

IN THE MATTER OF THE *HEALTH PROFESSIONS ACT* RSBC 1996 c. 183

AND IN THE MATTER OF
THE COLLEGE OF MASSAGE THERAPISTS
OF BRITISH COLUMBIA (“CMTBC”)

AND
DENNIS DESROCHERS
(the “Registrant”)

CONSENT ORDER AND REASONS
Under s. 37.1 of the *Health Professions Act*

The Inquiry Committee of the CMTBC considered the Consent Order Proposal (the “**Proposal**”) submitted by the Registrant on May 3, 2022, concerning eight complaints and reports made to CMTBC and eight investigations by the Inquiry Committee. A copy of the Proposal is attached to this Order.

The Inquiry Committee noted the Registrant’s admissions as set out in the Proposal that:

7. ...

- a. [REDACTED]
 - i. On five or more occasions between April 2, 2012 and November 30, 2016, in the course of providing massage therapy to [REDACTED], Mr. Desrochers committed professional misconduct by undraping the patient to her waist and exposing her breasts without informing the patient in advance of disrobing and draping options, which is a requirement for obtaining the patient’s full informed consent to undraping.
- b. [REDACTED].
 - i. On five or more occasions between May 12, 2011 and August 22, 2018, in the course of providing massage therapy to [REDACTED], Mr. Desrochers committed professional misconduct by undraping the patient to her waist and exposing her breasts without informing the patient in advance of disrobing and draping options, which is a requirement for obtaining the patient’s full informed consent to undraping.
 - ii. In the course of providing massage therapy to [REDACTED], Mr. Desrochers committed unprofessional conduct by engaging in an unprofessional communication with the patient relating to her bra and breast size.

- c. [REDACTED]
 - i. On or around January 12, 2018, in the course of providing massage therapy to [REDACTED], Mr. Desrochers committed professional misconduct by touching the patient's breasts without ensuring that the patient was fully informed regarding assessment and treatment and that the patient provided informed consent to the treatment.
 - ii. On or around January 12, 2018, in the course of providing massage therapy to [REDACTED] Mr. Desrochers committed professional misconduct by undraping the patient to her waist and exposing her breasts when this was unnecessary.
- d. [REDACTED].
 - i. On or around October 26, 2012, in the course of providing massage therapy to [REDACTED], Mr. Desrochers committed professional misconduct by undraping the patient to her waist and exposing her breasts without informing the patient in advance of disrobing and draping options, which is a requirement for obtaining the patient's full informed consent to undraping.
- e. [REDACTED]
 - i. On or around August 7, 2015, in the course of providing massage therapy to [REDACTED], Mr. Desrochers committed professional misconduct by undraping the patient to her waist and exposing her breasts without informing the patient in advance of disrobing and draping options, which is a requirement for obtaining the patient's full informed consent to undraping.
 - ii. On or around August 7, 2015, in the course of providing massage therapy to [REDACTED], Mr. Desrochers committed professional misconduct by massaging the patient's chest without ensuring that the patient was fully informed regarding treatment, which is a requirement for obtaining the patient's full informed consent to treatment.
 - iii. In the course of providing massage therapy to [REDACTED], Mr. Desrochers committed unprofessional conduct by engaging in unprofessional communications with the patient relating to her breast size.
- f. [REDACTED]
 - i. On or around May 27, 2016, in the course of providing massage therapy to [REDACTED], Mr. Desrochers committed professional misconduct by undraping the patient to her waist and exposing her breasts without informing the

patient in advance of disrobing and draping options, which is a requirement for obtaining the patient's full informed consent to undraping.

- ii. On or around May 27, 2016, in the course of providing massage therapy to ■■■, Mr. Desrochers committed professional misconduct by massaging the patient's chest without ensuring that the patient was fully informed regarding treatment, which is a requirement for obtaining the patient's full informed consent to treatment.
 - iii. On or around May 27, 2016, in the course of providing massage therapy to ■■■, Mr. Desrochers committed professional misconduct by engaging in an unprofessional communication with the patient relating to his own experience receiving massage.
- g. ■■■.
- i. On or around April 20, 2011, in the course of providing massage therapy to ■■■, Mr. Desrochers committed professional misconduct by undraping the patient to her waist and exposing her breasts without informing the patient in advance of disrobing and draping options, which is a requirement for obtaining the patient's full informed consent to undraping.
 - ii. On or around April 20, 2011, in the course of providing massage therapy to ■■■, Mr. Desrochers committed professional misconduct by massaging the patient's breasts without ensuring that the patient was fully informed regarding assessment and treatment and that the patient provided informed consent to the treatment.
 - iii. On or around April 20, 2011, in the course of providing massage therapy to ■■■, Mr. Desrochers committed professional misconduct by engaging in an unprofessional communication with the patient relating to his own experience receiving massage.
8. On two occasions between 2011 and 2018, Mr. Desrochers committed professional misconduct by using his hands to examine a patient's breasts for indications of cancer when doing so was outside the scope of practice of massage therapy in British Columbia.

The Inquiry Committee noted that the Registrant agrees to cancel his registration and will not be eligible to apply for reinstatement of registration for a period of five years.

The Inquiry Committee noted that if the Registrant applies for registration after 5 years, his application will be addressed by the Registration Committee in accordance with section 20 of the *Health Professions Act* and the Bylaws of CMTBC, including as they may be amended. He will

not have an automatic right to registration and will be required to meet all legislative and bylaw requirements relating to registration, including those relating to good character; and pursuant to section 54(5) of the CMTBC Bylaws will be required to satisfy the Registration Committee that his registration will not pose an undue risk to public health or safety or otherwise be contrary to the public interest.

Having reviewed the Proposal and based upon the considerations set out above, the Inquiry Committee makes the following orders pursuant to s. 37.1 and s. 39 of the *Health Professions Act*:

- 1. the Registrant's registration with CMTBC is cancelled effective June 15, 2022;**
- 2. the Registrant is not eligible to apply for reinstatement of registration with CMTBC for a period of five years from the date of this Order, that is, until May 4, 2027; and**
- 3. the Registrant shall pay costs of \$4,000 to CMTBC with respect to its investigation and discipline of the Registrant in this matter.**

This Consent Order is made this 4th day of May, 2022 by the Inquiry Committee:



Signature of Teresa Budd, Chair



Signature of Pamela Nonis, RMT, Vice Chair



Signature of Jana Konkin, RMT



Signature of Lynne Harris

Wendy Sanders.

Signature of Wendy Sanders, RMT

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Signature of Robin Perry, RMT