

**EXECUTIVE SUMMARY – JENNIFER MATTAR  
DISCIPLINARY HEARING CONDUCTED  
NOVEMBER 24, 2010**

The former Member, Jennifer Mattar, was charged with the following counts of professional misconduct:

1. Contravening the Regulated Health Profession's Act and s.26 paragraph 41 of the Professional Misconduct Regulations by continuing to practice and holding herself out as a member of the profession while suspended;
2. Receiving a benefit from the practise of the profession while suspended without making full disclosure to the College and obtaining prior approval;
3. Issuing in her professional capacity a document that the former Member knew contained a false or misleading statement;
4. Engaging in conduct that, having regard to all circumstances, would reasonably be regarded by Members as disgraceful, dishonourable or unprofessional.

**THE PLEA**

The Member entered a guilty plea in relation to the allegations and contested the costs sought by the College.

**THE FACTS**

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

The Member obtained her Certificate of Registration from the College of Massage Therapists of Ontario (the "College") in 1998. On July 9, 2007, the Member was notified that she had failed to complete her "Target Level Submission Form" and to forward the \$30 administrative fee. On October 23, 2007, the Member was notified that her Certificate of Registration was suspended effective October 25, 2007. Ms. Mattar did not pay any of the outstanding fees or attempt to renew her Certificate of Registration for 2008, 2009 or 2010, On February 16, 2010, Ms. Mattar was notified that her Certificate of Registration had been revoked. The College became aware that Ms. Mattar was practicing while suspended and as a result of investigations learned that Ms. Mattar had issued receipts bearing her name, signature and RMT designation. The College also received information from various clients of Ms. Mettar's advising that she continued to issue receipts bearing her RMT number as recently as September, 2010.

## **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:

- a. continuing to practice massage therapy and holding herself out as a Registered Massage Therapist while her Certificate of Registration was suspended and/or revoked;
- b. receiving a benefit from the practise of the profession while her Certificate of Registration was suspended and/or revoked without making full disclosure to the College and obtaining prior approval;
- c. signing or issuing in a professional capacity or failing to prevent her Staff from issuing a document that she knew contained a false or misleading statement; and
- d. engaging in conduct in accordance with practicing the profession that, having regard to all of the circumstances, would reasonably be regarded by Members as unprofessional.

## **THE PENALTY**

The Member and the College presented a joint submission as to penalty, which, except as to costs, was accepted by the Panel of the Discipline Committee, as follows:

1. Ms. Mattar shall be prohibited from reapplying for a Certificate of Registration for one year commencing November 24, 2010.
2. If Ms. Mattar reapplies, a mental health professional will be required to state that she is capable of working in the massage therapy profession; and
3. If Ms. Mattar reapplies and is granted a Certificate to re-enter the profession, her practice will undergo an inspection within one year of her reinstatement, at her expence to a maximum of \$200;
4. Ms. Mattar will immediately cease marketing, advertising or holding herself out as a Registered Massage Therapist; and
5. The Member shall receive a public and recorded reprimand.

In addition, after a contested hearing on costs, the Panel ordered costs in the amount of \$2,500 payable by Ms. Mattar to the College, in addition to an outstanding costs order of \$1,000 from the previous adjournment. The Panel permitted the costs award to be fulfilled in \$500 installments starting December, 2010.