Inquiries, Complaints and Reports Committee Decision-Making Flow Chart

Concern Comes to the College's Attention

Does the information identify a concern about quality of care, public safety, ability to meet standards, professional/ethical obligations?

NO

YES

Is the concern related to inappropriate business practice or sexual abuse? → YES

NO

Does the available information substantiate the concerns?

NO

YES
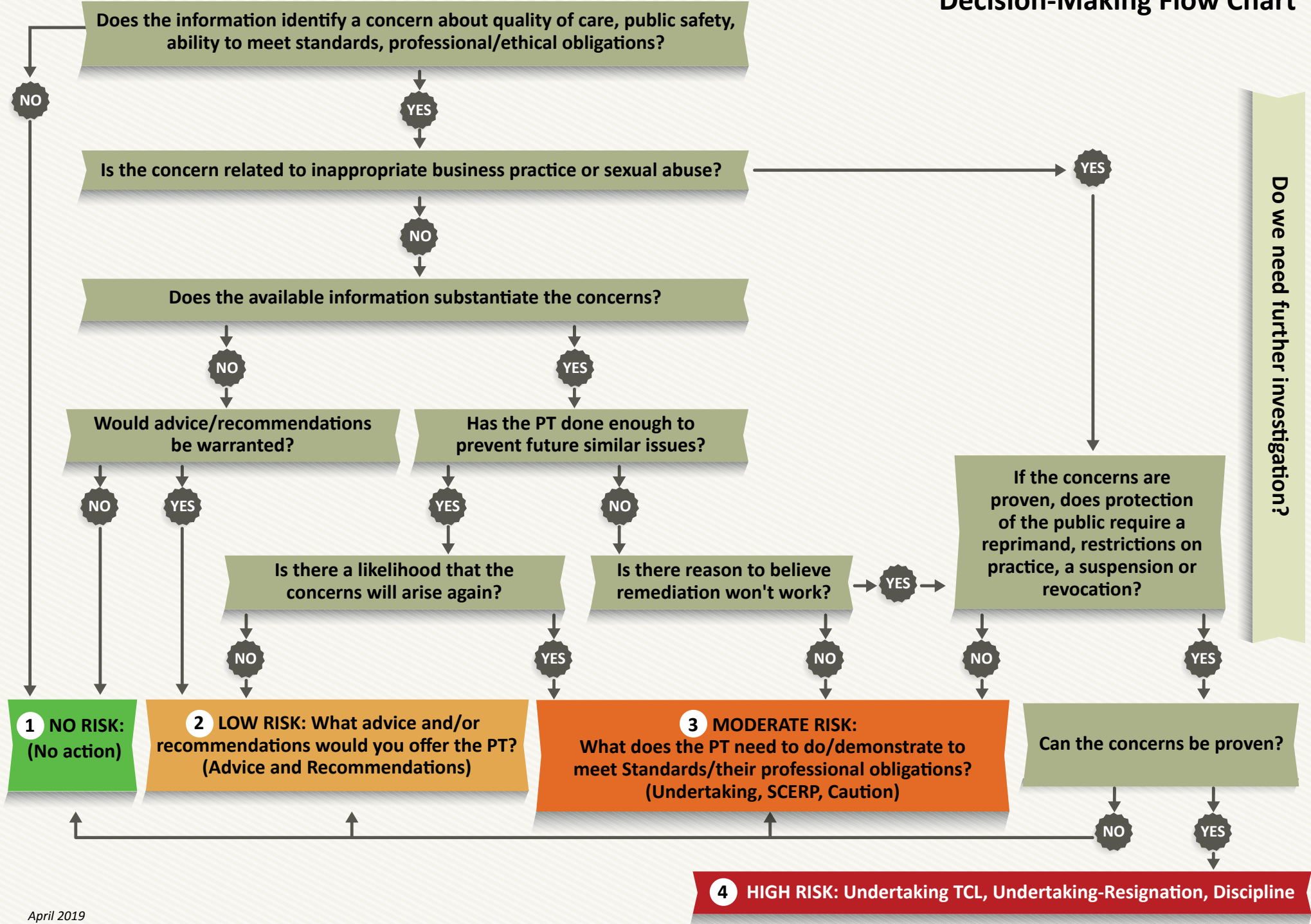
Do we need further investigation?

Would advice/recommendations be warranted?

Has the PT done enough to prevent future similar issues?

NO

YES

YES

NO

If the concerns are proven, does protection of the public require a reprimand, restrictions on practice, a suspension or revocation?

Is there a likelihood that the concerns will arise again?

Is there reason to believe remediation won't work? → YES

NO

YES

NO

NO

YES

1 NO RISK: (No action)

2 LOW RISK: What advice and/or recommendations would you offer the PT? (Advice and Recommendations)

3 MODERATE RISK: What does the PT need to do/demonstrate to meet Standards/their professional obligations? (Undertaking, SCERP, Caution)

Can the concerns be proven?

NO

YES

4 HIGH RISK: Undertaking TCL, Undertaking-Resignation, Discipline

April 2019

> *The public interest depends on the integrity of the profession.*
> *Protecting the integrity of the profession demands zero tolerance of inappropriate business practices.*

Inappropriate Business Practices may include, but are not limited to:

- Conflict of interest
- Creating false records
- Fraud
- Lack of transparency in records
- Providing unnecessary services
- Billing for a service as something it is not

- Practicing outside of scope
- Inappropriate use of physiotherapist assistants
- Lack of supervision
- Fees for referrals
- Billing for services not rendered

Sexual Abuse

"sexual abuse" of a patient by a member means,

(a) sexual intercourse or other forms of physical sexual relations between the member and the patient—MANDATORY REVOCATION

(b) touching, of a sexual nature, of the patient by the member—POTENTIAL MANDATORY REVOCATION

(c) behaviour or remarks of a sexual nature by the member towards the patient

Scope of Practice

The practice of physiotherapy is the assessment of neuromuscular, musculoskeletal and cardio respiratory systems, the diagnosis of diseases or disorders associated with physical dysfunction, injury or pain and the treatment, rehabilitation and prevention or relief of physical dysfunction, injury or pain to develop, maintain, rehabilitate or augment function and promote mobility.

Aggravating Factors	Mitigating Factors
Prior history	No prior history
Intent	No intent
Deception/dishonesty/motive concealment	No intent to deceive/dishonesty
No willingness to address the issues	Willingness to address the issues
Lack of cooperation	Cooperation
Years of experience	Years of experience
No remorse	Remorse
Character/reputation	Character/reputation
Harm to the public/patient	No harm to the public/patient
No admission	Voluntary admission
Lack of rehabilitation potential	Remediation in progress
Number of concerns/allegations	Number of concerns/allegations
Financial gain	No financial gain
Economic harm	No economic harm
Likelihood of recurrence	Likelihood of recurrence