

**EXECUTIVE SUMMARY – HEATHER HUGHES, RMT
DISCIPLINARY HEARING CONDUCTED
NOVEMBER 29, 2012**

The Member, Heather Hughes, RMT, was charged with three counts of professional misconduct:

1. Contravening a term, condition or limitation imposed on a member's Certificate of Registration, contrary to section 26, paragraph 6 of Ontario Regulation 544/94, as amended;
2. Signing or issuing, in the Member's professional capacity, a document that the Member knows contains a false or misleading statement, contrary to section 26, paragraph 29 of Ontario Regulation 544/94, as amended; and
3. Engaging in conduct or performing an act in the course of practicing the profession, that having regard to all of the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to section 26, paragraph 44 of Ontario Regulation 544/94 as amended.

THE PLEA

The Member entered a guilty plea to each allegation of professional misconduct outlined above.

THE FACTS

The facts of the case were presented by the parties through an Agreed Statement of Facts.

The Member's Certificate of Registration as a Massage Therapist was suspended as a result of her failure to submit the CEU reporting form and requisite fee on April 19, 2010. She was notified of the suspension by letter from the College on the same date.

The Member maintained an active practice during the period of her suspension. While she encountered a number of personal difficulties in the period leading up to and immediately following her suspension, the Member acknowledged that she is responsible for maintaining an up to date address with the College and opening her mail.

On July 16, 2010, the Member paid the requisite fees to have her Certificate of Registration reinstated with the College.

FINDING OF GUILT

The Panel of the Discipline Committee unanimously found that the facts contained in the Agreed Statement of Facts supported the guilty plea and therefore the Panel found the Member guilty of each of the allegations of professional misconduct.

PENALTY

The Member and the College presented a Joint Submission on Penalty to the Panel of the Discipline Committee and submissions were made with respect to penalty. Based upon these submissions, the Panel ordered as follows:

1. The Member shall receive a public and recorded reprimand immediately following the conclusion of the Discipline Hearing.
2. The panel shall direct the Registrar to suspend the Member's Certificate of Registration for a period of 4 months, however, such suspension shall be remitted by 2 months if the Member complies with the terms, conditions and limitations imposed on her Certificate of Registration as provided below.
3. The suspension of the Member's Certificate of Registration shall commence on the 17th day of December, 2012.
4. The following terms, conditions and limitations shall be imposed on the Member's Certificate of Registration:
 - (a) The Member shall enroll in and successfully complete, at her own expense, the College's Record-Keeping Course or a Registrar-approved record-keeping course, and shall provide satisfactory evidence of same; and
 - (b) The Member agrees that the College is entitled to contact the facilitator of the above-listed course, and request a report to the Registrar outlining the Member's participation in the course which, if unsatisfactory, will constitute a breach of paragraph (a) above.
5. The Member shall submit to one inspection of her practice, at her own expense, within one year of completing her suspension. The costs of the inspection shall not exceed \$250.
6. The Member shall pay costs to the College in the amount of \$1,000 within 45 days of the hearing.
7. The Member undertakes not to practice Massage Therapy during the period of her suspension.
8. Publication in the usual course.