



College of Massage Therapists of Ontario

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Discipline Hearing Summary – Becky Arnold, RMT (Chatham, ON) April 24, 2015

The Discipline hearing before a Panel of the Discipline Committee of the College of Massage Therapists of Ontario (CMTO) was held on April 24, 2015.

Allegations of Professional Misconduct

Ms. Becky Arnold, a Registered Massage Therapist (RMT), was found to have engaged in the following acts of professional misconduct:

- Falsifying a record relating to the her practice;
- Signing or issuing a false document;
- Submitting an account or charge for services that is false or misleading; and
- Engaging in disgraceful, dishonourable or unprofessional conduct.

The Facts

The facts of the case were established by an Agreed Statement of Facts, which set out the following:

The College received a complaint from an insurance company concerning Ms. Arnold on February 14, 2014. A panel of the Inquiries, Complaints and Reports Committee commenced an investigation upon receiving the letter of complaint. During the investigation, it was revealed that Ms. Arnold, in the course of her professional practice as an RMT, submitted billing requests and documents to the insurance company. These billing requests were made in relation to Massage Therapy treatments, which were either not rendered at all, not rendered to the individuals for whom the claims were submitted and/or not rendered on the dates indicated by Ms. Arnold.

Ms. Arnold admitted to submitting these false billings to the insurance company and also that she did so knowingly, in order to obtain funds for her personal use. These billings were knowingly submitted, in part, to alleviate financial pressures associated with the repayment of student debt obligations and debts owed to the Canada Revenue Agency. Ms. Arnold entered a guilty plea in relation to each of the allegations of professional misconduct.

In her admissions, Ms. Arnold acknowledged the inappropriateness of her actions and accepted that her conduct was unprofessional. She also faced criminal charges relating to this conduct and made full repayment to the insurance company for the amounts of her false billings.

Findings of the Panel, Penalty Order and Cost Award

The Panel unanimously found that the facts contained in the Agreed Statement of Facts supported the guilty plea, and consequently, the Panel found Ms. Arnold engaged in each of the allegations of professional misconduct as alleged.

The Panel accepted the Joint Penalty Submission of the Parties and imposed the following Penalty Order:

1. Suspension of Ms. Arnold's Certificate of Registration for six months;
2. A public and recorded reprimand that Ms. Arnold will attend in person;
3. Within one year of the hearing date, Ms. Arnold will complete the College's Professionalism Workshop and Record Keeping courses at her expense;
4. A term imposed on Ms. Arnold's Certificate of Registration will require an inspection of her practice at her expense within six months of her return to active practice following the suspension; and
5. Publication of the Panel's decision to include publication in the *Annual Report* of the College, a Hearing Discipline Summary posted on the College's website, as well as a summary of findings in the College's public register.

Cost Award

The Panel imposed a cost award in the amount of \$3,500.00 in partial payment of the College's investigation and prosecution costs.

Panel's Reasons for Decision

The Panel accepted the Joint Submission on penalty finding that it was fair, reasonable and in the public interest.

The Panel cited that the facts of the case represented a serious lapse in judgment for which Ms. Arnold acknowledged, admitted and faced criminal charges. The Panel further noted that Ms. Arnold repaid the insurance company and she was cooperative with the College with respect to her investigation. As such, by cooperating with the College in its investigation and admitting that her conduct was unprofessional, she has helped to avoid the costs of a lengthy hearing.

The Panel believed that the length of the suspension was warranted given the seriousness of the conduct relating to falsifying billings for her own personal gain.

The Panel was of the view that the coursework and subsequent inspection of Ms. Arnold's practice will reinforce a renewed commitment to the profession and to upholding the standards of the profession.

At the conclusion of the hearing, Ms. Arnold waived her right to appeal and an oral reprimand was delivered by the Panel.