

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

B E T W E E N :

COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO

- and -

SRAMIT BASNET, Registration Number 17625

NOTICE OF HEARING

The Inquiries, Complaints and Reports Committee of the College of Physiotherapists of Ontario has referred specified allegations against Sramit Basnet 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: November 20, 2024



Craig Roxborough, Registrar & CEO
College of Physiotherapists of Ontario

TO: Rebecca M. Young
Damien Frost & Associates LLP
1073 Bloor Street West
Suite 1
Toronto, Ontario
M6H 1M6

Counsel for
Sramit Basnet

Statement of Allegations

1. At all material times Sramit Basnet (the “Registrant”) was a registered physiotherapist with the College of Physiotherapists of Ontario and a part-time employee or contractor with Moetus Health located in Sudbury, Ontario (the “Clinic”).
2. In the period September 1, 2021 to December 31, 2023, 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 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);
 - c. paragraph 32 (submitting an account or charge for services that the member knows or ought to know is false or misleading);
 - d. paragraph 33 (failing to take reasonable steps to ensure that any accounts submitted in the member’s name or billing number are fair and accurate); and
 - e. paragraph 41 (failing to supervise in accordance with the standards of practice of the profession).

PARTICULARS OF THE ALLEGATIONS

1. At all material times Sramit Basnet (the “Registrant”) was a physiotherapist registered with the College of Physiotherapists of Ontario, and an employee or contractor with Moetus Health in Sudbury, Ontario.
2. In the period of September 1, 2021 and December 31, 2023, the Registrant performed virtual assessments of patients, who the Registrant then referred to Moetus Health for individual exercise services.
3. In the period September 1, 2021 to December 31, 2023, invoices for physiotherapy treatments to patients of the Registrant were issued by Moetus Health, under the Registrant’s name and College registration number, for services that were general exercise and/or otherwise did not qualify as or constitute physiotherapy treatments or services.
4. In or about November 15, 2022, an undercover investigator of the College was assessed virtually by the Registrant through Moetus Health. The undercover investigator did not identify any pain or presenting conditions. The clinical notes of the assessment contained no objective measures, no analysis, no diagnosis, and no treatment plan other than “follow up with [the owner of Moetus Health] for exercise program.” On November 26, 2022, the undercover investigator attended at Moetus Health for a one-on-one general exercise session, which was invoiced by Moetus Health as a physiotherapy follow up treatment under the Registrant’s name and College registration number.
5. Based on a chart review of patients of the Registrant who were referred to the Registrant by Moetus Health, the Registrant’s assessments, diagnoses, clinical analysis, treatment plans and records, failed to maintain the standards of practice of the profession.
6. At the material times, in the Registrant’s practice at Moetus Health, the Registrant failed to maintain the standards of practice of the profession in accordance with the College’s *Working with Physiotherapist Assistants* Standard.

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.