

## Discipline Summary

### Hamilcar II Englis Amaya (Scarborough, ON)

February 4, 2026

#### Decision

On February 4, 2026, the Ontario Massage Therapists Discipline Tribunal (Tribunal) found that Mr. Amaya 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, the standards for *Consent*, and *Draping and Physical Privacy*;
2. physically abusing a client; and
3. 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.

During a 2023 appointment, Mr. Amaya failed to obtain a client's written consent for treatment of a sensitive area (gluteals). The Tribunal also found that during his treatment of the client's hip using the anchoring technique, Mr. Amaya placed his fingers under the client's underwear and inadvertently made contact with her pubic area and genitals.

#### Penalty and Costs

The Tribunal made the following order on penalty and costs:

1. Mr. Amaya must appear before the panel to be reprimanded immediately following the hearing in this matter, with the fact of the reprimand and the text of the reprimand to appear on the public register of the College; and
2. The Registrar is directed to suspend Mr. Amaya's Certificate of Registration for a period of eight (8) months, to start on February 4, 2026.
3. The Registrar is directed to place the following terms, conditions and limitations on Mr. Amaya's Certificate of Registration, all to be completed at his own expense and prior to his return to practice:
  - a. Mr. Amaya shall successfully complete, to the satisfaction of the Registrar, a pre-approved ethics course;
  - b. Mr. Amaya shall review the College's standards of practice on Client-centred Care, Communication, Consent, Draping and Physical Privacy, Prevention of

Sexual Abuse, and Professional Boundaries, as well as the College's Code of Ethics, and confirm completion of same in writing to the Registrar;

- c. Mr. Amaya shall successfully complete, to the satisfaction of the Registrar, one mentorship session with a pre-approved mentor on appropriate techniques for treating hip pain; and
  - d. Mr. Amaya shall successfully complete, to the satisfaction of the Registrar, a 500-word reflective paper setting out his learnings from the mentorship session and how he intends to integrate them into his practice.
4. Mr. Amaya must pay the College costs in the amount of \$5,852 within 30 days of February 4, 2016.

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

### **Reprimand Delivered to Mr. Amaya**

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

Mr. Amaya, the panel would like to acknowledge your cooperation in arriving at a joint submission with the College, which has lessened the burden of time and resources on the College and the profession by avoiding the need for a contested hearing.

As a Registered Massage Therapist, you are expected to adhere to the standards of practice that are in place to ensure safe and quality care for clients. We have found that you breached these professional standards in two ways.

First, you failed to obtain written consent before treating your client's gluteal muscles, which are a sensitive area. While massaging the gluteal muscles, you also adjusted your client's clothing without consent. Secondly, you placed your fingers underneath the client's clothing while treating the hip using the anchoring technique and inadvertently touched the client's pubic and genital areas. This was an intrusive touch that violated the client's physical integrity and amounted to physical abuse.

These departures from the standards of practice on consent and draping undermine client comfort and safety and erode professional boundaries. Massaging underneath a client's clothing is not permitted without prior discussion and consent from the client. Similarly, clothing should only be adjusted with the client's informed consent and with their needs in mind. Both of these requirements ensure that the client's privacy is respected.

As a Registered Massage Therapist, you are in a unique position of trust and must ensure that your client's safety, comfort and well-being are always your focus. Your departure from these standards demonstrates a disregard for your professional obligations and your clients' well-being.

The panel would like to remind you that practising as a Registered Massage Therapist is a privilege and not a right. The suspension and remedial activities we have ordered are an opportunity for you to renew your understanding of your professional requirements

by completing an ethics course, a mentorship session and a reflective paper on how you intend to integrate your learnings when you return to practice. The panel expects that you have learned from this experience and will not appear before us in the future.