



## College of Massage Therapists of Ontario

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### **Discipline Hearing Summary**

#### **Mingya Kathy Kennedy, RMT (Markham, ON), May 16, 2018**

##### **Decision**

On May 16, 2018, the Discipline Committee found that Ms. Mingya Kathy Kennedy, a Registered Massage Therapist (RMT), committed acts of professional misconduct in that she:

1. falsified a record relating to her practice;
2. signed or issued, in her professional capacity, a document that she knew contained a false or misleading statement; and
3. engaged in conduct or performed an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by registrants as disgraceful, dishonourable or unprofessional.

##### **Penalty and Cost Award**

The Discipline Committee's order included the following:

1. Ms. Kennedy is required to appear before a panel of the Discipline Committee immediately following the hearing of this matter to be reprimanded, with the fact of the reprimand and the text of the reprimand to appear on the public register of the College.
2. The Registrar is directed to suspend Ms. Kennedy's Certificate of Registration for a period of six (6) months as of May 16, 2018.
3. The Registrar is directed to impose the following terms, conditions or limitations on the Registrant's Certificate of Registration:
  - a. Within six (6) months of May 16, 2018, Ms. Kennedy must provide proof, acceptable to the Registrar, of successful completion of the College's Record Keeping Workshop, which is to be taken at her own expense;

- b. Within six (6) months of May 16, 2018, Ms. Kennedy must provide proof, acceptable to the Registrar, of successful completion of the College's Professionalism Workshop, which is to be taken at her own expense; and
  - c. Within six (6) months following Ms. Kennedy's return to practice after the suspension described in paragraph 2 above, Ms. Kennedy must undergo a practice inspection relating to her record keeping and billing practices conducted by a College-appointed inspector of any clinic where Ms. Kennedy works, where Ms. Kennedy will cover the costs of the inspection up to a maximum of \$500.00.
4. Ms. Kennedy was required to pay to the College costs in the amount of \$2,500.00 within one (1) month of May 16, 2018.

**Reprimand Delivered to Ms. Kennedy:**

The following reprimand was delivered by a Panel of the Discipline Committee:

Ms. Kennedy, the Panel would like to acknowledge the respect you have shown for this process through your cooperation and your attendance today. The Panel finds your conduct to be extremely serious. Falsifying receipts and treatment records undermines the reputation of the profession and the public's trust and confidence.

Additionally, by knowingly falsifying receipts, you have personally gained a financial benefit, which is a violation of your professional standard as a Regulated Health Professional. By being proactive and enrolling in the ordered courses and course work, you have demonstrated your commitment to rehabilitation.

Upon returning to the practice, the Panel's expectation is that you will do it with renewed professionalism.