

Executive Summary – Lakhram Hiralal, RMT June 13, 2013

Summary of the Discipline hearing before a Panel of the Discipline Committee of the College of Massage Therapists of Ontario held on June 13, 2013

Allegations of Professional Misconduct and Plea

Mr. Hiralal entered a guilty plea in relation to the following allegations:

- Received a benefit from the practice of massage therapy while under suspension;
- Signed or issued a false document;
- Submitted an account or charge for services that is false; and
- Engaged in disgraceful, dishonourable or unprofessional conduct.

The Facts

An Agreed Statement of Facts established the following:

Mr. Hiralal received a letter from the College dated November 22, 2011 notifying him that the deadline to renew his registration had passed and that if he did not renew his registration by December 31, 2011, his certificate of registration could be suspended.

Between January 3 and January 5, 2012, Mr. Hiralal exchanged correspondence with the College in which he acknowledged his failure to complete his membership renewal.

Mr. Hiralal's registration was suspended on January 4, 2012, and he received formal notice of the suspension in a letter from the College dated January 4, 2012. His certificate of registration was subsequently reinstated effective May 11, 2012.

Mr. Hiralal admitted that he knew that his registration was suspended between January 4, 2012 and May 11, 2012 and he was paid for providing dozens of massage therapy treatments for which he issued receipts representing that he was a Registered Massage Therapist during his period of suspension.

Decision of the Panel and Penalty and Cost Award Imposed

The Panel accepted Mr. Hiralal's plea and found him guilty of professional misconduct in relation to each allegation.

The Panel accepted a Joint Penalty Submission and imposed the following penalty:

1. Mr. Hiralal received a public and recorded reprimand;
2. Mr. Hiralal's Certificate of Registration was suspended for a period of four (4) months

Commencing on July 1, 2013, with the ability to remit two (2) months if he complied with the following terms, conditions and limitations imposed on his Certificate of Registration:

- a. That Mr. Hiralal successfully complete the College's Professionalism Workshop and provide satisfactory evidence of same prior to August 31, 2013;
 - b. That Mr. Hiralal pay costs of \$1,200.00, payable within thirty (30) days of the date of the Hearing or on such terms agreeable to the College; and
3. The decision will be published in the usual course.

Panel's Reasons for Decision

The Panel noted that it is a very serious offence to practice massage therapy without a license and the penalty imposed reinforced this messaging stressing the importance of ensuring yearly registration is completed on time.