

Joanne Argatoff, Former RMT

Location:

West Vancouver, BC

Date of Action:

March 7, 2023; June 14, 2023

Nature of Action and Reasons: On January 24, 2022, a panel of the Discipline Committee convened to hear a formal citation issued to the respondent, Joanne Argatoff. Ms. Argatoff was a registered massage therapist at the time of the events described in the citation but ceased to be a registrant of the College of Massage Therapists of British Columbia (the “College”) on December 31, 2022, when she failed to renew her registration with the College.

The citation set out allegations that Ms. Argatoff practiced massage therapy without professional liability insurance and that she failed to respond in a professional, responsive, and timely manner to inquiries, requests and direction from the College regarding the expiration of her professional liability insurance coverage.

Following the discipline hearing, the Discipline Committee panel issued a [decision and reasons dated March 7, 2023](#) (PDF). On March 21, 2023, the hearing panel issued a corrected decision to correct minor errors.

Subsequently, the College and Ms. Argatoff were given the opportunity to provide submissions on penalty and costs to the panel; however, Ms. Argatoff did not provide submissions. After considering submissions from the College on penalty and costs, the panel issued an [order and reasons on penalty and costs dated June 14, 2023](#) (PDF). A summary of the order may be found below under the heading “Panel’s Decision dated June 14, 2023.”

Panel’s Decision dated March 7, 2023

Allegation 1

The panel found that between approximately October 1, 2019, and January 1, 2020, while Ms. Argatoff was a practicing registrant, she practiced massage therapy without professional liability insurance coverage.

The panel determined that by engaging in this conduct, Ms. Argatoff breached the College's Bylaws and committed unprofessional conduct.

Allegation 2

The panel found that between approximately February 7, 2020, and January 13, 2021, Ms. Argatoff failed to reply in a timely or responsive manner, or at all, to 13 communications from the College regarding the expiration of her professional liability insurance coverage and lack of communication regarding same.

The panel determined that, by engaging in this conduct, Ms. Argatoff breached the College's Code of Ethics then in effect and that she committed unprofessional conduct.

Conclusion

In summary, the panel found that the College had proved both of the allegations set out in the citation to the requisite standard. The hearing proceeded to a decision on penalty and costs, as outlined below.

Panel's Decision dated June 14, 2023

Following the issuance of the corrected March 21, 2023 decision, the panel, as required by law, requested submissions in writing from CMTBC and Ms. Argatoff regarding the appropriate penalty and costs. The panel determined it had jurisdiction to impose any of the penalties listed in s. 39(2) of the *Health Professions Act* on Ms. Argatoff, and it ordered that she:

- be reprimanded;
- be suspended for three months, to be served to commence the date of her reinstatement if she applies for registration and is successfully reinstated with the College in the future; and
- pay costs to the College in the amount of \$7,110.13.

The panel stated in its decision that:

- The proven conduct was serious and occurred multiple times over many months.
- Despite Ms. Argatoff's acknowledgement in her January 9, 2020, and December 14, 2021 emails to the College that there is no excuse for

practicing without insurance and that ignoring important deadlines was unprofessional, for which she was remorseful, she continued to ignore deadlines and communications from the College without any detailed explanation at the time.

- The panel was not provided with evidence of any remedial or rehabilitative efforts undertaken by Ms. Argatoff.
- Ms. Argatoff had been a registrant for approximately seven years at the time of the conduct; therefore, her conduct cannot be excused by inexperience.

The panel stressed a strong need to send a clear message to Ms. Argatoff and other members of the profession about the importance of cooperating with the College and maintaining professional liability insurance. The requirement to cooperate with the College is foundational to the College's ability to regulate the profession and act in the public interest. The public must have confidence that members of the profession will cooperate with their regulators and will be held to account when they fail to do so. The panel found that a serious penalty was necessary to uphold and protect the public interest.