

**INVESTIGATIVE SUBCOMMITTEE OF THE
CANADIAN ATHLETIC THERAPY ASSOCIATION
SUMMARY OF PENALTY
SCOTT MILLER**

Respondent: Scott Miller
CATA Case #: CATA Case SM-20210928
Complaint Date: September 28, 2021

The Member worked as a CAT at RINK Testify Performance in Winnipeg, Manitoba (the “Clinic”) from December 1, 2019 to November 28, 2021.

On September 28, 2021, a complainant (the “Complainant”) submitted a formal complaint regarding the Member.

The Complainant alleges that on July 27, 2021, she sought treatment for a back injury at the Clinic. The Member indicated that he would be able to treat the Complainant that afternoon. The Complainant’s first treatment session occurred later that afternoon on July 27, 2021.

According to the Complainant, there were no intake forms or consent forms completed before any assessment or treatment was provided by the Member. The Member refutes this allegation and states that he completed both intake and consent forms prior to treatment however these were subsequently shredded before an electronic copy was saved.

The Complainant received treatment from the Respondent “a few times a week for the approximately two weeks” which included cupping and acupuncture. The Complainant ultimately terminated her treatment with the Member and sought alternative care.

Although the Member assessed and treated the Complainant over an approximately two-week period, the Member did not chart the assessments or treatments appropriately or consistently. The Member acknowledges his understanding of the importance of regular assessments and thorough documentation of initial assessment, treatment rendered, updating assessments, assessing new reports of injury, and rehabilitation progress.

The Member admits that the facts establish that he failed to uphold the standard of care expected of a CAT, in particular, to ensure complete written and recorded assessment and treatment notes dated and signed by the practitioner. Further, the charts were deficient in that the notes lack details of subjective and objective findings and the treatment notes provided do not align with the subjective and objective findings. In addition, intake forms and consent forms were not maintained and were subsequently shredded.

The Complaint was disposed of by way and a jointly submitted disposition, accepted by the Investigative Subcommittee which was as follows:

The Member completed a Medical Record Keeping course offered through Dalhousie University on February 12, 2023, receiving an unconditional pass.

The Member completed a Board of Certificate – Clinical Orthopaedic Rehabilitation – Spinal Orders course offered through Accelerated Online Learning on April 2, 2023, receiving an unconditional pass.

The Member completed a Board of Certificate – Orthopedic Physical Assessment with Special Tests – Thoracic and Lumbar Spine offered through Accelerated Online Learning on March 12, 2023, receiving an unconditional pass.

The Member was also required to pay a cost amount for the reimbursement of the CATA's legal costs incurred in the investigation of the complaint in the sum of \$2,000.