

**DISCIPLINE COMMITTEE OF  
THE COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO**

BETWEEN :

COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO

- and -

BIBU THOMAS, Registration Number 15367

**NOTICE OF HEARING**

The Inquiries, Complaints and Reports Committee of the College of Physiotherapists of Ontario has referred specified allegations against Bibu Thomas to the Discipline Committee of the College. The allegations were referred in accordance with paragraph 26(1)1 of the *Health Professions Procedural Code*. The statement of allegations is attached to this notice of hearing. A discipline panel will hold a hearing under the authority of sections 38 to 56 of the *Health Professions Procedural Code*, as amended, for the purposes of deciding whether the allegations are true. A **pre-hearing conference** may be held at a date and time to be fixed by the Registrar. A discipline panel will subsequently convene for the purposes of conducting the **hearing**.

**IF YOU DO NOT ATTEND AT THE HEARING IN ACCORDANCE WITH THE PRECEDING PARAGRAPH, THE DISCIPLINE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THE PROCEEDINGS.**

If the discipline panel finds that you have engaged in professional misconduct, it may make one or more of the following orders:

1. Direct the Registrar to revoke the member's certificate of registration.
2. Direct the Registrar to suspend the member's certificate of registration for a specified period of time.
3. Direct the Registrar to impose specified terms, conditions and limitations on the member's certificate of registration for a specified or indefinite period of time.
4. Require the member to appear before the panel to be reprimanded.
5. Require the member to pay a fine of not more than \$35,000 to the Minister of Finance.

The discipline panel may, in an appropriate case, make an order requiring you to pay all or part of the College's costs and expenses pursuant to section 53.1 of the *Health Professions Procedural Code*.

You are entitled to disclosure of the evidence against you in accordance with section 42(1) of the *Health Professions Procedural Code*, as amended. You, or your representative, may contact the solicitor for the College, Joanna Birenbaum, in this matter at:

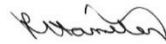
Ursel Phillips Fellows Hopkinson LLP  
555 Richmond St. West, Suite 1200  
Toronto, ON M5V 3B1

Telephone: (416) 968-3333  
Facsimile: (416) 968-0325  
Email: [jbirenbaum@upfhlaw.ca](mailto:jbirenbaum@upfhlaw.ca)

You must also make disclosure in accordance with section 42.1 of the *Health Professions Procedural Code*, which states as follows:

Evidence of an expert led by a person other than the College is not admissible unless the person gives the College, at least ten days before the hearing, the identity of the expert and a copy of the expert's written report or, if there is no written report, a written summary of the evidence.

Date: January 19, 2022



Rod Hamilton, Registrar  
College of Physiotherapists of Ontario

TO: Bibu Thomas

## Statement of Allegations

1. At all material times Bibu Thomas was a registered physiotherapist with the College of Physiotherapists of Ontario.
  
2. In the period September 1, 2018 – January 2, 2019, Bibu Thomas engaged in professional misconduct within the meaning of the following paragraphs of section 1 of the *Professional Misconduct Regulation*, O. Reg. 388/08:
  - a. paragraph 1 (failing to maintain the standards of practice of the profession);
  - b. paragraph 10 (sexual abuse of a patient);
  - c. paragraph 18 (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).
  
3. In the period September 1, 2018 – January 2, 2019, Bibu Thomas committed an act or acts of professional misconduct under ss. 1(3), 1(4) and s.51(1)(b.1) of the Health Professions Procedural Code, which is Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991, c.18 (the “Code”), in that he engaged in sexual abuse of a patient by touching and behaviour of a sexual nature towards a patient.

## **PARTICULARS OF THE ALLEGATIONS**

1. At all material times, Bibu Thomas was a physiotherapist registered with the College of Physiotherapists of Ontario, practicing at Med Rehab Group Inc. in Woodbridge Ontario (the “Clinic”) as well as at William Osler Health System in Brampton and Etobicoke, Ontario, and at Natcan Integrative Medical & Wellness Centre in Woodbridge, Ontario.
2. In or about December 22, 2018, Patient A attended at the Clinic for an assessment and treatment with Bibu Thomas. Bibu Thomas asked Patient A to remove their clothing from the waist up, including their bra, and to wear a gown that was untied at the back.
3. During the assessment and/or treatment, Patient A’s breasts were exposed on multiple occasions. Further, Bibu Thomas interfered with Patient A’s attempt(s) to cover up their breasts.
4. In the period September 1, 2018 and January 2, 2019, Bibu Thomas assessed and treated Patient B. At the material times, Patient B was a young person under the age of 16.
5. In the period September 1, 2018 to January 2, 2019, on multiple occasions, Bibu Thomas:
  - a. Directed Patient B to remove their clothing from the waist up (other than Patient B’s bra) and be treated in a gown that was untied at the back;
  - b. Unclipped Patient B’s bra and/or required Patient B to unclip their bra when Patient B did not give informed consent and was not comfortable with the unclipping of their bra;

- c. Directed Patient B to lower the shoulder straps of their unclipped bra and remove their arm from the sleeve of the gown, and directed Patient B to roll onto their right and/or left side, causing Patient B's right and left breasts to be exposed repeatedly in multiple appointments;
6. On January 2, 2019, while Patient B's right and then left breast were exposed, in the manner set out in paragraph 5 above, Bibu Thomas touched and/or massaged and/or squeezed Patient B's breasts.
7. The direction that Patient A and B remove their bra and/or bra straps, the exposure of the breasts of Patients A and B during treatment while wearing a gown that was untied at the back, and the touching of Patient B's breasts by Bibu Thomas, were not clinically indicated and were sexual in nature.
8. The acts set out in paragraphs 3, 5 and 6 above, individually and/or together, were unwelcome to Patients A and B and were experienced by Patients A and B as a violation of their sexual integrity.
9. In addition and/or in the alternative, the conduct set out in paragraphs 3, 5 and 6 above failed to respect Patient A's and Patient B's personal boundaries, fell below the standards of practice of the profession with respect to physiotherapists maintaining professional boundaries, were undertaken without Patient A and Patient B's informed consent, and otherwise constitute conduct that, having regard to all the circumstances, would reasonably be regarded by members of the profession as disgraceful, dishonourable and/or unprofessional.

## APPENDIX

1. Take notice that the documents that have been and will later be disclosed to you will be tendered as business documents pursuant to the *Evidence Act* of Ontario.
2. All documents that are disclosed to you in this matter are disclosed on the basis that they are to be used solely for the purpose of this proceeding and for no other purpose.