

ONTARIO REGISTERED PSYCHOTHERAPISTS DISCIPLINE TRIBUNAL

College of Registered Psychotherapists and Registered Mental Health Therapists of
Ontario

College

- and -

Justin LaRose

Registrant

NOTICE OF HEARING

On August 9, 2024 a panel of the Inquiries, Complaints and Reports Committee of the College referred specified allegations of the registrant's professional misconduct and/or incompetence to the Tribunal.

In this proceeding, Registrant means "member" as set out in the *Regulated Health Professions Act, 1991*, the Health Professions Procedural Code, the applicable health profession Act, and the regulations thereto.

The allegation(s) are that the Registrant:

1. Engaged in professional misconduct pursuant to subsection 51(1)(c) of the Health Professions Procedural Code, which is Schedule II to the *Regulated Health Professions Act, 1991*, as set out in the following paragraph of section 1 of Ontario Regulation 317/12 made under the *Psychotherapy Act, 2007*:
 - a. **Paragraph 1:** Contravening, by act or omission, a standard of practice of the profession or failing to maintain the standard of practice of the profession;
 - b. **Paragraph 2:** Abusing a client or a client's representative verbally, physically, psychologically or emotionally;
 - c. **Paragraph 42:** Contravening, by act or omission, a provision of the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts;
 - d. **Paragraph 52:** Engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional; and/or
 - e. **Paragraph 53:** Engaging in conduct that would reasonably be regarded by members as conduct unbecoming a member of the profession.

Further information about these allegations is set out below:

The Registrant

1. Justin LaRose (the “Registrant”) has been a registrant of the College of Registered Psychotherapists of Ontario and Registered Mental Health Therapists of Ontario (the “College”) since on or about April 10, 2018.

Client A

2. It is alleged that the Registrant commenced treating Client A in September 2022.

Mandatory Report

3. It is alleged that in or around January 2023, Client A initially advised the Registrant that he had been sexually abused by a registered massage therapist. It is alleged that Client A advised the Registrant of the name of the registered massage therapist. It is alleged that Client A and the Registrant discussed the sexual abuse during several therapeutic sessions. It is alleged that the Registrant advised Client A that he had a mandatory duty to report the alleged sexual abuse to the College of Massage Therapists of Ontario (CMTO).
4. It is alleged that the Registrant contacted the CMTO in approximately January 2023 and made inquiries about mandatory reports and/or therapy funding for clients subjected to sexual abuse.
5. It is alleged that despite speaking with the CMTO in approximately January 2023, the Registrant failed to report the alleged sexual abuse to the CMTO and that this was contrary to s. 85.1 of the Health Professions Procedural Code.

Failing to respond to CMTO

6. It is alleged that the CMTO repeatedly followed up with the Registrant in approximately April, and/or May 2023 about the alleged sexual abuse of Client A and/or the Registrant’s duty to provide a mandatory report. It is alleged that the Registrant did not respond to the CMTO’s inquiries.

Failing to respond to Client A

7. It is alleged that Client A repeatedly followed up with the Registrant in approximately April, May, and/or June 2023 about the alleged sexual abuse of Client A and/or the Registrant’s duty to provide a mandatory report. It is alleged that the Registrant did not respond to Client A’s inquiries.
8. It is alleged that as a result of the Registrant not responding to Client A, Client A made a therapeutic appointment with the Registrant on or about July 31, 2023. It is alleged that the Registrant cancelled the appointment the morning of the appointment. It is alleged that Client A asked the Registrant if they could meet to discuss the mandatory report and/or referral of Client A to another regulated health professional. It is alleged that the Registrant failed to respond to Client A’s email.

9. It is alleged that the failure of the Registrant to respond to the inquiries of the CMTO and/or Client A has been psychologically and/or emotionally abusive to Client A.

The Tribunal will hold a hearing under sections 38 to 56 of the Health Professions Procedural Code (Code), the *Statutory Powers Procedure Act*, and the *Hearings in Tribunal Proceedings (Temporary Measures) Act, 2020*, on a date or dates to be set at a case management conference, to decide whether the registrant has committed an act or acts of professional misconduct and/or is incompetent.

The College will file this Notice with the Tribunal. The Tribunal will then set a date for the first case management conference and send it to the parties with more information about the Tribunal's process.

If the Registrant or their representative does not attend the case management conference or the hearing, the Tribunal may proceed in the Registrant's absence and the Registrant is not entitled to any further notice in the proceeding.

If the Tribunal finds the Registrant committed an act or acts of professional misconduct, it may make one or more of the following orders under subsections 51(2) of the Code.

- direct the Registrar to revoke the Registrant's certificate of registration.
- direct the Registrar to suspend the Registrant's certificate of registration for a specified period of time.
- direct the Registrar to impose specified terms, conditions and limitations on the registrant's certificate of registration for a specified or indefinite period of time.
- require the Registrant to appear before the Tribunal to be reprimanded.
- require the Registrant to pay a fine of not more than \$35,000 to the Minister of Finance.
- if the act of professional misconduct was the sexual abuse of a patient, require the Registrant to reimburse the College for funding provided for that patient under the program and/or require the registrant to post security acceptable to the College to guarantee this payment.

The Tribunal may, under subsection 53.1 of the Code, require the Registrant to pay all or part of the College's costs and expenses.

The Tribunal's website includes the Tribunal's Rules of Procedure, Practice Directions and guides to the process.

November 11, 2024

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