

**EXECUTIVE SUMMARY – TERRI TERNOEY, RMT
DISCIPLINARY HEARING CONDUCTED
OCTOBER 26, 2011**

The Member, Terri Ternoey, RMT, was charged with two counts of professional misconduct:

- a. Signing or issuing, in the Member's professional capacity, a document that she knew contained false or misleading statements; and,
- b. Engaging in disgraceful, dishonourable or unprofessional conduct.

THE PLEA

The Member, who was represented by legal counsel, entered a guilty plea to the allegations of professional misconduct.

THE FACTS

Evidence was presented by way of an Agreed Statement of Facts.

The Member has been a registered massage therapist since November 13, 1995. In January 2010, the College advised the Member that her 2010 renewal forms and fees were incomplete because her credit card had been declined. The Member resubmitted her credit card authorization which was again declined, and the Member was therefore suspended as of February 23, 2010.

The Member exchanged emails with the College's registration department, in which she stated that her credit card payments had been declined because her credit cards had been "compromised". The Member then submitted two letters purporting to be from Scotiabank and the Bank of Montreal, attesting to this "compromise". She continued to maintain this account in correspondence with the College and when interviewed by a College investigator.

In the Agreed Statement of Facts, the Member admitted that she forged the letters from Scotiabank and the Bank of Montreal, and submitted the forged letters to the College in order to avoid paying the \$600.00 late renewal fee.

As a result of the foregoing, the Member admitted to having committed acts of professional misconduct.

FINDING OF GUILT

On the basis of the Member's guilty plea and its review of the Agreed Statement of Facts, the Panel of the Discipline Committee found the Member guilty of signing and issuing, in her professional capacity, a document that she knew contained false or misleading statements and engaging in disgraceful, dishonourable and unprofessional conduct.

THE SENTENCING HEARING

The Member and the College presented a Joint Submission on Penalty to the Discipline Panel. Following submissions of counsel to both parties, the panel accepted the joint submission and imposed the following penalty:

1. The Member's Certificate of Registration shall be suspended for a period of six (6) months. However, such suspension shall be remitted for a period of three (3) months if the Member complies with the terms, conditions and limitations imposed on her Certificate of Registration, as detailed below.
2. The following terms, conditions and limitations shall be imposed on the Member's Certificate of Registration:
 - a. The Member shall register for and complete the College's course in Professionalism, within three months of the Committee's decision and shall provide satisfactory evidence of successful completion of the course within 30 days of completing same;
 - b. The Member shall pay costs of \$1,000.00, payable within 60 days of the decision of the Committee becoming final.
3. A public and recorded reprimand; and,
4. Publication in the usual course.

In its Reasons, the panel commented on the Member's apparent lack of integrity and honesty in her dealings with the College.

EDITORIAL NOTE

The Ternoey decision affirms the importance of honesty and integrity in a Member's dealings with the College. Public confidence and trust in the profession, and in the College's ability to regulate the profession, must be fostered. Submitting forged documents of the College is a serious breach of a Member's profession obligations.