

# Leonard (Len) Krekic, Former RMT

**Location:**

Penticton, BC

**Date of Action:**

February 20, 2020

**Nature of Action:** Pursuant to section 35(1)(a) of the *Health Professions Act* (the "Act"), a panel of the Inquiry Committee made an order to impose a suspension on Mr. Krekic's registration with CMTBC. While suspended, he is not entitled to practice as a registered massage therapist in B.C.

This replaces a previous order of the Inquiry Committee made on April 5, 2019, restricting Mr. Krekic's practice subject to certain conditions. The conditions included that Mr. Krekic was required to have a chaperone present at all times during the consultation, assessment, examination or treatment of female patients, and regular reporting on the use of chaperones.

**Reasons:** On November 21, 2019, the College received a complaint from a female patient ("AA") which contained multiple allegations against Mr. Krekic, including that while providing massage therapy to her October 2 and 10, 2019, he engaged in sexual misconduct while a chaperone was present in the treatment room but not paying attention, and that during a treatment in August 2019, Mr. Krekic also engaged in sexual misconduct while a chaperone was present in the room. AA also alleged that during treatments between March 14 and April 5, 2019, prior to the previous order of the Inquiry Committee being imposed, Mr. Krekic engaged in sexual misconduct. AA further alleged that Mr. Krekic communicated with her outside of treatment, including by phone and text message. AA advised that she moved into a rental suite that Mr. Krekic owns, after which Mr. Krekic began entering her suite without notice and texting her excessively. AA also advised that Mr. Krekic asked her to use a fake name and old email address while helping him rent out rental units, so that CMTBC would not become aware of her involvement. AA additionally alleged that Mr. Krekic attempted to enter into a romantic or sexual relationship with her.

In total, CMTBC's Inquiry Committee has nine investigation files open pertaining to the registrant, which include the complaint of AA, six complaints of sexual misconduct by other female patients, and two files opened on the

Inquiry Committee's own motion. The own motion files relate to 1) an allegation that Mr. Krekic failing to maintain liability insurance after November 1, 2019, in contravention of CMTBC's Bylaws and 2) an allegation that the Registrant breached the reporting requirements of the April 5, 2019 order of the Inquiry Committee by failing to provide certain records to the College upon request, and by failing to ensure that at the completion of each treatment of a female patient, the chaperone had recorded their full name, signature and date in the corresponding patient chart entry.

The Inquiry Committee panel was satisfied that there is a *prima facie* case supporting AA's allegations, and that her complaint was not manifestly unfounded, unreliable or exaggerated.

The Inquiry Committee panel found the allegations in this case to be extremely serious, noting that there are allegations of sexual misconduct in relation to AA, that Mr. Krekic is alleged to have engaged in sexual misconduct in the presence of a chaperone, and while he was under an order of the Inquiry Committee, and that AA's complaint raises a number of allegations, spanning multiple months and conduct from the treatment room to AA's living quarters. The panel also noted that the alleged conduct raises issues of vulnerability and power imbalance. The panel found there to be a high likelihood that Mr. Krekic will repeat the alleged sexual misconduct, boundary transgressions and unethical conduct. The panel also found it likely that Mr. Krekic will repeat the alleged conduct from AA's complaint relating to a breach of the Inquiry Committee's April 5, 2019 order.

The Inquiry Committee panel determined that the *prima facie* case in this instance requires that the public be protected through additional interim measures. The panel considered that the only measure adequate to sufficiently protect the public in the circumstances of this case is a suspension.

Therefore, the panel ordered that Mr. Krekic be suspended.

**Important Note:** Limits, conditions and suspensions ordered by the Inquiry Committee under section 35(1) of the Act are made to protect the public during an investigation or pending a hearing of the Discipline Committee. Measures taken under section 35(1) of the Act pertain to allegations which are and remain unproven unless admitted by a registrant or determined by the Discipline Committee.