



## College of Massage Therapists of Ontario

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### Discipline Hearing Summary

#### James Villani (London, ON)

**October 19, 2022**

#### Decision

This was the second of two matters related to Mr. Villani that was heard on October 19, 2022. In this matter, the Discipline Committee found that Mr. Villani engaged in acts of professional misconduct in that he:

1. sexually abused a client, more specifically, touching and behaviour or remarks of a sexual nature, towards a client;
2. contravened a Standard of Practice of the profession or a published Standard of the College or failed to maintain the Standard of Practice of the profession, in particular, the *Standard for Maintaining Professional Boundaries and Preventing Sexual Abuse*;
3. physically abused a client;
4. practised the profession while he was in a conflict of interest;
5. failed to cooperate with an authorized representative of the College conducting an inspection or examination of his office, records, equipment or practice;
6. failed to keep records as required;
7. falsified a record relating to his practice;
8. signed or issued, in his professional capacity, a document that he knew contained a false or misleading statement; and
9. engaged in conduct or performed 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 findings arose from Mr. Villani's behaviour with a client whom he treated five (5) times in 2020. The behaviour included exchanging personal and sexual messages with the client, kissing, and engaging in sexual touching with the client that included masturbation and oral to genital contact.

Mr. Villani's conduct also extended to falsifying documents, as he backdated client receipts so that treatments would be covered by the client's insurer. He also failed to keep different types of records, including consent forms, health history forms, treatment notes, copies of receipts, and accurate appointment schedules. This was based on a sample of 15 client charts.

The misconduct also involved failure to cooperate with a College investigator, first by refusing to allow the investigator access to text messages on his phone, and then by providing a phone when he was summonsed to do so that had been wiped clean of data. He also attempted to hide treatment records when an investigator attended at his practice.

Finally, the Discipline Committee had evidence that Mr. Villani did not comply with government orders by practising Massage Therapy in March and April 2020, when the government of Ontario prohibited Massage Therapists from practising. Mr. Villani also admitted to disregarding COVID-19 protocols by failing to ask a client screening questions, not wearing a face mask, and not requiring a client to wear a face mask.

### **Penalty Order and Cost Award**

The Discipline Committee's order included the following:

1. Mr. Villani must appear before a panel of the Discipline Committee, immediately following the hearing of this matter to be reprimanded, with the fact of the reprimand and the text of the reprimand to appear on the public register of the College.
2. The Registrar is directed to revoke Mr. Villani's Certificate of Registration immediately.
3. Mr. Villani must reimburse the College for funding provided [for] the client [for therapy or counselling] under the program required under section 85.7 of the Health Professions Procedural Code, being Schedule 2 to the *Regulated Health Professions Act, 1991*, up to the maximum allowable amount of \$17,370.00.
4. Mr. Villani must post security acceptable to the College in the amount of \$5,000.00, payable in 12 monthly payments, with the first payment being due 30 days from the date of the order. Payments one (1) to 11 shall be in the amount of \$416.60. Payment 12 shall be in the amount of \$417.40. Any security that has not been used by the College to provide funding for the client as of October 14, 2025, shall be returned to Mr. Villani.
5. Mr. Villani must pay the College costs in the amount of \$3,475.00, in six (6) monthly payments, with the first payment being due within 30 days of the date of the order. Payments one (1) to five (5) shall be in the amount of \$579.16. Payment six (6) should be in the amount of \$579.20.

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

### **Reprimand Delivered to Mr. Villani**

The following reprimand was delivered by a panel of the Discipline Committee:

The panel would like to acknowledge your cooperation in arriving at an Agreed Statement of Facts and a Joint Submission on Penalty and Cost, which assisted in the process and lessened the burden of time and resources upon the College and the profession.

That being said, the panel finds your conduct was simply unacceptable for a Registered Massage Therapist and regulated health professional. The panel finds the acts of sexual abuse that you committed are quite simply reprehensible and are particularly heinous when they occur at the hands of a trusted healthcare professional.

The damage that you have caused is irreversible. You have shown behaviour that is disgraceful, dishonourable and unprofessional. Public safety and public protection are at the forefront of this College's mandate. Revocation was mandatory in this case, and this panel would not have been satisfied with any outcome other than the revocation of your Certificate of Registration, given the serious and disturbing nature of your conduct. You have shown a complete disregard for the public, your clients and your College. Rather than give the care you have been privileged to provide to your clients, you have abused them and their trust. The College of Massage Therapists of Ontario has zero tolerance for sexual abuse and knows the public at large is safer without you working as a regulated health professional.

You also knowingly falsified receipts and were negligent in your record keeping processes. This is also unacceptable professional conduct. You failed to cooperate with a College investigator. You failed to comply with mandatory government regulations regarding COVID protocols. Ignoring mandatory COVID regulations was a clear behaviour that did not protect the public. It is our expectation that you will learn from this experience.