

Discipline Summary

Nijay Shah (Mississauga, ON)

June 26, 2025

Decision

On June 26, 2025, the Ontario Massage Therapists Discipline Tribunal (Tribunal) found that Mr. Shah committed the following acts of professional misconduct:

1. contravening a standard of practice of the profession or a published standard of the College, or failing to maintain the standard of practice of the profession, in particular *Communication/Public Health Standard 14: Client Health Record* and the *Fees and Billing* standard;
2. failing to keep records as required;
3. falsifying a record relating to the member's practice;
4. signing or issuing, in the member's professional capacity, a document that the member knows contains a false or misleading statement; and
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 members as disgraceful, dishonourable or unprofessional.

Mr. Shah submitted claims to a client's insurer for massage therapy and other services that were not provided as described in those claims. He also permitted the client and their family to receive various services equivalent in value to those claimed amounts at other times from him and other individuals. Mr. Shah also submitted false treatment notes and receipts to both the insurer and the College to support the insurance claims of the client and her family.

As it relates to recordkeeping, Mr. Shah did not maintain treatment notes or issue receipts for treatments provided during the same timeframe as the billing misconduct.

Penalty and Costs Order

The Tribunal made the following order on penalty and costs:

1. Mr. Shah must appear before the panel to be reprimanded immediately following the hearing of this matter, with the fact of the reprimand and the text of the reprimand to appear on the public register of the College.
2. The Tribunal directs the Registrar to:

- a) Suspend Mr. Shah's Certificate of Registration for eight (8) months starting June 27, 2025 at 12:01 a.m.;
 - b) Place the following terms, conditions and limitations on Mr. Shah's Certificate of Registration, all to be completed at his expense:
 - i. Successful completion, to the satisfaction of the Registrar, of an individualized ethics course, pre-approved by the Registrar, relating to the findings in this case, completed before his return to practice;
 - ii. Successful completion, to the satisfaction of the Registrar, of the College's Record Keeping E-Workshop before his return to practice; and
 - iii. Successful completion of up to three (3) compliance audits, within two (2) years following his return to practice.
3. Mr. Shah is required to pay the College costs in the amount of \$5,852 within 30 days of June 26, 2025.

The complete decision and reasons will be available online from the [Canadian Legal Information Institute \(CanLII\)](#).

Reprimand Delivered to Mr. Shah

The following reprimand was delivered by a panel of the Tribunal:

Mr. Shah, we acknowledge your cooperation in negotiating a joint submission with the College, which assisted in the process and lessened the burden of time and resources on the College and the profession.

Your misconduct in this matter involved both recordkeeping deficiencies and improper billing practices that continued for several years. These practices included submitting claims to an insurer for treatments that you did not provide as described and permitting clients to receive treatment equivalent to those claimed amounts at other times. To support those claims, you then provided falsified documents to an insurance company and the College.

Your conduct demonstrates a disregard for your obligations as a regulated health professional. It undermines the public's confidence in this profession and erodes trust with insurers. Failing to maintain proper treatment notes can put your clients and the public at risk by having an adverse impact on their ongoing healthcare.

The panel encourages you to reflect on this process. Both the suspension and the requirement that you complete remedial coursework are an opportunity for you to renew your understanding of your professional obligations and recommit yourself to upholding those obligations. It is our expectation that you will have learned from this process and that you will take this learning into your future practice.