

Jordan TITCHENER (04545)

Effective date: August 30, 2022

Name of registrant: Jordan Titchener, R.Ac.

Location of practice: Surrey, BC

Nature of action:

On February 2, 2022, the Discipline Committee Panel determined that Jordan Titchener engaged in professional misconduct pursuant to s. 39(1)(c) of the *Health Professions Act*, RSBC 7996, c. 183 (the “HPA”) by engaging in misconduct of a sexual nature. The Panel found Mr. Titchener’s conduct was also in contravention of s. 3(a) of the College’s Code of Ethics (Schedule (“A” of the College Bylaws), ss. 2.9 and 5.2 of the Standards of Practice for Registrants (Schedule “B” of the College Bylaws), and the College’s Practice Standard regarding sexual misconduct.

On March 4, 2022, the Panel issued an order pursuant to s. 38(8) of the HPA, prohibiting Mr. Titchener from treating female patients pending the Panel’s decision under s.39(2) of the HPA.

On May 12, 2022, the hearing was reconvened for the purposes of receiving the parties’ evidence and submissions regarding action to be taken under s. 39 of the HPA.

On June 8, 2022, before the decision on penalty was issued, the Panel received further submissions from the parties upon being notified that the College had received a new complaint against Mr. Titchener, which Mr. Titchener denied, and that the Inquiry Committee had suspended Mr. Titchener’s registration pursuant to s. 35 of the HPA.

Reasons for action taken:

The Panel was satisfied that the Respondent committed professional misconduct of a sexual nature by placing his penis in the palm of his patient’s hand. In imposing the appropriate penalty, the Panel considered the gravity of the misconduct and the need to protect the public interest, noting that sexual misconduct, in any form, is a fundamental violation of the duty of trust owed by a medical practitioner to a patient, and is the most serious offence that a health professional can commit.

Although the Panel was satisfied that the s. 35 order and the fact that a new complaint has been made was properly before it as it falls within the definition of “past action”, pursuant to s. 39.2(1)(b) of the HPA, the Panel did not factor the new complaint into the assessment of penalty, noting that a registrant must not be penalized for a complaint which was not a

formal finding, but merely an allegation under investigation and remained unproven on balance.

Penalty:

Following the penalty hearing, the Panel imposed the following penalties under s. 39(2) of the HPA.

(a) the Respondent is reprimanded;

(b) effective immediately, the Respondent's registration is suspended for 18 months and until the Respondent has completed the PROBE: Ethics and Boundaries course at his cost and obtained an unconditional pass;

(c) after the suspension and on resuming practice, the Respondent is subject to the following conditions unless and until they are lifted or varied with the consent of the College or by further order of this Panel:

(i) he is prohibited from treating female patients,

(ii) he must practice only in a multi-practitioner setting, and

(iii) he must post signage satisfactory to the College of this order on his website and at the physical location where he practices; and

(d) the Respondent must pay costs to the College in the amount of \$15,231.73.

The Panel made clear that its s. 39(2) order replaces its prior order, made pursuant to s. 38(8) of the HPA, dated March 4, 2022, but did not supersede the s. 35 order, which remains in place until successfully appealed or cancelled or varied under s. 35(4) of the HPA.