

Matthew Farrell, RMT

Location:

North Vancouver, BC

Date of Action:

May 6, 2021

Nature of Action: The registrant, Matthew Farrell, RMT, voluntarily entered into two undertaking and consent agreements with the Inquiry Committee of CMTBC. The two consent and undertaking agreements relate to two separate complaints arising from the same underlying events.

As part of the agreements, Mr. Farrell agreed to the following terms:

1. a four-day suspension from practice (commencing on May 27, 2021);
2. review of the *Massage Therapists Regulation* and CMTBC's Bylaws, standards of practice, and Code of Ethics, through self-study and required consultation with a CMTBC Practice Advisor;
3. undertakings not to repeat the conduct; and
4. payment of a portion of the costs of the investigation in the total amount of \$1,000.

Reasons: In April 2020, CMTBC received two separate complaints about Mr. Farrell, which relate to Mr. Farrell's conduct in relation to the same patient.

As part of the undertaking and consent agreements, Mr. Farrell admitted that he provided massage therapy treatment to a young adult patient during the patient's periods of hospitalization in February, March and April 2020. Mr. Farrell acknowledged that the patient is an individual whom he has known since the patient was a minor, through a family member of the patient. In addition to providing massage therapy services to the patient during the patient's period of hospitalization, Mr. Farrell provided recommendations to the patient about the patient's health and engaged in other activities which do not fall within the scope of practice for massage therapy in B.C. Mr. Farrell did not create any records relating to his provision of massage therapy services to the patient while the patient was hospitalized.

Mr. Farrell admitted that, when he was told by a hospital employee in April 2020 that he could no longer visit the patient at the hospital due to visitation

guidelines put in place as a result of the COVID-19 pandemic, he subsequently attended at the hospital again to seek to gain access to the patient, having told the patient's father that his registered massage therapist (RMT) designation would allow him to get in. Mr. Farrell admitted that he told greeters at the entry of the hospital that he was "there to work", thereby gaining entry to the hospital. Mr. Farrell was subsequently turned away by hospital employees.

Mr. Farrell acknowledged that CMTBC had strongly recommended, on March 17, 2020, that registrants should cease practicing massage therapy, and that this strong recommendation was reiterated in communications by CMTBC to registrants on March 24 and 30, 2020, in which further guidance from the Provincial Health Officer was provided and explained.

Mr. Farrell also admitted to doing a consultation with the patient in June 2020, for which he did not create records.

The Registrant further admitted to using the titles "visceral therapist" and "stretch therapist" in relation to his massage therapy practice.

Mr. Farrell acknowledged that by engaging in the conduct described above, he committed professional misconduct and violated section 7 of CMTBC's standard of practice on boundaries; sections 27, 29 and 32 of the College's Code of Ethics in effect at the applicable time (since amended); section 78.7(1) of CMTBC's Bylaws; subsection 9(d) of Schedule "D" to the College's Bylaws; and section 3(1)(a) of Schedule "E" to CMTBC's Bylaws.

The Inquiry Committee considered Mr. Farrell's admitted conduct to be serious, involving numerous breaches of professional requirements, and noted that his attendance at the hospital after being told he could no longer visit the patient at the hospital had potentially put hospital personnel and patients at risk given the possibility of transmission of COVID-19.

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