



College of Massage Therapists of Ontario

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## Discipline Hearing Summary

**Kassy Newman (Tecumseh, ON)**

**February 22, 2021**

### Decision

On February 22, 2021, the Discipline Committee found that Ms. Kassy Newman, committed acts of professional misconduct in that she:

1. 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, including the *Communication/Public Health Standard 14: Client Health Record*;
2. failed to keep records as required;
3. falsified a record relating to her practice;
4. signed or issued, in her professional capacity, a document that she knew contained a false or misleading statement;
5. submitted an account or charge for services that she knew were false or misleading; and
6. 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 Order and Cost Award

The Discipline Committee's order included the following:

1. Ms. Newman 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. Newman's Certificate of Registration for a period of ten (10) months, effective immediately.
3. The Registrar is directed to impose the following specified terms, conditions and limitations on Ms. Newman's Certificate of Registration:

- a. Prior to her return to practice, Ms. Newman must provide proof, acceptable to the Registrar, of successful completion of the following courses, taken at her own expense:
    - i. PROBE Ethics & Boundaries Course or other ethics course acceptable to the Registrar; and
    - ii. the College's Standards and Regulations E-Workshop; and
  - b. Within two years of her return to practice, Ms. Newman must participate in up to three (3) compliance audits conducted by a College-appointed auditor, at her own expense. The cost of each audit shall not exceed \$500.00.
4. Ms. Newman is required to pay to the College costs in the amount of \$5,000.00, within twelve (12) months 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. Newman**

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

The panel would like to acknowledge your cooperation in arriving at an agreed statement of facts and a joint submission on penalty, which assisted in the process and lessened the burden of time and resources upon the College and the profession. We also appreciate your presence here today.

Having said that, the panel finds that your conduct was egregious and totally unacceptable for a Registered Massage Therapist and a regulated health professional. You deliberately and knowingly submitted significant numbers of falsified receipts for treatments that you did not provide, impacting multiple clients, clinics, and insurance providers. Additionally, you were negligent in your record keeping, in failing to create and maintain proper records and health histories. You put your clients' safety at risk.

Actions such as yours undermine the public's confidence in this profession and jeopardize [its] relationship with insurers. It is difficult to ascertain the reputational damage these actions have caused the profession.

This 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 use your suspension time to reflect on the seriousness of this conduct, and that you will learn from this experience and from your ordered course work. The panel hopes that when you return to practice, you will re-commit yourself to upholding the highest ethical standards. It is our sincere hope that we will not see you before this [Committee] in the future.