

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

Rodney Mitchell, RPT

Location: Victoria, BC

Date of Action: March 31, 2020

Nature of Action: Mr. Mitchell entered into a consent agreement with the Inquiry Committee of the College agreeing to the following terms:

1. an undertaking not to repeat the conduct of entering into a personal and/or sexual relationship with a patient or former patient, unless a sufficient cooling off period has elapsed;
2. a public reprimand for entering into a personal and/or sexual relationship with a patient;
3. a 30-day suspension of his practice of physical therapy (to commence on April 1, 2020); and
4. payment of a fine in the amount \$10,000.

Reasons: The College commenced two separate investigations into allegations that Mr. Mitchell engaged in a personal and sexual relationship with a patient. The first investigation was commenced on the Inquiry Committee's own motion pursuant to section 33(4) of the *Health Professions Act* (the "Act") after it received information from a third party concerning an allegation that Mr. Mitchell had a relationship with a patient. The second investigation was initiated when the College received a complaint from the patient in question.

During the investigations, Mr. Mitchell admitted to commencing a personal and sexual relationship with the complainant while she was a patient. Although both parties agreed that the relationship was consensual, the complainant was extremely vulnerable at the time and Mr. Mitchell acknowledged the power imbalance inherent in the patient-therapist relationship. Registrants cannot have sexual relationships with patients as this constitutes a profound breach of professional boundaries.

The Inquiry Committee concluded that Mr. Mitchell's conduct represented an unacceptable departure from the College's practice standards, which require appropriate professional boundaries and prohibit all forms of sexual conduct with patients.

Given that Mr. Mitchell has accepted responsibility for his misconduct, the Inquiry Committee determined that the terms of the consent agreement would be sufficient to protect the public.