

College of Physical Therapists of British Columbia
Public Notice under s. 39.3 of the *Health Professions Act*

Stefan Iorio, RPT

Location: Vancouver, BC

Date of Action: July 7, 2021

Date of Action Ended: March 2, 2022

Limits, conditions and suspensions ordered by the Inquiry Committee under section 35(1) of the Act, or by the Discipline Committee under section 38(8), are made to protect the public during an investigation, pending a hearing, or during a hearing. Measures taken under sections 35(1) or 38(8) of the Act pertained to matters which are and remain unproven unless admitted by a registrant or determined by the Discipline Committee. Actions under sections 35(1) and 38(8) of the Act are subject to appeal by the registrant to the court.

Update: On completing its investigation into this matter, the Inquiry Committee determined that these limits/conditions were no longer necessary to protect the public and cancelled the interim order on March 2nd, 2022.

Nature of Action: A panel of the Inquiry Committee made interim orders pursuant to section 35(1)(a) of the *Health Professions Act* (the “Act”) imposing limits and conditions on the physical therapy practice of Mr. Stefan Iorio (the “Registrant”). The conditions on the Registrant’s practice came into effect on July 12, 2021 and are in place until the Inquiry Committee disposes of the matter, or if it issues a citation, then pending a hearing of the Discipline Committee. The limits and conditions, briefly summarized, include the following:

- a. the Registrant may not treat female patients in-person unless a chaperone is present for the entire duration of the Registrant’s treatment of the female patient and the chaperone is in a position to visually observe all treatment given by the Registrant to the patient;
- b. if social distancing requirements do not permit a chaperone to attend inside a treatment room, the chaperone must stand or sit at the entrance of the room and must be in a position to visually observe all in-person treatment provided by the Registrant;
- c. the Registrant is not required to have a chaperone present where the Registrant is treating a female patient via electronic media or where the treatment is performed only above the patients’ C5 vertebrae, e.g. respecting concussions or respecting their temporomandibular joints (TMJ), provided that the female patient, if in-person, remains fully clothed and the treatment occurs in an open area in the presence of another health professional who has notice of the orders;
- d. the chaperone must be 19 years or older and may either be a person whom the female patient brings, or a person employed by or otherwise provided by the Registrant, subject to the following additional conditions for those chaperones provided by the Registrant:

- the chaperone must be vetted and approved by the College; and
 - the chaperone must sign a statement confirming they understand they may be contacted by the College as part of random audits and they agree to cooperate;
- e. the Registrant must advise female patients who make appointments for in-person treatment that the treatment will be chaperoned and advise the patient that they may bring their own chaperone or they will be asked to consent to the attendance of the Registrant's chaperone;
 - f. the Registrant must prominently post, in any treatment room where the Registrant provides in-person treatment to female patients a sign providing notice of the chaperone requirement;
 - g. the Registrant is required to record the names of the female patients he treats and the fact that the chaperone was present and their name;
 - h. the chaperone must sign a confirmation they were in attendance at the treatment and provide their contact information;
 - i. while the limits and conditions are in effect, once a week the Registrant must provide the College with the names and contact information of the female patients treated that week; and
 - j. the Registrant will be subject to random on-site audits by the College.

Reasons: The College received a complaint that the Registrant engaged in sexual misconduct during a physical therapy treatment of a female patient, which conduct could, if proven, constitute professional misconduct. The Inquiry Committee is currently investigating the matter.

The Inquiry Committee was satisfied that there is a *prima facie* case of professional misconduct arising from the complaint as well as a real risk to the public, which requires that the public be protected by interim orders during the investigation or pending a discipline hearing. The Inquiry Committee concluded that the risk stemmed from the sexual nature of the conduct alleged against the Registrant.

The Inquiry Committee was satisfied that the risk to the public could be managed in a sufficient and proportionate manner through the imposition of the practice limits and conditions described above. The Inquiry Committee considered that the imposition of a chaperone for in-person treatment of female patients on the terms noted about would be an appropriate measure to protect the public while the investigation is conducted.

Important Note: These limits and conditions relate to matters that are unproven, unless admitted by the Registrant or determined by the Discipline Committee.