

## **Executive Summary – Julie Robinson, RMT November 28, 2013**

Summary of the Discipline hearing before a Panel of the Discipline Committee of the College of Massage Therapists of Ontario held on November 28, 2013

### **Allegations of Professional Misconduct and Plea**

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

- received a form of benefit from the practice of massage therapy while under suspension without obtaining prior approval from the Executive Committee;
- signed or issued, in her professional capacity, a document that she knew was false or misleading; and
- engaged in disgraceful, dishonourable or unprofessional conduct.

### **The Facts**

The College and Ms. Chang entered into an Agreed Statement of Facts which established the following facts.

The College mailed notice to Ms. Robinson, at her registered address, indicating that her registration deadline had passed and advising her registration would be suspended if she did not renew her registration by December 31, 2011.

On January 4, 2012, the College notified Ms. Robinson that her registration had been suspended for the non-payment of fees. This letter was also sent to her registered address.

During the period when Ms. Robinson's Certificate of Registration was suspended, she continued to practice at two clinics where she was employed.

### **Decision of the Panel and Penalty and Cost Award Imposed**

The Panel accepted Ms. Robinson's plea and found her guilty of professional misconduct in relation to each allegation.

The Discipline Panel accepted the Joint Penalty Submission of the College and Ms. Robinson.

Ms. Robinson make submissions to the Panel requesting a delay for the commencement of her suspension until August 2014. The College did not make any submissions with respect to this request.

The Panel after considering the joint penalty submission and the additional submissions of Ms. Robinson imposed the following penalty:

1. The Member's Certificate of Registration be suspended for 4 months, 3 months of which may be remitted in the event that the Member enrolls, at her own expense, in the College's Professionalism course and completes same;

2. The Member pay costs in the amount of \$1,000 towards the investigation of this matter, payable within one (1) year of the date of the Discipline Committee's decision; and
3. The Member shall receive public and recorded reprimand.

**Panel's Reasons for Decision**

The Panel noted that the penalty imposed was appropriate for the serious nature of the conduct involved. The Panel stated that practising without a valid license is conduct that will not be tolerated.

Of special note in this case was the Panel's consideration for the request for a delay of the commencement date for Ms. Robinsons' suspension of registration. The Panel stated that the penalty must address the issue of specific and general deterrence and that Ms. Robinson's request for a delay of nine months before she commenced her suspension was unreasonable. The Panel however permitted Ms. Robinson a brief reprieve to ensure arrangements were made to ensure continued care of her clients.