

Executive Summary – Christina Parkman, RMT February 27, 2014

Summary of the Discipline hearing before a Panel of the Discipline Committee of the College of Massage Therapists of Ontario held on February 27, 2014

Allegations of Professional Misconduct and Plea

Ms. Parkman entered a guilty plea in relation to the following allegations:

- Contravening a term, condition or limitation imposed on her Certificate of Registration;
- Receiving a benefit for the practice of massage therapy while under suspension; and
- Falsifying a record.

The Facts and Findings of the Panel

The facts of the case were established by way of an Agreed Statement of Facts which set out the following:

Ms. Parkman's Certificate of Registration was suspended for non-payment of fees in connection with her failure to pay a follow up fee and submit her Target Level Submission form to the College by the required deadline.

Despite receiving the Notice of Intent to Suspend and the letter of suspension of her Certificate of Registration, Ms. Parkman admitted to continuing to practice and holding herself out as a Registered Massage Therapist by issuing receipts for treatments she provided while her Certificate of Registration was suspended. Ms. Parkman treated over 400 clients while suspended.

Ms. Parkman had a prior history of a suspension of her registration for similar reasons in 2009.

Ms. Parkman provided evidence to support her personal circumstances as a mitigating factor.

Decision of the Panel and Penalty and Cost Award Imposed

The College and Ms. Parkman presented a joint submissions respecting penalty. The Discipline Panel accepted the Joint Penalty Submission and imposed the following penalty:

1. Four (4) months of the Member's suspension shall be remitted if the Member complies with the terms, conditions and limitations imposed on her Certificate, as set out in paragraph 2 below;
2. The following terms, conditions and limitations shall be imposed on the Member's Certificate:
 - (a) Prior to May 1, 2014, the Member shall enroll in, at her own expense, the College's Professionalism Workshop to be held on June 23, 2014 in Timmins, Ontario, and shall provide satisfactory evidence of the same;
 - (b) The Member shall submit to the College a two-page written reflective submission regarding the College's Charter on Professionalism that may be published at the Registrar's discretion as well as evidence of successful completion of

the College's Professionalism Workshop, within thirty (30) days of completing the College's Professionalism Workshop; and

- (c) The Member will contribute to the investigation and prosecution costs of the College in the amount of \$1,000.00 to be paid within thirty (30) days of the Decision becoming final or on such terms as are agreeable to the College;

- 3. A public and recorded reprimand; and
- 4. The publication of the Discipline Committee's Decision in the usual course, which includes publication in the Annual Report of the College, an Executive Summary posted on the College's website, as well as a summary of findings, also accessible through the College's website. Additionally, the College may publish, at the discretion of the Registrar, details of the Member's failure to comply with any terms of the penalty imposed.

Panel's Reasons for Decision

The Panel was of the view that the penalty imposed was in keeping with penalties imposed by previous Discipline Panels in similar cases and it was reasonable and fair.

The Panel considered the personal circumstances of the Registrant which, while not an excuse, was the reason for the default of her obligations. Given the extenuating circumstances, the Panel permitted an opportunity for the Registrant to remit the entire period of suspension, only if she completed all the course work as required by the terms, conditions and limitations imposed on her Certificate of Registration.

The Panel viewed the course work as key in reinforcing the serious nature of the misconduct and would provide an opportunity for remediation.

The Panel noted the Registrant demonstrated remorse by her plea and cooperation with the College during the investigation and prosecution.

The Panel imposed costs given that the Registrant's conduct necessitated an investigation and hearing.