

# Christopher Daniel Gerow (01864)

**Date of Action:** January 14, 2015

## **Description of action taken**

The Inquiry Committee accepted a proposal under s. 37.1 of the Health Professions Act (the "Act") from the Registrant containing terms to protect the public, and directed the cancellation of a citation for a discipline hearing.

## **Reasons for Decision**

The College received information from the Comox RCMP regarding allegations by a female patient that the Registrant had engaged in improper sexual touching and sexual behavior during treatments that she received for a period of approximately 18 months. The female patient also filed a complaint with the College. The Inquiry Committee initiated an investigation and received information from four other female patients alleging that the Registrant engaged in improper sexual touching and sexual behavior with them during treatments. Following the conclusion of the investigation, the Inquiry Committee directed the issuance of a citation under s. 33(6)(d) of the Act alleging that the Registrant had engaged in professional misconduct and contravened the Practice Standards for Sexual Misconduct by touching of a sexual nature, or touching for a non-therapeutic purpose, while providing treatments to five female patients.

The Registrant subsequently made an offer under s. 37.1 of the Act. Following negotiation, the Inquiry Committee and the Registrant agreed to terms of a Consent Order under s. 37.1 of the Act to address the College's concerns regarding his conduct. The Inquiry Committee accepted the s. 37.1 order as it reflected the terms that it would seek if the matter had proceeded to a discipline hearing.

In the s. 37.1 order, the Registrant admitted, with respect to each of the five former patients, that he engaged in professional misconduct by

1. failing to maintain professional boundaries and engaging in touching which each complainant perceived to be of a sexual nature, although the Registrant does not admit that he intended the touching to be so;
2. making remarks of a sexual and/or intimate personal nature; and
3. failing to ensure that the patients were properly draped during treatments.

The Registrant agreed to the following terms:

1. a reprimand in relation to his professional misconduct;

2. cancellation of his registration with a prohibition against applying for registration with the College for six months – the cancellation period reflecting that the Registrant’s registration had already been suspended for more than 26 months.
3. an undertaking to complete a period of counseling, at his cost, on professional boundary issues, before applying for reinstatement of registration;
4. consent to undergo a risk assessment and preparation of a formal risk assessment report by a qualified psychologist or psychiatrist prior to applying for reinstatement of registration and to authorize the submission of the risk assessment report to the College and to follow any recommendations in the risk assessment report;
5. If the Registrant applies for reinstatement following the period of cancellation and his application is accepted by the Registration Committee, he undertakes and consents to:
  - a. have a chaperone present for all consultation and treatments with female patients until such time as the condition is removed by the Registration Committee;
  - b. permanently post notices in prominent places in his clinic specifying that a chaperone will be present for all visit with female patients;
  - c. desist treatment of any female patient immediately learning that the patient has been a victim of sexual abuse and to refer her to an alternate health care provider and to document the referral and basis for it in the clinical record; and
  - d. random chart audits by an inspector appointed by the Inquiry Committee for three years commencing the date of reinstatement.
6. payment of costs towards the College’s cost of the investigation and disbursements.