

# Michael Henniger, Former RMT

## Location:

Richmond, BC

## Date of Action:

April 22, 2021

**Nature of Action and Reasons:** On November 30, 2020, a panel of the Discipline Committee was convened to hear a formal citation issued to Michael Henniger. The citation contained the charges that on or about October 31, 2017, in the course of providing massage therapy services to a patient (the "Patient"), Mr. Henniger:

1. failed to adequately communicate the treatment plan to treat the Patient's pectoral muscles, including that he would treat at or near the Patient's breasts;
2. failed to obtain informed consent to treat at or near the Patient's breasts;
3. failed to communicate the intended depth of pressure used;
4. after the Patient said words to the effect of "it is really sore, can we go lighter?", stated words to the effect of "pain is good" and "it will fix it";
5. failed to adequately adjust treatment and communicate with the Patient after she expressed that she was experiencing pain; and further, or in the alternative,
6. failed to keep adequate clinical records in relation to the treatment delivered to the Patient on or about October 31, 2017.

At the time of the hearing on verdict (November 30, 2020), Mr. Henniger remained a registrant of CMTBC. His registration was automatically cancelled under CMTBC's Bylaws on January 5, 2021, due to his failure to renew his registration.

The Discipline Committee panel issued a decision and reasons dated January 12, 2021. The panel found that all charges outlined in the citation were proven. The panel determined, pursuant to subsections 39(1)(a) and (c) of the Act, that by engaging in this conduct, Mr. Henniger failed to comply with the College's Bylaws and engaged in unprofessional conduct. Specifically, he was found to have breached sections 1, 2, 3 and 10 of Schedule "D" to CMTBC's Bylaws in effect at the applicable time, subsections 3(a)(vii) and (viii) of

Schedule “E” to CMTBC’s Bylaws, and subsections 2, 4, 9 and 25 of CMTBC’s previous Code of Ethics. [Read the full Reasons for Decision \(PDF\)](#).

Following the issuance of the January 12, 2021 decision on verdict, the panel set a schedule for written submissions from the College and Mr. Henniger with respect to penalty and costs. Ultimately, the College and Mr. Henniger made a joint submission on penalty and costs, which the panel considered to be appropriate in the circumstances and to adequately address the College’s mandate to protect the public through specific and general deterrence.

On April 22, 2021, the Discipline Committee panel issued an order and reasons on penalty and costs. Specifically, the panel ordered that:

- Mr. Henniger is suspended for a period of seven days from the date of the April 22, 2021 order;
- Mr. Henniger is prohibited from seeking reinstatement of registration with CMTBC until the later of: a) the completion of his seven-day suspension, or b) completion of three remedial education courses on the topics of clinical record-keeping, professionalism, and ethics; and
- Mr. Henniger must pay the College costs in the amount of \$6,500.00.

[Read the full Reasons for Decision on Penalty and Costs \(PDF\)](#).