

Discipline Case Summary

May 2, 2014; Camche - Breach of Confidentiality Agreement/failure to comply with Discipline Committee Order – “professional misconduct”

Allisyn Camche, in her capacity as President of the SCPT, received confidential documents relating to the SCPT Executive Director. At the 2010 SCPT AGM she had an item added to the agenda relating to Council governance and, while speaking to that agenda item at a microphone during the meeting, she read from and referred to one of these confidential documents. The Executive Director submitted a written complaint to the SCPT.

Ms. Camche did not agree to a consensual resolution of the complaint and the matter was therefore referred to the Discipline Committee for a hearing. The matter ultimately proceeded to a hearing on the basis of a statement of agreed facts and an agreement respecting disposition, except for the issue of costs.

Ms. Camche acknowledged that the document she had received was confidential and that she should not have revealed it publicly at the AGM. She pled guilty to the formal complaint made against her. The Discipline Committee concluded that her conduct was in breach of section 1 of clause 10 of the Code of Ethics (regarding confidential information) and clause 17 of the Code of Ethics (regarding the requirement that physical therapists conduct themselves in a manner that will merit the respect of society for the profession and its members). As a result, her conduct fit the definition of professional misconduct, in section 23 of *The Physical Therapists Act, 1998*, because a contravention of the Code of Ethics is a contravention of the SCPT Regulatory Bylaws. The Discipline Committee also concluded that her conduct was harmful to the best interests of the public or of the members and tended to harm the standing of the profession, which is also defined as professional misconduct in the Act.

An interim order was issued by consent on June 7, 2013, by which Ms. Camche agreed to provide an apology and prepare an essay to be submitted to the PCC by July 31, 2013. She did not submit these until October 7, 2013 and a new complaint was initiated by the PCC as a result of the failure to comply with the Discipline Committee's order.

This subsequent complaint was resolved by consent on the basis of the terms and conditions set out in an Alternate Dispute Resolution Agreement between the Member and the Committee, by which Ms. Camche accepted a formal reprimand for this contravention. Ms. Camche acknowledged that her failure to comply with the June 7, 2013 Order of the Discipline Committee, to which she consented, was professional misconduct, as defined in the Act.

On May 2, 2014, the Discipline Committee issued its decision in relation to the initial complaint concerning breach of confidentiality and formally held that Ms. Camche had committed an act of professional misconduct. The Discipline Committee confirmed the interim order it had made and also determined that Ms. Camche should pay all of the costs incurred by the SCPT in relation to the discipline proceedings after April 2012, other than the costs of the hearings that were held on December 11, 2012 and May 17, 2013, because her lack of co-operation during this time frame resulting in the necessity of referring the matter to a formal hearing was the only reason why these costs were incurred.