



## College of Massage Therapists of Ontario

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### **Discipline Hearing Summary**

**Jose Mira Nava (Toronto, ON)**

**November 28-29, 2018 and September 23, 2019**

#### **Decision**

On June 5, 2019, the Discipline Committee found that Mr. Nava, a Registered Massage Therapist (RMT), committed acts of professional misconduct in that he:

1. sexually abused a client;
2. contravened a Standard of Practice of the profession or a published standard of the College, or failed to maintain the Standard of Practice of the profession;
3. physically abused a client;
4. 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; and
5. engaged in conduct that would reasonably be regarded by registrants as conduct unbecoming a Massage Therapist.

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

At the penalty hearing of September 23, 2019, the Discipline Committee ordered the following penalty:

1. Mr. Nava is required to appear before a panel of the Discipline Committee within three (3) months to be reprimanded, with the fact of the reprimand to appear on the public register of the College.
2. The Registrar is directed to revoke Mr. Nava's Certificate of Registration effective immediately.
3. Mr. Nava is required to reimburse the College for funding provided to the Client under the program required under section 85.7 of the *Health Professions Procedural Code*

being Schedule 2 to the *Regulated Health Professions Act, 1991*.

4. Mr. Nava is required to, within thirty (30) days of the date of this order, post security acceptable to the College in the amount of \$8,000.00 to guarantee the payment of any amounts he may be required to reimburse the College under the order in paragraph 3 above.
5. Mr. Nava is required to pay to the College costs in the amount of \$30,000.00 over a period of twenty (20) monthly installments of \$1,500.00 commencing on the date of this order.

The complete Decisions and Reasons will be available online on the Canadian Legal Information Institute (CanLII) [website](#).