

## **Executive Summary – Mei Chun Chan, RMT November 29, 2013**

Summary of the Discipline hearing before a Panel of the Discipline Committee of the College of Massage Therapists of Ontario held on November 29, 2013

### **Allegations of Professional Misconduct and Plea**

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

- failed to keep records as required;
- falsified a record;
- signed or issued false documents, and
- engaged in disgraceful, dishonourable or unprofessional conduct.

### **The Facts**

The College and Ms. Chan submitted an Agreed Statement of facts which set out the following facts.

### **Decision of the Panel and Penalty and Cost Award Imposed**

The Discipline Panel accepted the Joint Penalty Submission of the College and Ms. Leonard and imposed the following penalty:

1. The Member shall receive a reprimand;
2. The Member's Certificate of Registration shall be suspended for a period of four (4) months, with the entire period of the suspension to be remitted immediately (as a result of the Member's inability to practice since moving to Newfoundland);
3. The Member shall submit a two-page written reflective submission regarding the College's Charter on Professionalism that may be published at the Registrar's discretion and which is to be received by the College by October 21, 2013;
4. The Member shall contribute to the investigation and prosecution costs of the College in the amount of \$1000.00 to be paid by December 31, 2014; and
5. The decision of the Discipline Committee in this matter shall be published in the usual course.

### **Panel's Reasons for Decision**

The Panel was of the view that it is a very serious offence to practice massage therapy without a valid license. It was noted that Ms. Leonard practised massage therapy while suspended for more than 14 months and while she took some action when she realized her registration was suspension, she ought to have known she had not paid her annual fees. The Panel felt the penalty imposed was appropriate given the serious nature of the conduct involved.

The Panel considered Ms Leonard's unique circumstance in that she could not practice as a massage therapist prior to the hearing as she had moved to another province where massage therapy is regulated and in her circumstance the Panel felt it was appropriate It should be noted that Ms. Leonard's suspension was remitted as she moved out of province to another regulated jurisdiction and since moving she was not able to work as an RMT as she was not in good standing in Ontario. This means she has effectively served her time.