



Discipline Decision Summary

This summary of the Discipline Committee's Decisions and Reasons for Decision is published pursuant to the Discipline Committee's penalty order dated April 11, 2013.

By publishing this summary, the College endeavours to:

- illustrate for social workers, social service workers and members of the public, what does or does not constitute professional misconduct;
- provide social workers and social service workers with direction about the College's standards of practice and professional behaviour, to be applied in future, should they find themselves in similar circumstances;
- implement the Discipline Committee's decision; and
- provide social workers, social service workers and members of the public with an understanding of the College's discipline process.

PROFESSIONAL MISCONDUCT

Ann Rampono

(Former Social Work Member #774664)

Allegations

The College's allegations relate to Ms. Rampono's conduct or actions, in regard to a client to whom she had provided hospital-based counselling and/or psychotherapy services for approximately ten months. Despite the cessation of the therapeutic relationship, the client's clinical file remained open and Ms. Rampono did not document any termination of the therapeutic relationship.

During the latter three months of the therapeutic relationship, and subsequent to its termination for more than a year, Ms. Rampono:

- (a) Had numerous non-clinical social contacts with the client, both alone and in the presence of others (including with members of Ms. Rampono's family and friends and acquaintances of the client);
- (b) Had the client in Ms. Rampono's home on numerous occasions;
- (c) Made personal disclosures to the client, including disclosures concerning Ms. Rampono's financial and familial circumstances;
- (d) Gave gifts to the client;
- (e) Accepted gifts, goods, services and benefits from the client, including the client tidying, cleaning, painting and decorating Ms. Rampono's house; purchasing or providing Ms. Rampono with home furnishings and groceries and cooking, driving and babysitting for Ms. Rampono and her family;
- (f) Failed to maintain appropriate therapist/client boundaries with the client;

- (g) Failed to appropriately document her interaction with the client or any termination of the therapeutic relationship in the client's clinical file;
- (h) Failed to notify the client's psychiatrist of Ms. Rampono's development of a personal relationship with the client or of any termination of the therapeutic relationship with the client.

Plea

As Ms. Rampono was neither present nor represented at the hearing (although notified of the allegations and the hearing), she was deemed to have denied the allegations.

Findings

The Discipline Committee found, as set out in the Notice of Hearing, that Ms. Rampono was guilty of professional misconduct in that she:

1. Violated Section 2.5 of the Professional Misconduct Regulation by abusing a client psychologically and/or emotionally. Ms. Rampono allowed the vulnerable client to become attached to her. The client was aware that Ms. Rampono was benefitting from the relationship but felt it was okay because the client was happy to have Ms. Rampono's interest.
2. Violated Section 2.36 of the Professional Misconduct Regulation by 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. Ms. Rampono acted dishonourably by having non-clinical contacts with the client and having the client in her home. She also acted disgracefully by accepting gifts and services (cleaning, painting) from the client. Further, Ms. Rampono acted unprofessionally in failing to respect appropriate client/therapist boundaries, failing to document appropriately and failing to notify the client's psychiatrist of the development of a personal relationship.
3. Violated Section 2.6 of the Professional Misconduct Regulation by using information obtained during Ms. Rampono's professional relationship with the client, or using Ms. Rampono's professional position of authority to coerce, improperly influence, harass or exploit a client or former client. Ms. Rampono had the client "clean, tidy and decorate her home" and had the client's friend do electrical work for Ms. Rampono.
4. Violated Section 2.2 of the Professional Misconduct Regulation and (or in the alternative) Principle 1 of the Handbook (commented on in Interpretations 1.5 and 1.6) by failing to regard the well-being of her client as her primary professional obligation. In particular, Ms. Rampono failed to distinguish her own needs from those of her client, failed to appreciate how her needs might impact on her professional relationship with the client, placed her own needs before those of her client and failed to ensure that the client's interests were paramount. Ms. Rampono allowed the client to become emotionally attached to her and then had the client give her gifts and perform services for her.
5. Violated Sections 2.2 and 2.10 of the Professional Misconduct Regulation and Principle II (2.2) of the Handbook (commented on in interpretations 2.2.1 and 2.2.3) by failing to maintain clear and appropriate boundaries in her professional relationship with the client, and providing a professional service while Ms. Rampono was in a conflict of

interest. Ms. Rampono placed herself in a conflict of interest situation in which she ought reasonably to have known that the client would be at risk and used her professional position of authority to abuse or exploit a client or former client. Ms. Rampono accepted gifts from the client and had the client provide personal services for Ms. Rampono and for Ms. Rampono's family.

6. Violated Section 2.2 of the Professional Misconduct Regulation made under the Act and Principle II (2.2) of the Handbook (commented on in Interpretation 2.2.8) by engaging in conduct which could reasonably be perceived as reflecting negatively on the profession of social work. Ms. Rampono should have reasonably understood that any of the above actions could be perceived as reflecting negatively on the profession of social work.

7. Violated Section 2.2 of Ontario Regulation 384/00 (Professional Misconduct) made under the Act and Principle II (2.2) of the Handbook (commented on in Interpretation 2.2.4) by using information obtained during Ms. Rampono's professional relationship with the client, to acquire, either directly or indirectly, advantage or material benefit. Ms. Rampono accepted gifts and services from the client, using information she obtained during her professional relationship with the client.

8. Violated Section 2.2 of Ontario Regulation 384/00 (Professional Misconduct) made under the Act and Principle III of the Handbook (commented on in Interpretation 3.7) by failing to demonstrate that the client or former client with whom she established a personal relationship, was not exploited, coerced or manipulated, intentionally or unintentionally. Ms. Rampono was not present nor was she represented at the hearing. She did not attempt to refute the allegations in any manner orally or by correspondence. Additionally, Ms. Rampono voluntarily admitted to the hospital that she benefitted from her relationship with the client and that the client told Ms. Rampono that the client was in love with Ms. Rampono. The client provided Ms. Rampono with gifts and services to show the client's appreciation of Ms. Rampono's interest in the client.

9. Violated Section 2.2 of Ontario Regulation 384/00 (Professional Misconduct) made under the Act and Principle I of the Handbook (commented on in Interpretation 1.7) by failing to maintain an awareness and consideration of the purpose, mandate and function of the hospital where the Member was employed, and how those impacted on and limited her professional relationship with the client, who was Ms. Rampono's client and a client of the Hospital. Ms. Rampono did not notify her supervisors or the psychiatrist of her personal involvement with the client, nor did she terminate her services to the client.

10. Violated Section 2.2 of Ontario Regulation 384/00 (Professional Misconduct) made under the Act and Principle IV of the Handbook (commented on in Interpretation 4.1.2) by making a statement in the record relating to her client, in the course of practising the profession of social work, that Ms. Rampono knew or ought to have known was false, misleading, inaccurate or otherwise improper. Ms. Rampono admitted to the hospital that she did not document her relationship with the client and that she did not inform members of the health team of her relationship. These omissions make Ms. Rampono's records for the client at the very least misleading and inaccurate.

The Discipline Committee found that Ms. Rampono, in her behaviour, violated Professional Standards of Practice as she became involved in an unhealthy relationship with an extremely vulnerable client for an extended period of time, showed callous and unethical behaviour and brought disgrace to the profession of social work.

Penalty

The Discipline Committee ordered that,

1. Pursuant to section 26(4)(1) of the Act, the Registrar is directed to revoke Ms. Rampono's certificate of registration, and to record a notation of the revocation on the College Register.
2. Pursuant to section 26(5)(3) of the Act, that the finding and Order of the Discipline Committee be published, in detail, with the name of Ms. Rampono (but without information that could identify the affected client/former client), in the official publication of the College, on the College's website, on any other media-related document that is provided to the public and additionally in any other manner necessary to alert regulators in other jurisdictions and is deemed appropriate by the College.
3. Pursuant to section 26(5)(5) of the Act, that Ms. Rampono pay costs in the amount of \$5,000 to the College.

The Committee concluded that the above penalty serves the public interest by satisfying principles of specific and general deterrence. In respect of specific deterrence, the Discipline Committee found that Ms. Rampono's conduct was so egregious that it would be impossible to fashion a remedy, other than revocation, that would either specifically deter or rehabilitate her, given her refusal to participate in the hearing. The revocation of Ms. Rampono's registration would additionally serve the function of general deterrence and is necessary to maintain public confidence in the integrity of the College's discipline process.