



## College of Massage Therapists of Ontario

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### Discipline Summary

#### David Manuel Miguel (Toronto, ON)

June 9, 2020

#### Motion Decision

On June 9, 2020, the Discipline Committee granted a consent motion to indefinitely adjourn the discipline hearing of Mr. David Manuel Miguel, in relation to a matter in which he was alleged to have engaged in the following acts of professional misconduct:

1. sexual abuse of a client, more specifically, touching of a sexual nature and behaviour or remarks of a sexual nature;
2. contravention of a Standard of Practice of the profession or a published standard of the College, or failure to maintain the Standard of Practice of the profession, in particular the Standard for Maintaining Professional Boundaries and Preventing Sexual Abuse and the Draping Standard;
3. doing anything to a client for a therapeutic, preventative, palliative, cosmetic or other health-related purpose in a situation in which a consent is required by law, without such consent;
4. verbal and physical abuse of a client; and/or
5. engaging in conduct or performing 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.

The Panel granted the motion after it was presented with evidence that Mr. Miguel signed an [undertaking](#) to resign and never reapply for registration with the College. Pursuant to that undertaking, the College retains the right to prosecute Mr. Miguel if he breaches its terms. Mr. Miguel also agreed to reimburse the College for funding for therapy and counselling provided for the client under the program required in section 85.7 of the Health Professions Procedural Code, being Schedule 2 to the *Regulated Health Professions Act, 1991*. Mr. Miguel also undertook to post security in the amount of \$6,000, to guarantee payment for that funding.

The complete Decisions and Reasons will be available online on the Canadian Legal Information Institute (CanLII) [website](#).