



College of Massage Therapists of Ontario

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Discipline Hearing Summary

Kimberly Miller (Whitby, ON)

January 7, 2020

Decision

On January 7, 2020, the Discipline Committee found that Ms. Kimberly Miller, a Registered Massage Therapist, committed acts of professional misconduct in that she:

1. failed to co-operate with the Quality Assurance Committee by contravening a term, condition or limitation (“TCL”) on her Certificate of Registration;
2. failed to reply appropriately or within a reasonable time to a written inquiry made by the College that requested a response; 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 unprofessional.

Penalty Order and Cost Award

The Discipline Committee made the following order on penalty and costs:

1. Ms. Miller 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 a summary of the reprimand to appear on the public register of the College;
2. The Registrar is directed to suspend Ms. Miller’s Certificate of Registration for a period of at least six (6) weeks, to commence on the date of this order and continuing for six (6) weeks or until Ms. Miller complies with the provision outlined in paragraph 3(a)(i) below, whichever is longer;
3. The Registrar is directed to impose the following TCLs on Ms. Miller’s Certificate of Registration:
 - a. Ms. Miller must successfully complete the outstanding TCLs issued by the Quality Assurance Committee, effective November 15, 2017, by the time periods set out below:

- i. Within six (6) weeks of the date of this order, Ms. Miller must successfully complete the Professionalism, Record Keeping and Standards and Regulations courses and provide confirmation of such successful completion to the College, as required by the Quality Assurance Committee; and
 - ii. Within six (6) months of the date of this order, Ms. Miller must successfully complete the remaining TCLs, which include reflection papers on the Professionalism, Record Keeping and Standards and Regulations courses as well as a Peer Assessment, as required by the Quality Assurance Committee;
 - b. Within six (6) months of the date of this order, Ms. Miller must provide proof, acceptable to the Registrar, of successful completion of an individualized ethics course with a course provider approved by the College regarding the issues raised in this case, which is to be taken at Ms. Miller's own expense; and
 - c. Ms. Miller must respond to all College communications within thirty (30) days, unless an earlier response date is requested; and
4. Ms. Miller is required to pay to the College costs in the amount of \$2,000.00 within one (1) month of the date of this order.

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

Reprimand Delivered to Ms. Miller:

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

The panel would like to acknowledge the respect you've shown for the discipline process and for your presence and cooperation here today. That being said, the panel finds your conduct was simply unacceptable [for] a regulated health professional. You failed to respond to your regulator, and failed to comply with terms, conditions and limitations imposed by the Quality Assurance Committee. The panel would like to remind you that being a Registered Massage Therapist is a privilege and not a right. It is our expectation that you will learn from your experience and from the ordered course work, and when you return to practice you will recommit yourself to upholding the highest professional standards.