

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

B E T W E E N :

COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO

- and -

MIKE MILOS POSTIC, Registration Number 12815

NOTICE OF HEARING

The Inquiries, Complaints and Reports Committee of the College of Physiotherapists of Ontario has referred specified allegations against Mike Milos Postic 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 the offices of the College of Physiotherapists of Ontario at 375 University Avenue, Suite 800, Toronto, Ontario, at a date and time to be fixed by the Registrar. A discipline panel will subsequently convene at the offices of the College of Physiotherapists of Ontario at 375 University Avenue, Suite 800, Toronto, Ontario, 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

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: August 23, 2023



Craig Roxborough, Registrar & CEO
College of Physiotherapists of Ontario

TO: Mike Milos Postic
c/o legal counsel
Andrew McKenna
Gowling WLG
160 Elgin Street, Suite 2600
Ottawa, ON K1P 1C3

Statement of Allegations

1. At all material times M Postic (the “Registrant”) was a registered physiotherapist with the College of Physiotherapists of Ontario.
2. In the period January 1, 2017 to June 30, 2022, the Registrant 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 5 (practicing the profession while the member is in a conflict of interest)
 - c. paragraph 10 (abuse of a patient, being treatment of a spouse and commencing an intimate relationship with a patient prior to the expiry of one-year from discharge of the patient from care)
 - d. 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);
 - e. paragraph 40 (Continuing the treatment of a patient where it is no longer indicated, has ceased to be effective or is unnecessary).
3. In the period January 1, 2017 to June 30, 2022, the Registrant 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 treating a spouse/intimate partner in the period 2020-2022 and by commencing a sexual relationship with a patient or former patient in the period 2017-2018.

PARTICULARS OF THE ALLEGATIONS

1. At all material times M Postic (the “Registrant”) was a physiotherapist registered with the College of Physiotherapists of Ontario, and the owner and principal of Paramount Physiotherapy in Brampton, Ontario (the “Clinic”), where the Registrant practices physiotherapy.
2. In or about the period of January 1, 2017 to January 30, 2018, the Registrant formed a personal, intimate and/or sexual relationship with a patient and/or former patient (“Patient A”), who later became the Registrant’s common-law spouse.
3. In or about March 1, 2020 to June 30, 2022, the Registrant treated Patient A and her three children at the Clinic, including approximately 111 treatments to Patient A; 99 treatments to Child 1; 97 treatments to Child 2; and 25 treatments to Child 3.
4. Invoices totaling approximately \$20,000 were issued by the Registrant to Patient A and/or Patient A’s children for the above physiotherapy services, which invoices were submitted by the Registrant to a third party insurer for reimbursement.
5. At all material times, the College’s Boundaries and Sexual Abuse Standard provided that physiotherapists must not treat their relatives or those with whom they have a close or intimate relationship, except in cases of an emergency, in which case, fees cannot be charged.
6. The circumstances under which physiotherapy care was provided by the Registrant to his spouse/intimate partner and close family members during the Covid 19 pandemic, did not constitute “an emergency” in accordance with the College’s Boundaries and Sexual Abuse Standard.
7. The physiotherapy care provide by the Registrant to Child 1 and/or Child 2 was continued when it was no longer indicated, had ceased to be effective and/or was unnecessary.

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.