

Discipline Case Summary – July 2

Adduction leading to hip dislocation – “professional incompetence”

Member: Brandy Green MPT

Brandy Green was treating a patient who had hip reconstruction surgery about seven months prior. During the first appointment, Ms. Green undertook a thorough assessment and gave the patient exercises to do. During the second appointment, the patient described the hip as “clunking”. During the course of the second treatment, Ms. Green performed some stretches on the affected leg. While moving into a position of adduction and flexion, there was a significant “clunk” in the hip. An X-ray confirmed that the hip had dislocated. The patient had to go to the hospital to have this corrected, using minimal force and no anaesthetic. Ms. Green took solicitous care of the patient, and drove her home upon her release from hospital late at night. The patient seemed happy with the care provided but made a complaint about a month later.

The Discipline Committee found Ms. Green’s conduct to constitute “professional incompetence” as that term is defined in *The Physical Therapists Act, 1998*.

After the complaint and on her own initiative, Ms. Green undertook to improve her knowledge of working on clients with post-operative hip replacements by working two days a week for 8 months at the Pasqua Hospital Therapies Department, and her supervisor was satisfied with her work.

As the purpose of discipline in the context of self-governing professions is not to punish but to ensure public safety, the Discipline Committee would ordinarily have ordered Ms. Green to take further training to ensure that her practice met requirements for quality patient care and safety. But as there is no course that offers better training than the efforts undertaken by Ms. Green on her own initiative, additional training was not ordered.

Both SCPT and Ms. Green were prepared to deal with the matter by means of an agreement, but this was not possible because the complainant did not consent, and the complainant’s consent is required by the Act in order to resolve a matter by agreement. This lack of consent necessitated a discipline hearing, which proceeded on agreed facts and a joint submission as to penalty. In accordance with the joint submission, the Discipline Committee found that because Ms. Green had cooperated with the discipline process throughout, an order as to costs was not appropriate.