

Discipline Case Summary

Jessica Penner, Licence # 1722

PCC File 2019.4

Accusation of improper use of personal information of client

A written complaint numbered 2019.4 was initiated against the Member. The complaint stated that the member had taken names and telephone numbers of patients with her upon leaving employment at a physiotherapy clinic, and that the Member knowingly used that personal information provided during the therapeutic relationship to contact clients after the end of her employment. The complaint was thoroughly investigated by the Professional Conduct Committee (PCC) and the member acknowledged that she did contact a client who was under her care during her time as an employee at the clinic after the end of her employment via an email, and that the member used personal information provided to her in her role as the client's therapist at the clinic to make this contact.

The PCC concluded that the Member's actions would likely constitute professional misconduct as this term is defined in clause 23(c) of *The Physical Therapists Act, 1988*, on the grounds that they constitute a breach of subsection 27(1) of Saskatchewan's *Health Information Protection Act*.

The Complainant and the Member were prepared to resolve the matter without a hearing and the complaint was resolved by a resolution by mutual consent agreement. The Member agreed to accept a formal reprimand and at her own expense complete the online course offered by the Saskatchewan Medical Association entitled "HIPA – Diagnosis Privacy" within twelve months of signing the agreement and provide proof of completion to the Chair of the PCC.

On behalf of the Committee Members:

Pat Beharry (Chair)

Lee Hall

Betsy Mawdsley

Leah White

Alana Morrissette