

Chris Elson, RMT

Location:

Surrey, BC

Date of Action:

December 17, 2019

Nature of Action: The registrant, Chris Elson, RMT, voluntarily entered into a consent and undertaking agreement with the Inquiry Committee of the College. Mr. Elson agreed to the following terms:

1. a formal reprimand;
2. a five-day suspension from practice (which will be served from January 28 to February 1, 2020);
3. permanent conditions on his practice of massage therapy – namely, that:
 - a. he cannot have a cellular phone present in any treatment room in which he provides massage therapy, and
 - b. any other mobile electronic device capable of sending and receiving messages or information, and which may have photography or video recording capacity, may be present in the treatment room and used by him only for intake/assessment or charting purposes while a patient is present (and then only with the patient’s consent and with the recording capabilities blocked or disabled);
4. completion of extensive remedial coursework;
5. undertakings not to repeat the following conduct:
 - a. using a mobile electronic device (including a cell phone) during a patient’s treatment for purposes other than intake/assessment or charting for the patient record;
 - b. failing to set and maintain appropriate boundaries with a patient;
 - c. making false statements to the College; and
 - d. failing to cooperate with an investigation by the College;
6. payment of a fine in the amount of \$1,000; and
7. payment of a portion of the costs of the investigation in the amount of \$2,000.

Reasons: The Inquiry Committee received a complaint from a female patient (the “Complainant”) who alleged that during a massage therapy treatment in March 2019, while she was lying prone (face down) on the massage table, she

lifted her head and saw that Mr. Elson was holding a mobile phone facing towards her. She alleged that Mr. Elson immediately started to stammer and say “oh, I... um... I’m setting my timer... ya, I can’t remember when we started – do you?” The Complainant became very uncomfortable and was concerned that Mr. Elson was photographing her or taking videos with his mobile phone.

During the investigation, additional concerns arose, relating to Mr. Elson’s maintenance of professional boundaries with a minor patient, his use of a mobile phone during a subsequent treatment of another individual, and his provision of false information in an interview with a College investigator.

As part of the agreement, Mr. Elson admitted to the following facts:

1. In April 2018, Mr. Elson provided a massage therapy treatment to a teenaged minor male patient; following that treatment, Mr. Elson accepted an invitation from the patient to the patient’s video gaming platform and played a video game with the patient for 2 or 3 hours over that platform.
2. In March 2019, Mr. Elson provided a massage therapy treatment to the Complainant. At the outset of the treatment, while the Complainant was lying prone (face down) on the massage table, Mr. Elson massaged the Complainant with one hand for approximately five minutes. The Complainant lifted her head and turned it over her shoulder to look at Mr. Elson and saw that he was holding his cellular telephone. Mr. Elson had used his phone during the treatment, while the Complainant was prone on the massage table, for up to 5 minutes.
3. Elson was subsequently warned by his employer not to bring a cell phone into a treatment room.
4. In June 2019, Mr. Elson provided a massage therapy treatment to an undercover College investigator (the “Other Patient”). While the Other Patient was lying prone (face down) on the massage table, Mr. Elson massaged her with one hand while using his other hand to hold his mobile phone, on which he read a series of wiki pages for a book called “Malazan Book of the Fallen” for at least 15 minutes of the treatment.
5. On more than one other occasion, Mr. Elson has looked at his cellular telephone while a patient was lying prone on the massage table, to read book summaries or synopses, for the majority of the time the patient was prone.

6. When interviewed by a College investigator during the investigation of this matter, Mr. Elson made false statements; he admitted that those statements were false shortly thereafter.

Mr. Elson acknowledged that by engaging in the conduct described above, he committed professional misconduct, including by violating sections 2, 4 and 19 of CMTBC's [Code of Ethics](#) and section 9(b) of Schedule "D" to CMTBC's [Bylaws](#).

Mr. Elson denied taking photographs or video recordings of the Complainant or any other patient. The evidence gathered during the investigation did not support a conclusion that Mr. Elson had taken photographs or video recordings of the Complainant or any other patient.

The Inquiry Committee considered Mr. Elson's conduct to be serious. A patient who sees his or her RMT using a mobile phone while he or she is unclothed during a massage therapy treatment is likely to become distressed and upset. In using his mobile phone during treatments of patients, Mr. Elson was not treating those patients with respect or acting in their best interests, and the effectiveness and safety of his treatments may have been compromised.

The Inquiry Committee is satisfied that the undertaking and consent agreement in this matter appropriately reflects the seriousness of the registrant's conduct and will protect patient safety.