

Karl Podolski, RMT

Location:

Vernon, BC

Date of Action:

Nov 13, 2016

Nature of Action: Under section 33(6)(c) of the Health Professions Act, the Registrant gave undertakings:

- not to repeat the conduct of:
 - a. using his hand to apply pressure to a Thermophore heating pad, or any other heating pad or heating element, while it is placed directly on a patient's skin,
 - b. failing to modify a treatment when a patient expresses discomfort,
 - c. failing to check in regularly with a patient about his or her comfort level when applying a Thermophore heating pad, or any other heating pad or heating element, and
 - d. failing to check a patient's skin at regular intervals when applying a Thermophore heating pad, or any other heating pad or heating element;
- to successfully complete an educational session relating to hydrotherapy, and in particular the use of heating elements;
- to successfully complete a course on professionalism, including the topic of professional communications; and
- to pay a portion of the costs of the investigation in the amount of \$200.

The Registrant also agreed that his practice would be subject to the following limit/condition: he would not use any heating elements in his massage therapy practice until he had successfully completed the educational session on the topic of hydrotherapy. He has now completed the educational session and therefore his practice of massage therapy is not currently subject to any limits and/or conditions.

The Inquiry Committee is satisfied that these terms will protect the public.

Reasons: The College received a complaint from a patient of the registrant (the "Complainant").

The Registrant has admitted to the following facts in respect of the complaint:

- The Registrant placed a Thermophore heating pad on the left shoulder of the Complainant, directly on the Complainant's skin, and used his hand to apply pressure to the Thermophore heating pad, for the purpose of getting heat into the affected muscles to soften them.
- When the Complainant stated that the Thermophore heating pad was getting too warm, the Registrant said something to the effect of "Well, we should move it then". The Registrant moved his hand to a different spot and continued applying pressure to the Thermophore heating pad. He did not remove the heating pad.
- The Registrant then applied pressure with his hand to the Thermophore heating pad on the Complainant's right shoulder, directly on the skin. The Complainant stated to the Registrant that the heating pad was painfully hot. The Registrant moved his hand but did not remove the heating pad until shortly after that (the Registrant estimates that he removed the heating pad 30 seconds later).

The Registrant acknowledged that his conduct in this regard did not meet the standards of practice of the profession and was unsatisfactory.