

Executive Summary – Tracey Griffin, RMT November 29, 2013

Summary of the Discipline hearing before a Panel of the Discipline Committee of the College of Massage Therapists of Ontario held on November 29, 2013

Allegations of Professional Misconduct and Plea

Ms. Griffin entered a guilty plea in relation to the following allegations:

- signing or issuing in your professional capacity, a false or misleading statement; and
- engaging in disgraceful, dishonourable or unprofessional conduct

The Facts

The College and Ms. Griffin submitted an Agreed Statement of Facts which set out the following facts.

Manulife Insurance lodged a complaint with the College against Ms Griffin in relation to concerns with billings received relating to an insured. Ms. Griffin provided documentation she knew contained a false or misleading statement to Manulife Financial with respect to the dates of treatment provided to a client. when she knew that the client had not been treated on three of the dates indicated.

Ms. Griffin entered into an agreement with her client to provide false information to Manulife Financial in order to corroborate false claims submitted to that insurer by her client and by further implementing the scheme by providing false information to Manulife Financial.

Upon receiving the notice of the complaint from Manulife Financial, Ms. Griffin was cooperative, conceded wrongdoing and was remorseful. she expressed regret regarding a significant lapse in her judgment and her professionalism.

Decision of the Panel and Penalty and Cost Award Imposed

The Discipline Panel accepted the Joint Penalty Submission of the College and Ms. Griffin and imposed the following penalty:

1. The Member's Certificate of Registration shall be suspended for a period of three (3) months commencing on January 1, 2014;
2. During her suspension, the Member shall attend and complete the College's Professionalism Workshop and her suspension will continue indefinitely until she does so;
3. The Member shall submit to an inspection of her practice, at her own expense, within approximately 18 months of resuming practice. The cost of the inspection shall not exceed \$500;
4. A public and recorded reprimand;
5. The publication of the decision in the ordinary course, which includes publication in the Annual Report of the College, an Executive Summary posted on the College's website, as well as a summary of findings also accessible through the College's website; and

6. The Member shall pay costs of the investigation and prosecution \$2000, payable within (6) months of the decision of the Discipline Committee becoming final.

Panel's Reasons for Decision

In its reasons the Panel noted that providing false information to an insurance company and implementing a scheme with a client is a serious lapse of judgment and constitutes very concerning conduct for a professional. The Panel was of the opinion that the conduct in question was a serious breach of trust between the insurer provider, the public and the profession. The Panel further noted that it is important for massage therapists to earn and maintain the trust of the public and insurers. Public confidence and trust in the integrity of the profession must always be fostered and for these reasons the suspension, and the terms, conditions and limitations imposed on the Member's certificate should convey the College will take stern and appropriate action where member's engage in conduct of this nature.