

Bethany Niedjalski, RMT

Location:

Vancouver, BC

Date of Action:

February 23, 2024

Nature of Action: Bethany Niedjalski, RMT voluntarily entered into an undertaking and consent agreement with the Inquiry Committee of the College.

As part of the agreement, the registrant agreed to the following terms:

1. a ten-day suspension;
2. undertakings not to repeat the conduct;
3. completion of extensive remedial education on ethics and boundaries; and
4. random audits of her practice of massage therapy for a period of two years.

Reasons: The undertaking and consent agreement relates to a complaint made by a patient on August 11, 2021, and two investigations initiated by the Inquiry Committee on its own motion.

Ms. Niedjalski's admissions made in the undertaking and consent agreement are summarised below.

Between December 1, 2019, to December 15, 2022, Ms. Niedjalski made a number of claims to Pacific Blue Cross for massage therapy services that she did not perform. In other instances, Ms. Niedjalski submitted claims to Pacific Blue Cross before a patient's appointment time.

Between December 1, 2019, to December 15, 2022, Ms. Niedjalski failed to create treatment records for at least seven patients and she created incomplete treatment records for at least twenty-two patients.

Ms. Niedjalski admitted to failing to comply with section 61(1) of the College's Bylaws, which requires all Practising registrants to maintain professional liability insurance coverage, between November 1 and December 29, 2021. Ms. Niedjalski treated a number of patients during the period she did not hold

professional liability insurance coverage. Ms. Niedjalski also admitted to making a false declaration in the online Registrant Portal when renewing her registration with the College. Specifically, Ms. Niedjalski answered “Yes” to the question, “I am not aware of any breach by me and my professional or ethical obligations as an RMT, including any breach of the CMTBC Bylaws.” This was false because Ms. Niedjalski did not hold professional liability insurance at the time.

Ms. Niedjalski admitted that by engaging in the conduct described above she contravened sections 61(1) and 75(3) of the College’s Bylaws, subsections 3(1) and 3(2) of Schedule “E” to the College’s Bylaws, and sections 4 and 5 of the College’s Code of Ethics. In specific reference to Ms. Niedjalski’s submission of claims to Pacific Blue Cross for massage therapy that she did not perform, Ms. Niedjalski admitted to unprofessional conduct.

The Inquiry Committee is satisfied that the terms of the undertaking and consent agreement will protect the public interest.