

Discipline Case Summary

Lynne Brochu, Licence #1690

PCC File 2019.3

Accusation of Unauthorized Release of Client Information

A written complaint numbered 2019.3 was initiated against the Member. The complaint addressed four main areas of concern to the client involved, all of which were thoroughly investigated. The Professional Conduct Committee (PCC) concluded that three of the specific allegations described in the complaint did not constitute either professional incompetence or professional misconduct as these terms are defined in sections 22 and 23 of *The Physical Therapists Act, 1988*. Therefore, the PCC recommended that no further action be taken with respect to these allegations because no further action was warranted in that regard.

However, the PCC was concerned about the fourth allegation, which identified that the Member sent a letter to the client discharging her from her treatment program and sent a copy to the Executive Director of the Saskatchewan College of Physical Therapists (SCPT). The investigation confirmed that this was accurate, and that the Member had copied the discharge letter to the SCPT Executive Director on the advice of a mentor who practised Physical Therapy in another Canadian province. The PCC concluded that the Member's actions in this regard would likely constitute professional misconduct, as this term is defined in clause 23(c) of *The Physical Therapists Act, 1988*, on the grounds that sending client information to the SCPT Executive Director without being required to do so is a contravention of clause 27(4)(h) of Saskatchewan's *Health Information Protection Act*.

The Complainant and the Member consented to resolve the matter without a hearing pursuant to an Agreement by Mutual Consent by which 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 Morrisette