

**DISCIPLINE COMMITTEE OF  
THE COLLEGE OF CHIROPODISTS OF ONTARIO**

**B E T W E E N:**

**COLLEGE OF CHIROPODISTS OF ONTARIO**

(the “**College**”)

-and-

**MARIA CLARISSA DE LEON**

(the “**Registrant**”)

**NOTICE OF HEARING**

**THE INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE (ICRC)** of the College of Chiropractors of Ontario has referred specified allegations against **MARIA CLARISSA DE LEON** (Registration #100368) to the Discipline Committee. The allegations were referred in accordance with paragraph 26(1)1 of the *Health Professions Procedural Code*, which is Schedule 2 to the *Regulated Health Professions Act, 1991* (the “*Code*”).

Further information about the allegations is contained in the Statement of Allegations attached to this Notice of Hearing. A discipline panel will hold a hearing, on a date to be fixed by the Chair of the Discipline Committee, at the offices of the College of Chiropractors of Ontario at 180 Dundas Street West, Suite 1901, Toronto, ON M5G 1Z8 or electronically via Zoom or other electronic means, under the authority of sections 38 to 56 of the *Health Professions Procedural Code* for the purposes of deciding whether the allegations are true.

**IF YOU DO NOT ATTEND AT THE HEARING IN ACCORDANCE WITH THE PRECEDING PARAGRAPH, THE DISCIPLINE PANEL MAY PROCEED IN YOUR**

**ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THE PROCEEDINGS.**

If the discipline panel finds that you have engaged in professional misconduct, it may make one or more of the following orders:

1. Direct the Registrar to revoke your certificate of registration.
2. Direct the Registrar to suspend your certificate of registration for a specified period of time.
3. Direct the Registrar to impose specified terms, conditions and limitations on your certificate of registration for a specified or indefinite period of time.
4. Require you to appear before the panel to be reprimanded.
5. Require you to pay a fine of not more than \$35,000.00 to the Minister of Finance.

The discipline panel may, in an appropriate case, make an order requiring you to pay all or part of the College's costs and expenses pursuant to section 53.1 of the *Health Professions Procedural Code*.

You are entitled to disclosure of the evidence against you in accordance with section 42(1) of the *Health Professions Procedural Code*, as amended. You, or your representative, may contact the solicitor for the College in this matter:

Debra McKenna  
**WEIRFOULDS LLP**  
4100-66 Wellington Street West  
P.O. Box 35, TD Bank Tower  
Toronto, ON M5K 1B7  
t. (416) 947-5080  
e. [dmckenna@weirfoulds.com](mailto:dmckenna@weirfoulds.com)

At the hearing, the College intends to introduce as business records, under section 35 and/or 52 of the *Evidence Act*, any writings or records that were made in the usual and ordinary course of business. Without limiting the generality of the foregoing, the College intends to introduce as business records the patient records, financial records, or other records that relate to the subject matter of the allegations.

You must also make disclosure in accordance with section 42.1 of the *Health Professions Procedural Code*, which states as follows:

Evidence of an expert led by a person other than the College is not admissible unless the person gives the College, at least ten days before the hearing, the identity of the expert and a copy of the expert's written report or, if there is no written report, a written summary of the evidence.

**Date:** December 20, 2023



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Nicole Zwiers  
Registrar and Chief Executive Officer  
**College of Chiropodists of Ontario**  
180 Dundas Street West, Suite 2102  
Toronto, Ontario M5G 1Z8

**TO: MARIA CLARISSA DE LEON**

**STATEMENT OF ALLEGATIONS**

1. Maria Clarissa De Leon (the “**Registrant**”) was at all material times a registered member of the College.
  
2. It is alleged that during the period from approximately February 2019 to May 2023 (the “**Relevant Period**”), the Registrant engaged in conduct that constitutes professional misconduct pursuant to the following:
  - (a) Clause 51(1)(c) of the *Health Professions Procedural Code*, being *Schedule 2 to the Regulated Health Professions Act, 1991* and as defined in one or more of the following paragraphs of section 1 of the *Professional Misconduct Regulation* (O. Reg. 750/93) under the *Chiropody Act, 1991*:
    - (i) paragraph 2 – failing to meet or contravening a standard of practice of the profession) and, in particular, the College’s standards pertaining to:
      - a. Assessment and Management;
      - b. Patient Relations;
      - c. Records; and/or
      - d. Prescription Custom Foot Orthoses;
    - (ii) paragraph 10 – practising the profession while in a conflict of interest;
    - (iii) paragraph 17 – failing to keep records as required by the regulations;

- (iv) paragraph 20 – signing or issuing, in the member’s professional capacity, a document that contains a false or misleading statement;
- (v) paragraph 21 – submitting an account or charge for services that the member knows is false or misleading;
- (vi) paragraph 28 – practising in the employment of or in association with a commercial business;
- (vii) paragraph 30 – contravening the *Chiropody Act, 1991*, the *Regulated Health Professions Act, 1991*, or the regulations under either of those Acts: specifically, Ontario Regulation 203/94 under the *Chiropody Act, 1991*, and, in particular, Advertising (Part II) and/or Records (Part III); and/or
- (viii) paragraph 33 – engaging in conduct or performing an act, in the course of practising the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional.

## **PARTICULARS OF THE ALLEGATIONS**

### **A. Background**

1. During the Relevant Period, the Registrant was registered with the College in the chiropodist classification to practise chiropody in Ontario. The Registrant was first registered on or about May 27, 2010.
2. During the Relevant Period, the Registrant practised at one or more practice locations, including at the following clinics:
  - Footworx Foot Clinic – 277 Vodden Street East, Brampton, from approximately February 2019 to February 2022 (“**Footworx**”)
  - Eastern Foot Clinic – 90 Eastern Avenue, Brampton, from approximately February 2022 to May 2023 (“**Eastern**”)

### **B. Manulife Complaint**

3. On or about May 26, 2023, the College received a complaint from Manulife about the Registrant (the “**Complaint**”).
4. As described in the Complaint, Manulife had identified several flags with respect to operations of both Footworx and Eastern. Concerns were raised about the possibility of benefits abuse and other inappropriate business practices that were targeting a large benefit group located in area of the clinics.

5. In particular, two Manulife investigators attended at Footworx in or about February 2019 in a covert capacity posing as patients. They attended separately and both investigators were assessed and prescribed orthotics by the Registrant.
6. Manulife's investigation revealed that Footworx was set-up more like a shoe store and both investigators were advised by Clinic staff that, with the purchase of orthotics, they could receive free or discounted shoes.
7. As a result of its investigation, Footworx was delisted by Manulife.
8. Subsequently, in or about August 2022, Manulife became aware of the operations of Eastern. The clinic was flagged by Manulife when it was determined that a number of plan members attending Eastern had previously attended other delisted clinics, including Footworx.
9. In addition, a significant percentage of the claims from Eastern were plan members from the same benefit plan that Manulife determined was targeted at Footworx.
10. Manulife's investigation of Eastern revealed that it was operated at a very small commercial retail unit in Brampton. The unit housed three separate businesses – a chiropody clinic, an immigration service, and truck driver training business.
11. In addition, notwithstanding the small and shared space, Eastern's clinic website advertised a broad range of health services at the clinic, including 85 doctors, 18 departments, and 12 research labs. Eastern's website also featured testimonials that Manulife determined had been essentially copied verbatim from a foot clinic operating in London, England.

12. Through its investigation, Manulife determined that both the Eastern and Footworx websites had been made by the same web designer.
13. Eastern was also delisted by Manulife.

### **C. Summary of the Investigation**

14. In prescribing orthotics at Footworx and/or Eastern, the Registrant participated and/or was complicit in the practice of providing incentives to patients (in the form of free or discounted shoes) who purchased orthotics – a business practice that is contrary to the College’s advertising regulations and/or the College’s standards.
15. In practicing at Footworx and/or Eastern, the Registrant engaged in advertising and/or permitted advertising in relation to her practice that was contrary to the College’s advertising regulations and/or the College’s standards.
16. In prescribing orthotics to her patients, the Registrant engaged in the practice of over-prescribing or over-utilizing specific treatment options – a business practice that is contrary to the College’s standards and/or conflict of interest policy.
17. In practicing at Footworx and/or Eastern, the Registrant was aware that one or both businesses were not established as a full scope chiropody practice.
18. In prescribing orthotics to her patients, the Registrant did not perform or document an adequate assessment and/or determine whether the treatments provided were medically necessary or required for the prevention, treatment or management of a disease, disorder, or dysfunction of the foot.



19. In particular, the Registrant failed to, among other things:
  - (a) determine if a different treatment plan was appropriate in the circumstances before prescribing orthotics;
  - (b) obtain and/or document informed consent, including discussion with patients about the benefits and risks of various treatment options;
  - (c) discuss and/or document the treatment plan; and/or
  - (d) properly dispense the orthotics and/or provide appropriate follow-up care.
20. The Registrant failed to maintain proper patient records, including financial records, in accordance with the regulations and the College's standards.
21. Additional information and disclosure about the allegations against the Member will be provided in advance of the hearing.

**COLLEGE OF CHIROPODISTS OF ONTARIO**  
(the “College”)

- and -

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4100 – 66 Wellington Street West  
PO Box 35, TD Bank Tower  
Toronto, ON M5K 1B7

**Debra McKenna**

t. (416) 947-5080

e. [dmckenna@weirfoulds.com](mailto:dmckenna@weirfoulds.com)

Lawyers for the College of  
Chiropractors of Ontario