, a patient's representative, or the Association.
- Inappropriately using a term, title or designation in respect of the massage therapist's practice.
- Using a name other than the massage therapist's name as set out in the register while providing or offering to provide services within the scope of practice of massage therapy.
- Failing to identify themselves by name or association registration number, on the request of the patient, the patient's representative or another health professional.