

John-Paul Da Silva, RMT

Location:

Coquitlam, BC

Date of Action:

November 21, 2023

Nature of Action: The registrant, John-Paul Da Silva, voluntarily entered into an undertaking and consent agreement with the Inquiry Committee of the College.

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

1. a suspension of his registration with the College for a period of 3 days;
2. a formal reprimand;
3. undertakings not to repeat the conduct;
4. completion of extensive remedial education including coursework on professional ethics, the practice environment standard of practice, record-keeping, and one-on-one instruction with a College Practice Advisor (who is also an RMT);
5. payment of a fine in the amount of \$500.00; and
6. payment of a portion of the costs of the investigation in the amount of \$500.00.

Reasons: The undertaking and consent agreement relates to a complaint from a patient, made on January 30, 2023.

As part of the undertaking and consent agreement, Mr. Da Silva admitted that during a treatment of the patient in January 2023, he used his cellular phone while providing treatment. Specifically, on three separate occasions during the treatment, while the patient was lying face down on the massage table, Mr. Da Silva massaged the complainant with only one hand for a period of time, while he used his other hand to hold and use his cellular phone for personal communications.

Mr. Da Silva acknowledged that by engaging in the conduct described above, he violated sections 1 and 3 of the College's Code of Ethics and subsection 11 of the College's practice environment standard of practice.

Mr. Da Silva also admitted to failing to contemporaneously document health care record entries for a total of seven treatments of the patient, thereby violating subsections 3(1)(a)(vii) and (viii) and 3(2) of the Standard for Patient Records (Schedule "E" to the Bylaws).

The Inquiry Committee considered Mr. Da Silva's admitted conduct to be serious, involving multiple breaches of professional requirements, and noted that by using his cellular phone during the patient's treatment, he did not treat the patient with respect or act in their best interests.

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