



CODE OF DEONTOLOGY



Fédération québécoise
des massothérapeutes
agréés
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For an ethical, responsible, and safe practice

Like all recognized professional organizations that are concerned with managing their members well and protecting the public, the FQM has adopted a code of deontology covering all aspects related to the practice of massage therapy.

CHAPTER 1 ▪ DEFINITIONS AND INTERPRETATIONS

Article 1

In this set of rules, unless context indicates a different meaning, we understand these terms as:

- a) **Fédération:** Fédération québécoise des massothérapeutes agréés.
 - b) **Member:** the term member includes any active member (certified massage therapist and any other title given by the Fédération), inactive member, student member, support member, as defined in the general rules of the Fédération.
 - c) **Client:** a person who has received or is receiving massage therapy services from a member.
 - d) **Massage therapy:** constitutes the practice of massage therapy, intervening on the human body through a manual approach (excluding any device) with the use of hands, feet, elbows, and knees, with the aim of preventing illness, improving health, and promoting autonomy.
 - e) **Conflict of interest:** without restraining the generality of conflicts of interest, a member is:
 - 1. in a conflict of interest when their interests are such that they can end up being favored over the client's interests, or that their judgement and loyalty towards the client can be negatively impacted;
 - 2. is not independent as an advisor for a given action if they find a personal advantage, direct or indirect, actual or potential.
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CHAPTER 2 ▪ DUTIES AND OBLIGATIONS TOWARDS THE PUBLIC

Article 2

The member shall support any measure likely to improve the quality and availability of the services they provide in the field in which they practice.

Article 3

The member should support education and information measures in the field in which they practice. They shall also, in the performance of their duties, take such action as is necessary to ensure that this educational and information function is fulfilled.

Article 4

In the exercise of their duties, the member must consider all the consequences that their research and work may have on the practice of massage therapy.

Article 5

The member must, in the exercise of their duties towards the public, demonstrate availability, attention and reasonable diligence.

CHAPTER 3 ▪ DUTIES AND OBLIGATIONS TOWARDS THE CLIENT

3.1 › General provisions

3.2 › Integrity

3.3 › Availability and diligence

3.4 › Liability

3.5 › Independence and selflessness

3.6 › Professional secrecy

3.7 › Accessibility of files

3.8 › Setting and payment of fees

3.9 › Issuance of receipts for massage therapy care

3.1 › General provisions

Article 6

The member must exercise their functions with respect for the privacy, dignity, intimacy, modesty, and freedom of the client.

Article 7

The member must respect the basic rules of personal hygiene in order not to inconvenience their client.

Article 8

The member must establish a relationship of trust between them and their client. To this end, the member must in particular:

- a) refrain from performing their work in an impersonal manner;
- b) respect the physical, psychological, and emotional boundaries of the client;
- c) conduct interviews in a manner that respects the client's value system and personal beliefs, when informed by the client;
- d) avoid recommending, performing, or increasing the number of massage therapy sessions without sufficient reason;
- e) be aware of the client's state of health and record it in the client's file to enable the member to perform their duties.

Article 9

In the performance of their duties, the member must consider the limits of their abilities, their knowledge, and the means at their disposal. In particular, they must not undertake services for which they are not sufficiently prepared or trained without obtaining the necessary assistance.

Article 10

The member must not in any way, directly or indirectly, interfere with the client's free choice to consult another member of the Fédération, a member of a professional order or any other competent person.

Article 11

The member must constantly ensure that they maintain and/or improve their theoretical and technical knowledge.

Article 12

The member must refrain from practising in conditions, states, or places likely to compromise the quality of their services and the dignity of the practice of massage therapy.

Article 13

Members shall not sexually harass or abuse their clients. In particular, they must refrain from:

- a) behaving in a manner (such as a gesture and/or expression) that is sexually degrading to the client or that demonstrates a lack of respect for the client's intimacy and modesty;
- b) suggesting, offering or claiming to be able to cure the client's sexual problems or dysfunctions;
- c) making seductive gestures, sexual innuendos or jokes, requests for dates, sexual favours or any other behaviour with a sexual connotation;
- d) suggesting, proposing or practising techniques and body manoeuvres with the aim, admitted or not, of seduction and/or the satisfaction of their sexual and/or emotional needs or those of the client;
- e) making inappropriate sexual or sexually degrading comments about the client or to the client, such as comments about the client's physical appearance, the client's underwear, the client's sexual orientation or the like;
- f) having a sexual relationship with a client, whether or not initiated by the client, including full or partial sexual intercourse, masturbation or any genital, oral or anal contact.

Sexual relations and activities between the member and the client are strictly prohibited for as long as the client uses the member's services.

The member may not establish an intimate or romantic relationship with the client during the professional relationship.

3.2 › Integrity

Article 14

The member must be loyal, honest, and attentive to their client.

Article 15

The member must avoid any misrepresentation of their level of competence or the effectiveness of their own services. If the good of the client so requires, they must consult a colleague, a member of a professional order or a competent person, or refer them to one of these persons.

Article 16

A member shall refrain from practising their profession if they feel emotionally, psychologically, physically, or sexually vulnerable.

Article 17

The member must inform their client when they use a therapeutic approach or technique for which they are not recognized by the Fédération, to better protect their client and themselves.

Article 18

- a) The member must refrain from giving advice and/or prohibitions on medication and must, in the interest of the client, respect the opinions and advice of other health professionals.
- b) The member must refrain from making medical diagnoses and/or criticizing the opinions and advice of health professionals and must, in the interests of the client, respect other health professionals.

Article 19

The member must always adjust to the client's need for modesty and respect the client's right to keep the clothing they wish during the procedure. The member may offer another technique more appropriate to the client's current path or refer the client to another qualified massage therapist recognized as such by the Fédération.

- a) The health questionnaire (or any other equivalent document) completed and signed by the client must indicate that the client may terminate the massage or require explanations from the massage therapist, regardless of the area being massaged, if the client feels uncomfortable. In addition, the massage therapist is encouraged to clarify the appropriateness of the manoeuvres to be performed, particularly on sensitive or intimate areas, by verbally reminding the client that they may terminate the massage or demand an explanation at any time.

Article 20

The member must be honest and transparent about the services rendered to the client. They must provide the client with the explanations necessary to understand and appreciate the service they are providing.

Article 21

The member must not urge or repeatedly encourage anyone to use their services.

Article 22

The member must refrain from psychologically manipulating their client at any time, in particular:

- a) by putting undue psychological pressure on the client, to force them to make life or behavioural choices that go against the client's real interests, and/or that destroy their dignity, emotional environment, integrity, or quality of life.
- b) by using arguments and/or therapeutic techniques which are likely to alter the client's lucidity, discernment, critical thinking and free will when the manipulation leads to abuse of any kind and to the loss of the client's dignity or integrity.
- c) using therapeutic techniques or manoeuvres of a psychotherapeutic nature, which act on the psyche of the client when they are not duly trained and qualified in these approaches or recognised as a competent professional by their peers within a recognised professional association or order.

3.3 › Availability and diligence

Article 23

The member, in the exercise of their duties towards his client, must show reasonable availability and diligence.

Article 24

A member must explain to their client, in a complete and objective manner, the nature and terms of the services to be provided.

Article 25

Before ceasing to perform their duties on behalf of a client, the member must notify the client within a reasonable period of time and ensure that this cessation of service is not prejudicial to the client, in particular by ensuring that the client has access to therapeutic follow-up.

Article 26

A member may not, except on just and reasonable grounds, cease or refuse to provide necessary services to a client. For the purposes of these rules, just and reasonable grounds include:

- a) the client's loss of trust in the member;
- b) the client's failure to comply with the member's advice, guidance and direction, both during and in the follow-up to the sessions;
- c) loss of integrity on the part of either the client or the member;
- d) incitement by the client to perform illegal, unfair or fraudulent acts;
- e) the inability of the member to work with information provided by the client;
- f) the member's loss of trust in the client;
- g) a reasonable risk to the member's health;
- h) the member being in a conflict of interest or in a situation where their independence as a member could be questioned;

- i) sexual harassment or abuse by the client involving the use of force, gifts, money, threats, extortion, coercion or psychological, verbal or physical violence;
- j) the personal hygiene of the client;
- k) if the client refuses the use of sheets to cover themselves if they are unclothed, so that the genitals and the gluteal fold are never exposed;
- l) if the client is under the influence of alcohol, drugs or any substance that could affect their lucidity or health;
- m) or any inappropriate behaviour of the client in relation to the member.

3.4 › Liability

Article 27

In the performance of their duties, members shall be fully liable for their general and professional civil liability. They are therefore prohibited from inserting in a contract for professional services a clause directly or indirectly excluding their liability, in whole or in part.

Article 28

A member may not invoke friendship with a client, the client's free consent or seductive manoeuvres to justify a waiver of their liability as a member of the Fédération and their ethical duties towards the client.

3.5 › Independence and selflessness

Article 29

A member must subordinate their personal interest to that of their client. A member may incur liability as a member of the Fédération and breach their ethical duties in the following manner:

- a) They themselves commit a derogatory act;
- b) They do or omit to do something in order to help another member commit a derogatory act;
- c) They encourage another member to commit a derogatory act.

Article 30

The member must ignore any intervention by a third party which could influence the performance of their duties and be detrimental to the client.

Article 31

The member must refrain from intervening in the personal affairs of the client on matters that do not pertain to their professional competence.

Article 32

The member must always maintain their independence and avoid any situation where they would be in a conflict of interest.

Article 33

As soon as they find that they are in a conflict of interest, the member must notify their client and ask if the client authorises them to continue to exercise their mandate.

Article 34

The member may share their fees with another person only as far as this sharing corresponds to a distribution of services and responsibilities and where their autonomy is respected.

Article 35

The member must refrain from receiving, with the exception of the remuneration to which they are entitled, from paying or committing themselves to paying any benefit, rebate or commission relating to the practice of massage therapy.

Article 36

The member may not demand a tip from their client. The tip must be left to the discretion of the client.

3.6 › Professional secrecy

Article 37

A member must respect the secrecy of any information of a confidential nature obtained in the performance of their duties.

Article 38

A member may only be relieved of the secrecy of any information obtained in the performance of their duties with the written authorization of the client or when authorized by law.

Article 39

When the member asks a client to reveal information of a confidential nature or when they allow such information to be entrusted to them, they must ensure that the client knows the reasons for it and the use that may be made of it.

Article 40

The member must avoid any indiscreet conversation about a client or services rendered to them.

Article 41

A member must not use information of a confidential nature to the detriment of a client in order to obtain directly or indirectly an advantage for themselves or for another person.

3.7 › Accessibility of files

Article 42

A member must respect their client's right to examine the documents concerning them in any file established in their regard and to obtain a copy of these documents.

Article 43

Access to information contained in a file is free of charge. However, the member may charge the client a reasonable fee for the transcription, reproduction, or transmission of the information. A member who intends to charge such fees must, before proceeding with the transcription, reproduction, or transmission, inform the client of the approximate amount that they will be required to pay.

Article 44

A member who refuses the client access to information contained in a file concerning them must inform the client in writing of the reasons for their refusal and enter them in the file.

3.8 › Fixing and payment of fees

Article 45

Fees are fair and reasonable if they are justified by the circumstances and proportionate to the services rendered. The member shall in particular consider the following factors in fixing the fees:

- a) the time spent in performing the work;
- b) the performance of services that are unusual or require exceptional skill or expedition;
- c) experience;
- d) the training received.

Article 46

The member must provide their client with all the explanations necessary for the client to understand their price list and the terms of payment.

Article 47

The member may not claim fees for services not provided unless there is a cancellation policy, and the client is informed of this provision. In such a case, the member may not claim more than the fees usually charged for a massage therapy session.

Article 48

The member must inform their client of the cost of their services.

Article 49

The member may only charge interest on overdue accounts after duly notifying the clients. The interest thus charged must be fair and reasonable.

Article 50

Before resorting to legal proceedings, the member must attempt to communicate with the client and must have exhausted all other means at their disposal to obtain payment of their fees.

Article 51

When a member entrusts another person with the collection of their fees, they must ensure that the person proceeds with tact and moderation.

3.9 › Issuance of receipts for massage therapy

Article 52

A member, when requested by a client, must issue a receipt for massage therapy care from the Fédération if the client has paid the fees and received the service for which the receipt is requested. When these fees are paid by gift certificate, this receipt must bear a mention to this effect.

Article 53

A member may not issue a receipt for massage therapy care from the Fédération when, in particular:

- a) the service offered to the client is not part of the massage therapy practices recognized by the Fédération québécoise des massothérapeutes;
- b) the service for which the client requests a receipt for massage therapy care has already been the subject of another receipt;
- c) the massage was not performed by the person signing the receipt;
- d) the person who received the massage requests that the receipt for massage therapy be made out to a third party;
- e) the amount shown does not correspond to the actual fee paid by the client;
- f) the service is offered to the member's spouse, children, immediate family or anyone living in the same household, thereby placing the member in a conflict of interest situation.

Article 54

The member is entirely responsible for the use of the Fédération's receipts in their possession and is the sole user and signatory.

CHAPTER 4 ▪ DUTIES AND OBLIGATIONS TOWARDS THE FÉDÉRATION AND THE PRACTICE OF MASSAGE THERAPY

4.1 › Actions derogatory to the dignity of the practice of massage therapy

4.2 › Relationship with the Fédération and fellow members

4.3 › Contribution to the advancement of the practice of massage therapy

4.1 › Actions derogatory to the dignity of the practice of massage therapy

Article 55

It is derogatory to the dignity of the practice of massage therapy for a member to, in particular:

- a) be guilty of fraud in obtaining their qualifications;
- b) refuse to provide services to any person on the basis of race, colour, sex, sexual orientation, marital status, age, religion, political belief, language, ethnic or national origin, social condition, or disability, unless, in the latter case, the member lacks the requisite training, skills or experience;

- c) directly or indirectly guaranteeing the cure of a disease, injury or any pathology;
- d) abuse, in the exercise of their functions, the inexperience, ignorance, naivety, vulnerability, or poor state of health of their client;
- e) giving or causing to be given to a client an undue material advantage, including falsifying a statement, receipt, report or other document relating to the health of a client or the service provided to the client;
- f) failing to dress modestly and appropriately in the course of their work, regardless of where they practice;
- g) soliciting, harassing, promoting, using hallucinogenic substances or drugs at any time as an adjunct to the performance of their duties;
- h) perform their duties while under the influence of alcoholic beverages, narcotics, hallucinogens, narcotic or anaesthetic preparations or any other substance which may produce intoxication, impairment or unconsciousness;
- i) Intervene with a client who is impaired by alcohol, medication, narcotics, drugs or hallucinogens, which may cause confusion and ambiguity about the therapeutic nature of the massage, except in a setting appropriate to the problem;
- j) perform any act or behaviour that is contrary to what is generally accepted in the practice of massage therapy;
- k) communicate with the Complainant when informed of an investigation into their conduct or competence or when served with a complaint against them;
- l) accept or offer money or any other benefit to assist or have assisted in bringing about any decision by the Fédération;
- m) not respecting agreements and contracts made with the client.

4.2 › Relationship with the Fédération and fellow members

Article 56

The member must respond as soon as possible to all correspondence from the Fédération.

Article 57

The member must not in any way harm the reputation of the Fédération or of one of their fellow members.

Article 58

A member shall not exploit the good faith of another member or be guilty of a breach of trust or any other unfair practice. In particular, they must not take credit for work done by another member.

4.3 › Contribution to the advancement of the practice of massage therapy

Article 59

The member must, to the extent of their possibilities, contribute to the development of massage therapy through the exchange of their knowledge and experience with other massage therapists and students and through their participation in courses and continuing education sessions.

CHAPTER 5 ▪ SALE OF GOODS

Article 60

The member may sell goods as far as these goods are related to the practice of massage therapy and are complementary to the practice of this profession.

Article 61

The member may not trade in goods or methods likely to be harmful to the client's health.

CHAPTER 6 ▪ CONDITIONS, RESTRICTIONS AND OBLIGATIONS RELATING TO ADVERTISING AND REPRESENTATION

Article 62

As soon as the member registers with the Fédération under their legal name, they must use the same name on their business card, in their advertising and in any other reference related to the practice of massage therapy.

Article 63

The member must avoid any publicity likely to devalue the image of the practice of massage therapy and of the Fédération québécoise des massothérapeutes.

Article 64

A member may not engage in any advertising that directly or indirectly denigrates or devalues another person or devalues a service or good offered by that person.

Article 65

A member cannot make or allow to be made by any means whatsoever publicity that is false, misleading, incomplete, or likely to mislead.

Article 66

A member who advertises fees or prices must do so in a manner that is understandable to a public that has no particular knowledge of massage therapy and must:

- a) set fees or determine prices;
- b) state the nature and extent of the services included in the fee or price;
- c) indicate whether additional services or goods not included in the fee or price may be required;
- d) indicate whether any fees or other disbursements are included in such fees or prices.

The fee or price must remain in effect for a minimum period of 30 days after the date of the advertisement. However, nothing prevents a member from agreeing with a client to a lower price than that which has been broadcast. Advertising with a term is not subject to the 30-day minimum period.

Article 67

The member must keep a complete copy of any advertisement they have made in its original form for a period of 5 years following the date of the last broadcast of this advertisement. Upon request, this copy must be given to the management or the trustee of the Fédération.

Article 68

The member who has obtained the authorization of the Fédération's management to represent the Fédération to the public or the media must confine themselves to informing the public, honestly and accurately, about the methods generally accepted within the Fédération.

Article 69

The member must express their opinions in a manner that respects their fellow members, the philosophy, the mission, and the vision of the Fédération.

CHAPTER 7 ■ TERMS AND CONDITIONS FOR THE USE OF THE FÉDÉRATION'S GRAPHIC SYMBOL

Article 70

A member who reproduces the Fédération's graphic symbol for publicity purposes must ensure that it conforms to the original held by the Fédération's head office.

Article 71

A member who uses the graphic symbol of the Fédération in its advertising, including on a business card, may not juxtapose the name of the Fédération or otherwise use the name of the Fédération, except to indicate that they are a member.



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