

Leah Davis, RMT

Location:

West Vancouver and Port Moody, BC

Date of Action:

June 24, 2019

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

1. a formal reprimand;
2. professional undertakings not to repeat her conduct;
3. a six-week suspension, commencing on July 12, 2019 and ending on August 23, 2019;
4. remedial coursework on the topic of boundaries, ethics and professionalism;
5. participation in sessions with a psychologist chosen and approved by the College, with reports; and
6. payment of a portion of the costs of the investigation in the amount of \$500.

Reasons: The College received a complaint in June 2018 from a male patient of Ms. Davis (the "Complainant").

As part of the agreement, Ms. Davis admitted that:

- a. She began to provide massage therapy services to the Complainant on January 15, 2015.
- b. In or about April 2015, Ms. Davis and the Complainant became "friends" on Facebook.
- c. In April 2015, the Complainant travelled from Vancouver Island to the lower mainland and stayed in a guest suite in Ms. Davis' building with his wife. Ms. Davis gave the Complainant a massage therapy treatment in her home.
- d. In or about May 2015, Ms. Davis entered into a coaching relationship with the Complainant, wherein the Complainant coached Ms. Davis.

- e. On or about May 8, 2015, Ms. Davis visited the Complainant at his home on Vancouver Island, and provided a short massage therapy treatment to the Complainant's wife.
- f. In June or July 2015, Ms. Davis and the Complainant entered into a personal, romantic and sexual relationship. That relationship continued until June 2018.
- g. From March 2015 until June 2018, Ms. Davis failed to maintain patient records for massage therapy treatments provided to the Complainant.

Ms. Davis acknowledged that by engaging in the conduct described above, she committed professional misconduct by:

- a. failing to set and maintain appropriate professional boundaries with the Complainant, her patient, during the time period of January to May 2015;
- b. contravening subsection 75(a) of the College's Bylaws and subsections 2(a) and/or (b) of Schedule "C" to the College's Bylaws (the Code of Ethical Conduct), in force at the applicable times, by engaging in sexual conduct with a patient and/or engaging in sexual conduct with a former patient within one year of termination of massage therapy;
- c. contravening subsection 75(b) of the College's Bylaws and section 9(b) of Schedule "D" to the College's Bylaws by failing to differentiate between personal and professional beliefs and behaviors; and
- d. contravening section 75(c) of the College's Bylaws and section 3(1)(a) of Schedule "E" to the Bylaws (the College's Standard for Patient Records) by failing to create and maintain entries in a patient's record.

The Inquiry Committee considered this conduct to be serious. The Inquiry Committee is satisfied that the terms of the consent and undertaking agreement in this matter appropriately reflect the seriousness of the registrant's conduct.