



College of Massage Therapists of Ontario

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Discipline Hearing Summary

Morteza Amiri-Pour (Scarborough, ON)

October 10, 2023

Decision

On October 10, 2023, the Discipline Committee considered two matters related to Mr. Amiri-Pour that were combined into a single hearing and resulted in a joint order. The Committee found that Mr. Morteza Amiri-Pour committed acts of professional misconduct after he admitted to:

1. contravening 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, specifically, *Communication/Public Health Standard 14: Client Health Record*;
2. receiving a benefit from practising Massage Therapy while he was suspended, without disclosing the nature of the benefit to the College and obtaining prior approval from the Executive Committee;
3. failing to keep records as required;
4. signing or issuing, in his professional capacity, a document that he knew contained a false or misleading statement;
5. contravening the *Massage Therapy Act, 1991 (the "Act")*, the *Regulated Health Professions Act, 1991* or the regulations under either of those acts, in particular, section 7 of the *Act* (holding out and use of restricted title); and
6. 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.

Mr. Amiri-Pour kept pre-signed receipts at his place of work and did not put in place sufficient safeguards to ensure that accurate receipts were issued to clients. Regarding record keeping, Mr. Amiri-Pour did not keep a client health record with treatment notes for all clients, did not keep appointment records for all clients, and failed to keep accurate financial records for all clients. He also admitted that he lost client records.

In addition, Mr. Amiri-Pour practised Massage Therapy while he was suspended following a previous disciplinary hearing. Between August and December 2019, he used the title “Massage Therapist” and held himself out as a Massage Therapist despite being suspended.

Penalty Order and Costs Award

The Discipline Committee’s order included the following:

1. Mr. Amiri-Pour must appear before a panel of the Discipline Committee following the hearing to be reprimanded, with the fact of the reprimand and the text of the reprimand to appear on the College’s public register.
2. The Registrar is directed to suspend Mr. Amiri-Pour’s Certificate of Registration for 10 months, starting on October 10, 2023.
3. The Registrar is directed to impose the following specified terms, conditions and limitations on Mr. Amiri-Pour’s Certificate of Registration, all of which are to be completed at Mr. Amiri-Pour’s own expense:
 - a) Successful completion, with written proof, of an individualized ethics course approved by the Registrar, within six months of October 10, 2023;
 - b) Successful completion, with written proof, of the College’s Record Keeping e-Workshop, within six months of October 10, 2023;
 - c) Successful completion of up to three compliance audits, with each audit not exceeding \$500, within two years of Mr. Amiri-Pour’s return to practice following the suspension; and
4. Mr. Amiri-Pour must pay the College costs of \$5,852, payable in 24 monthly installments, with the first installment of \$243.91 payable within 30 days of October 10, 2023, and the remaining 23 monthly installments to be paid on a monthly basis thereafter, in the amount of \$243.83.

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

Reprimand Delivered to Mr. Amiri-Pour

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

Mr. Amiri-Pour, the panel would like to acknowledge the respect you showed for the process through your collaboration with the College and your presence here today. That being said, this panel finds your professional misconduct to be extremely serious and wide ranging, touching on different areas of practice, from billing to record keeping to practising while suspended.

Your conduct demonstrated a disregard for your professional obligations as a regulated health professional. By pre-signing receipts and failing to ensure they were not misused, and by failing to maintain proper records, you have failed to meet the minimum standards of the profession. This conduct persisted despite a previous discipline panel having issued a penalty and ordered you to complete remedial training. We find this aspect of your conduct particularly troubling.

By practising while under suspension, you have demonstrated a disregard to the discipline process and the College's ability to regulate the profession. You put the public at risk by holding yourself out as a Massage Therapist, which holds professional duties and expectations, at a time when you were not a member of this College.

This panel would like to remind you that being a Registered Massage Therapist is a privilege and not a right. It is our expectation that you will learn from this experience as well as from your remedial courses in ethics and record keeping and we expect that you will be in compliance moving forward and commit to holding yourself at the highest ethical standards.