



Public Notice

Sanjay Amrutkar, Former Registrant

Location:

Chilliwack, British Columbia

Date of Action:

August 1, 2024

Background: On March 27, 2024, the College of Physical Therapists of British Columbia (“CPTBC”) received a copy of a Conditional Sentence Order concerning Sanjay Amrutkar, who at the time was a practising registrant of the College. The Conditional Sentence Order stated that, on March 15, 2024, the Former Registrant had been convicted of one count of sexual assault contrary to section 271 of the *Criminal Code*. On April 9, 2024, CPTBC obtained a copy of a Certificate of Conviction in respect of the Former Registrant and on May 2, 2024, the CPTBC Inquiry Committee commenced an investigation on its own motion pursuant to section 33(4) of the *Health Professions Act* (the “Act”).

On June 28, 2024, CPTBC amalgamated with six other health profession colleges to form the College of Health and Care Professionals of BC (“CHCPBC”). The CPTBC Inquiry Committee retained jurisdiction over the matter in accordance with the Act and CHCPBC’s By-laws.

The CPTBC Inquiry Committee considered that the Former Registrant’s conviction of one count of sexual assault contrary to section 271 of the *Criminal Code* would reasonably be regarded as unprofessional conduct and contrary to the Code of Ethical Conduct, College Practice Standard 14: Professional Boundaries and Sexual Misconduct (in force at the time of the incident in 2019), and College Practice Standard: Boundary Violations, which took effect March 4, 2024.

On August 1, 2024, the CPTBC Inquiry Committee determined it would dispose of the matter in accordance with section 33(1)(c) and 36 of the Act.

Nature of Action: On August 9, 2024, the Former Registrant voluntarily entered into an Undertaking and Consent Agreement pursuant to sections 33(6)(c) and 36 of the Act which provides the following terms, among others:

Reprimand

1. The Registrant consents and agrees to a reprimand for unprofessional conduct.

Cancellation

2. The Registrant consents and agrees to the immediate cancellation of his registration with the College and acknowledges that he is no longer authorized



to hold himself out as a physical therapist or to provide physical therapy services.

3. The Registrant acknowledges that he is not eligible to apply to the College for reinstatement of his registration until no sooner than March 15, 2026, and that any application which he chooses to make after that date will require him to:
 - a. establish that his reinstatement would not pose a risk to public safety; and
 - b. show proof of satisfactory completion, and obtain a passing grade, in the PROBE: Ethics and Boundaries Program, to be completed at his cost, within 30 days prior to any application he chooses to make.

Practice Limits

4. In the event that the Registrant seeks reinstatement after March 15, 2026, and his application is granted, the Registrant consents and agrees to the following limit being imposed on his physical therapy practice: The Registrant must only practice physical therapy in the presence of a chaperone, to be approved by the College in advance, at his cost, for a period of six (6) months from the date of the Registrant's return to work.

Undertaking

5. The Registrant undertakes not to repeat the conduct of touching a client without informed consent.

Further, the Registrant agreed that failure to complete the actions required by the Undertaking and Consent Agreement would constitute professional misconduct and may result in disciplinary action.

Reasons for the Action: On review of the evidence obtained during the investigation, taken as a whole, the Inquiry Committee determined there was sufficient evidence to support taking regulatory action in connection with the concerns raised by the Former Registrant's conviction on one count of sexual assault.

The Inquiry Committee noted that on March 15, 2024, the Former Registrant was sentenced in BC Provincial Court, having been convicted of one count of sexual assault, contrary to section 271 of the *Criminal Code*. The Former Registrant was given a 12 month conditional sentence followed by a 1-year probation order. Among other terms, the Conditional Sentence Order prohibits the Former Registrant from providing physical therapy treatment to any patient, whether for a fee or not. The Inquiry Committee noted that, although the Former Registrant maintained full registration status until May 31, 2024, he had not worked as a physical therapist since the end of 2019.

The Inquiry Committee considered that the charge and conviction arose in the course of the Former Registrant's provision of physical therapy. The Inquiry Committee considered the Agreed Statement of Facts prepared for the Former Registrant's criminal matter, which stated the Former Registrant did not take reasonable steps to obtain consent to touch the individual but the touching "was not for a sexual purpose".



To maintain public confidence in the regulation of the profession of physical therapy, any instance of misconduct as grave as a conviction of sexual assault, compounded by an acknowledgment that the Former Registrant did not take reasonable steps to obtain consent to touch the individual, must result in sufficient specific deterrence for the Former Registrant but also provide general deterrence to other physical therapists. The Inquiry Committee recognized that the circumstances of this matter demonstrate a breach of trust between physical therapist and client and a failure by the Former Registrant to maintain a professional boundary that honoured and respected the therapeutic relationship with the client. Further, the Inquiry Committee considered that the Former Registrant's action was contrary to the best interest of the public, since criminal conduct on the part of a physical therapist reflects adversely on the integrity of the profession.

The Inquiry Committee determined that the Undertaking and Consent Agreement contained sufficiently serious terms to impress upon the Former Registrant the gravity of his misconduct as well as caution the profession from engaging in similar conduct to ensure the public is adequately protected.