

**IN THE MATTER OF A HEARING BEFORE THE HEARING TRIBUNAL
OF PHYSIOTHERAPY ALBERTA COLLEGE + ASSOCIATION**

into the conduct of Scott Sherman
pursuant to the
Health Professions Act, R.S.A.2000, c. P-14

**NOTICE OF HEARING
AND
NOTICE TO ATTEND AS WITNESS**

TO: SCOTT SHERMAN

TAKE NOTICE THAT on July 13, 14, and 15, 2022 in the City of Edmonton, in the Province of Alberta, commencing at 9:00 a.m. by Zoom Video Conference, a Hearing Tribunal of Physiotherapy Alberta College + Association (“Physiotherapy Alberta”) will conduct a hearing into allegations that you engaged in unprofessional conduct in that:

1. On or between December 2019 and March 2020, you failed to maintain appropriate boundaries during your therapeutic relationship with client S.B. by meeting with her on one or more occasions in a personal capacity for coffee.
2. You engaged in sexual abuse toward patient S.B. the particulars of which include:
 - a. You provided physiotherapy treatment to S.B. on a number of occasions between February 5, 2014 – September 3, 2019;
 - b. On or about March 17, 2020, you commenced a sexual relationship with S.B. and engaged in conduct of a sexual nature with her while she was still a “patient” as defined in Physiotherapy Alberta’s Standard of Practice for Physiotherapists in Alberta: Sexual Abuse and Sexual Misconduct;
 - c. You provided further treatment to S.B. on or between October 7, 2020 to November 23, 2020, while continuing to engage in a sexual relationship with her and when S.B. was still a “patient”.

3. Further or in the alternative to allegations #2, your conduct in engaging in an intimate and/or sexual relationship with S.B. constitutes an inappropriate boundary violation.

IT IS FURTHER ALLEGED THAT your conduct constitutes “unprofessional conduct” as defined in s. 1(1)(pp)(i)(ii)(xii) of the *Health Professions Act*, R.S.A. 2000, c. H-7 (the “HPA”), in particular

1. Your conduct with respect to allegation #1 contravenes one or more of the following:
 - a. Code of Ethical Conduct for Alberta Physiotherapists: Responsibilities to the Client (A4, A18); Responsibilities to the Public (B1); and Responsibilities to Self and the Profession (C1, C6); and
 - b. Standards of Practice for Physiotherapists in Alberta: Professional Boundaries.
2. Your conduct with respect to allegations #2:
 - a. constitutes “sexual abuse” as defined in s. 1(1)(nn.1) of the *Health Professions Act*, R.S.A. 2000, c. H-7 (the “HPA”) and contravenes Physiotherapy Alberta’s Standard of Practice for Physiotherapists in Alberta: Sexual Abuse and Sexual Misconduct; and/or
 - b. breaches one or more of the following:
 - i. Code of Ethical Conduct for Alberta Physiotherapists: Responsibilities to the Client (A4, A18); Responsibilities to the Public (B1); and Responsibilities to Self and the Profession (C1, C6); and
 - ii. Standards of Practice for Physiotherapists in Alberta: Professional Boundaries.

AND FURTHER TAKE NOTICE that pursuant to section 72(1) of the *Health Professions Act*, you are required to attend at the said time and place in person, and you are compelled to give evidence and produce models, charts, documents, papers, notes, records, and other material relevant to the Hearing Tribunal.

AND FURTHER TAKE NOTICE that in the event that you do not attend at the said time and place, the Hearing Tribunal may proceed in your absence pursuant to section 79(6) and you will not be entitled to any further notice of the proceedings.

AND FURTHER TAKE NOTICE that in the event you do not attend at the said time and place, your failure to comply with the Notice to Attend may result in a further complaint and may constitute unprofessional conduct.

DATED at the City of Edmonton, in the Province of Alberta, this 10th day of February, 2022.

X 

Jane McKenzie
Hearings Director
Signed by: Jane McKenzie