

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

**BETWEEN:**

**COLLEGE OF CHIROPODISTS OF ONTARIO**

- and -

**BETTY McTAGUE**

**PANEL MEMBERS:**

Peter Stavropoulos	Chair, Professional Member
Deborah Loundes	Professional Member
Jannel Somerville	Professional Member
Jim Daley	Public Member

**COUNSEL FOR THE COLLEGE:** Debra McKenna

**No one appearing for the  
Registrant**

**INDEPENDENT LEGAL COUNSEL:** Andrea Gonsalves

**Hearing Date:** November 14, 2023

**Decision Date:** November 14, 2023

**Release of Written Reasons:** December 18, 2023

**DECISION AND REASONS**

1. This matter came on for hearing by videoconference before a panel of the Discipline Committee on November 14, 2023.
2. The Registrant, Betty McTague (the “Registrant” or the “Member”) was neither present nor represented at the hearing. College counsel called evidence to establish that the Registrant had been served with the Notice of Hearing and advised of the hearing date. The evidence presented by the College also indicated that the Registrant had entered into an agreement with the College on the facts, but that she advised she would not be able to attend the hearing. The College advised the Registrant that there is a formal process to request an adjournment and that she should discuss her options with College counsel. The Registrant did not follow up with College counsel and did not make a request to the Discipline Committee for an adjournment.

3. The Panel accepted that the Registrant was properly served with the Notice of Hearing and had adequate notice of the nature of the allegations and of the time, date, place and nature of the hearing. Accordingly, the Panel was satisfied on the evidence presented that the notice requirements in the *Statutory Powers Procedure Act*, RSO 1990, c S.22, were complied with. The Panel therefore decided to proceed with the hearing in the Registrant's absence.

### **Overview of the Allegations**

4. The allegations against the Registrant as stated in the Notice of Hearing dated February 28, 2023, are as follows:

1. On or about August 25, 1983, Betty McTague (the "Member") was first registered as a member of the College.

2. It is alleged that, during the period from approximately July 2022 to January 2023 (the "Relevant Period"), the Member 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 *Chiropractic Act, 1991*:

(i) paragraph 2 – failing to meet or contravening a standard of practice of the profession and, in particular, the College's written standards in relation to:

- i. Assessment and Management;
- ii. Competence;
- iii. Infection Control;
- iv. Nail and Cutaneous Soft Tissue Surgery;
- v. Patient Relations; and/or
- vi. Records.

(ii) paragraph 17 – failing to keep records as required by the regulations;

(iii) paragraph 30 – contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts and, in particular, Ontario Regulation 203/94;

(iv) paragraph 31 – contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital, nursing home or other facility or agency that provides health services to the public if:

- i. the purpose of the law, by-law or rule is to protect the public health, or
  - ii. the contravention is relevant to the member's suitability to practise.
- (v) 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**

1. On or about August 25, 1983, the Member was first registered with the College in the chiropodist classification. At all times material to these allegations, the Member practised chiropody at a clinic located at 1 Elora Street South, Suite 4, Harriston, Ontario (the "Clinic").
2. On or about August 22, 2022, the College received a complaint from the Wellington Dufferin Guelph Public Health Unit (the "PHU") with respect to the Member (the "Complaint").
3. In particular, the PHU reported to the College that it had received information about unsafe conditions at the Member's practice and PHU conducted an unannounced inspection at the Clinic on August 22, 2022. A Health Service Provider Inspection Report was prepared by the PHU inspector(s) that outlined numerous concerns and deficiencies with the Member's practice.
4. In particular, the PHU inspection revealed that the Member was failing to abide by Provincial Infectious Diseases Advisory Committee ("PIDAC") standards and/or the College's standards for medical device reprocessing and infection control at the Clinic.
5. As a result, the PHU inspector issued a Cease and Desist Order to the Member on or about August 23, 2022 (the "Order"), under the provisions of the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7.
6. The Order prohibited the Member, effective immediately, from providing services that required reusable critical or semi-critical medical equipment or devices.
7. It is an offence under section 100(1) of the *Health Protection and Promotion Act*, for a person to disobey an order issued under that Act.
8. In addition, it is also an offence under section of 42(1) of the *Health Protection and Promotion Act*, to hinder or obstruct a public health inspector or a person acting under a direction of a medical officer of health from lawfully carrying out a power, duty or direction under that Act.
9. On or about October 12, 2022, the PHU received new information that the Member was practising in violation of the Order. The PHU attend at the Clinic for follow-

up, but was obstructed by the Member from carrying out an inspection of the Clinic. The Member also refused to provide PHU inspectors with any documents.

10. Subsequently, on or November 1, 2022, the PHU made a further unannounced visit to the Clinic (this time in attendance with an investigator appointed by the College), and again the Member refused to allow the PHU to conduct an inspection and directed the PHU inspector(s) to leave.

11. To date, the Order remains in effect.

12. Based on the investigation by the College, the Member's practice remains in non-compliance with the standards, including in relation to instrument reprocessing and infection control. For example, the Member has acknowledged that she does not use biological indicators each day (only once a week), does not use chemical indicators in every sterilization package, and, in her opinion, those requirements are not necessary.

13. In addition, the physical space at the Clinic does not have a one-way workflow (from dirty to clean) in the reprocessing area to prevent cross-contamination when reprocessing reusable equipment/devices.

### **Evidence**

5. Counsel for the College advised the Panel that agreement had been reached on the facts and introduced an Agreed Statement of Facts signed by the Registrant and the College registrar. Although the Registrant was not in attendance, the College tendered affidavit evidence establishing that the Registrant had signed the Agreed Statement of Facts and returned it to the College. The Agreed Statement of Facts reflected the Registrant's admissions that she engaged in professional misconduct as alleged in the Notice of Hearing and that her admission in that regard was voluntary, informed, and unequivocal.

6. The Agreed Statement of Facts provides as follows (the exhibits referred to are omitted from these reasons):

1. On or about August 25, 1983, the Member was first registered with the College in the chiropodist classification. At all times material to these allegations, the Member practised chiropody at a clinic located at 1 Elora Street South, Suite 4, Harriston, Ontario (the "Clinic").

2. On or about August 22, 2022, the College received a complaint from the Wellington Dufferin Guelph Public Health Unit (the "PHU") with respect to the Member (the "Complaint").

3. In particular, the PHU reported to the College that it had received information about unsafe conditions at the Member's practice and PHU conducted an unannounced inspection at the Clinic on August 22, 2022. A Health Service Provider Inspection Report was prepared by the PHU inspector(s) that outlined numerous concerns and deficiencies with the Member's practice. A copy of the Health Service Provider Inspection Report is attached as Exhibit "A" to the ASF.

4. In particular, the PHU inspection revealed that the Member was failing to abide by Provincial Infectious Diseases Advisory Committee (“PIDAC”) standards and/or the College’s standards for medical device reprocessing and infection control at the Clinic.

5. As a result, the PHU inspector issued a Cease and Desist Order to the Member on or about August 23, 2022 (the “Order”), under the provisions of the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7. A copy of the Order is appended as Exhibit “B” to this ASF.

6. The Order prohibited the Member, effective immediately, from providing services that required reusable critical or semi-critical medical equipment or devices.

7. It is an offence under section 100(1) of the *Health Protection and Promotion Act*, for a person to disobey an order issued under that Act. In addition, it is also an offence under section 42(1) of the *Health Protection and Promotion Act*, to hinder or obstruct a public health inspector or a person acting under a direction of a medical officer of health from lawfully carrying out a power, duty or direction under that Act.

8. On or about October 12, 2022, the PHU received new information that the Member was practising in violation of the Order. The PHU attended at the Clinic for follow-up, but was obstructed by the Member from carrying out an inspection of the Clinic. The Member also refused to provide PHU inspectors with any documents.

9. Subsequently, on or about November 1, 2022, the PHU made a further unannounced visit to the Clinic (this time in attendance with an investigator appointed by the College), and again the Member refused to allow the PHU to conduct an inspection and directed the PHU inspector(s) to leave.

10. To date, the Order remains in effect. The Member is not currently practising and is unable to practise.

11. At the time that the Order was issued, the Member’s practice was non-compliant with the standards, including in relation to instrument reprocessing and infection control. In particular, while she was actively practising, the Member did not use biological indicators each day or chemical indicators in every sterilization package.

12. In addition, the physical space at the Clinic did not have a one-way workflow (from dirty to clean) in the reprocessing area to prevent cross-contamination when reprocessing reusable equipment/devices.

13. The following written standards of the College were standards of practice of the profession during the Relevant Period and are appended as Exhibits “C” to “H” to the ASF:

- a. Assessment and Management;
- b. Competence;
- c. Infection Control;

- d. Nail and Cutaneous Soft Tissue Surgery;
- e. Patient Relations; and/or
- f. Records.

14. Based on the facts set out above, the Member admits that she committed acts of professional misconduct within the meaning 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 written standards in relation to:

- i. Assessment and Management;
- ii. Competence;
- iii. Infection Control;
- iv. Nail and Cutaneous Soft Tissue Surgery;
- v. Patient Relations; and/or
- vi. Records.

(ii) paragraph 17 – failing to keep records as required by the regulations;

(iii) paragraph 30 – contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts and, in particular, Ontario Regulation 203/94;

(iv) paragraph 31 – contravening a federal, provincial or territorial law, a municipal by-law or a by-law or rule of a hospital, nursing home or other facility or agency that provides health services to the public if:

- i. the purpose of the law, by-law or rule is to protect the public health, or
- ii. the contravention is relevant to the member’s suitability to practise.

(v) 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.

#### **ACKNOWLEDGEMENTS**

15. Based on the facts set out above, the Member admits that she committed acts of professional misconduct within the meaning of the following paragraphs of section 1 of the Professional Misconduct Regulation, O. Reg. 750/93 under the *Chiropody Act, 1991*:

16. The Member understands the nature of the allegations that have been made against her and that, by voluntarily admitting these facts, she waives her right to require the College to otherwise prove these facts.

17. The Member understands that the panel of the Discipline Committee can accept the facts herein constitute professional misconduct and, in particular, can accept her admissions that they constitute professional misconduct.

18. The Member understands that the panel of the Discipline Committee can make orders as a result of a finding of professional misconduct, as described in the Notice of Hearing dated February 28, 2023.

19. The Member also understands that if the panel makes a finding or findings of professional misconduct against her, then the panel's decision and its reasons, and/or a summary of its reasons, including the facts contained herein, and the Member's name will be published, including but not limited to, in the College's publications, on the College's public register, on the College's website, and/or on CanLII (the website operated by the Canadian Legal Information Institute).

20. The Member has had the opportunity to obtain independent legal advice and was encouraged to do so by the College. She further acknowledges that she is entering into this ASF freely and voluntarily, without compulsion or duress.

### **Decision and Reasons**

7. Based on the Agreed Statement of Facts and the Registrant's admissions, the panel finds that the Registrant has engaged in professional misconduct as alleged.

8. With respect to allegation (i), the College proved that the Registrant contravened or failed to meet several standards of practice of the profession, which were entered into evidence as exhibits to the Agreed Statement of Facts. Specifically:

- (a) **Assessment and Management:** As admitted by the Registrant in the Agreed Statement of Facts, she did not meet the College standards for Assessment and Management in that she did not comply with Assessment requirement #3, that "Required tests, referrals and/or consultations shall be recorded". In addition, the Registrant failed to meet Management criteria #4, which provides that no member shall provide treatment which he or she should know, or should have known, would be harmful or is inappropriate to meet the needs of the patient.
- (b) **Competence:** The Competence standard requires that each member is responsible for maintaining his or her competence. The evidence shows that the Registrant did not do this. In particular, #7 of the standard requires that the Registrant shall

maintain current knowledge of legislation, standards and policies pertaining to the delivery of chiropodial/podiatric care and to the education or general welfare of his or her patients. The Registrant's conduct is clearly in breach of this in that she breached several of the other standards identified in these Reasons, as well as provisions of the *Health Professions Procedures Code*, and Ontario Regulations 750/93 and 203/94.

- (c) Infection Control: In the Agreed Statement of Facts, the Registrant admits that she failed to abide by the Provincial Infectious Diseases Advisory Committee ("PIDAC") standards and/or the College standards for medical device reprocessing and infection control at her clinic. The agreed facts establish a further breach of the infection control standard in that the physical space of the clinic did not have a one-way workflow from dirty to clean in the reprocessing area to prevent cross contamination when reprocessing reusable equipment/devices. Finally, the Registrant admitted that she was non-compliant with the Infection Control Standards in that she did not use biological indicators each day or chemical indicators in every sterilization package.
- (d) Nail and Cutaneous Soft Tissue Surgery: The evidence established, and the Registrant admitted, that the operating environment at her clinic was not kept in accordance with the Infection Control Standard which constitutes a breach of #1 of the Nail and Cutaneous Soft Tissue standard. The evidence also proves that #2 of the standard was breached in that clean equipment and sterile instruments were not used as is required.
- (e) Patient Relations: The Registrant admits she contravened the professional conduct and accountability component of this standard, criterion 1.1 of which requires that the Registrant shall function in accordance with the *Regulated Health Professions Act, 1991*, the *Chiropody Act, 1991*, the regulations and standards of practice of the College. The Registrant has admitted in the Agreed Statement of Facts that she did not do so.
- (f) Records: This standard, under Section F (Equipment Record) provides that "it shall be the responsibility of each Member to ensure that the practice site be equipped and maintained, and that procedures are in place, to assure health and safety for both patients and staff. The Member must follow the requirements in the Safety and the Practice Environment Standard and section 15 of the Ontario Regulation 203/94". Further, the standard requires that the Registrant's practice premises be in current compliance with any provincial and municipal requirements including the requirements of the *Occupational Health and Safety Act* and any regulations applicable to the practice environment and the *Healing Arts Radiation Protection Act*. The evidence establishes that the Registrant contravened this standard by operating a chiropody clinic where the infection control practices were not in keeping with the Infection Control Standard, which put both the patients receiving



treatment and any staff handling the contaminated instruments at risk of contracting an infectious disease.

9. By failing to meet the aforementioned standards, the Registrant contravened the professional misconduct regulation, O. Reg. 750/93. In addition, the Registrant contravened the record keeping requirements in s. 15 of O. Reg. 203/94 (the General Regulation under the *Chiropractic Act, 1991*) with respect to equipment service records. These contraventions constitute professional misconduct under allegation (iii) of the Notice of Hearing.

10. Further, the evidence establishes that the Registrant did not maintain a record of the infection control measures required by the College. This is a further breach of the Records standard. It also amounts to professional misconduct in accordance with paragraph 17 of section 1 of O. Reg 750/93 (failing to keep records as required by the regulations), satisfying the College's burden with respect to allegation (ii) of the Notice of Hearing.

11. With respect to allegation (iv) of the Notice of Hearing, the panel found on the evidence that the Registrant engaged in professional misconduct as set out in paragraph 31 of section 1 of R. Reg. 750/93 in that she contravened a provincial law and (1) the purpose of the law is to protect public health, and (2), the contravention is relative to the Registrant's suitability to practise.

12. The Agreed Statement of Facts provides that a Public Health Unit inspector issued a Cease and Desist Order on August 23, 2022, under the provisions of the *Health Protection and Promotion Act*. The Order prohibited the Registrant, effective immediately, from providing services that required reusable critical or semi-critical medical equipment or devices.

13. The Public Health Unit attended at the Registrant's clinic on October 12, 2022, to investigate new information it had received that the Registrant was practising in violation of the Order. She barred the inspectors from entering the premises and refused to provide inspectors with any documents. Subsequently, on November 21, 2022, the Public Health Unit made a further unannounced visit to the Registrant's clinic, along with an investigator appointed by the College. Once again, the Registrant refused entry to the Public Health Unit inspector and directed them to leave.

14. It is an offence under s. 100(1) of the *Health Protection and Promotion Act* for a person to disobey an order issued under the Act. Further, it is an offence under s. 42(1) of the *Health Protection and Promotion Act* for a person to hinder or obstruct a public health inspector from lawfully carrying out a power under that Act. The panel is satisfied on the basis of the agreed facts that the Registrant contravened the *Health Protection and Promotion Act*, a provincial statute, when she obstructed the Public Health Unit inspectors who were attempting to investigate her compliance with the order.

15. As is apparent from its title, the purpose of the *Health Protection and Promotion Act* is to protect public health. Section 2 of the Act states the following purpose: "The purpose of this Act is to provide for the organization and delivery of public health programs and services, the prevention of the spread of disease and the promotion and protection of the health of the people

of Ontario.” Further, the Registrant’s contravention of the *Health Protection and Promotion Act* is relevant to her suitability to practise the profession in that it demonstrates a disregard for the well-being of her patients and any staff also involved with direct patient care.

16. Finally, with respect to allegation (v) of the Notice of Hearing, considering the totality of the evidence in the Agreed Statement of Facts, the Panel was of the view that the Registrant engaged in conduct 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. This constitutes professional misconduct under paragraph 33 of s. 1 of O. Reg. 750/93.

### **Penalty and Costs**

17. Based on the Panel’s findings of professional misconduct, the College sought an order in the following terms:

- (i) That the Registrant receive a written reprimand;
- (ii) That the Registrant’s certificate of registration be revoked; and
- (iii) That the Registrant pay costs to the College in the amount of \$17,298.79.

18. The College provided a bill of costs in support of the amount of costs it was seeking, which is roughly two-thirds of the costs actually incurred by the College.

19. In support of the College’s position on penalty, College counsel argued that the Registrant’s conduct displayed a clear lack of appreciation of the severity of her multiple breaches of College standards, particularly in relation to infection control. Such breaches, at their very core, place members of the general public at great risk of harm. The Registrant should have known this and her decision to continue to operate in contravention of the Cease and Desist Order and her unwillingness to permit a further inspection by representatives from the Public Health Unit and the College, shows a clear ungovernability on the part of the Registrant.

20. College counsel explained that although the College would ordinarily request an oral reprimand, given the Registrant’s non-attendance at the discipline hearing it may be anticipated that she would not attend for the reprimand. A written reprimand would allow the Panel to express its views of the misconduct the Registrant.

21. College counsel submitted that the panel tasked with arriving at a fair and just penalty that addresses all of the sentencing principles. Those principles include the paramount consideration of protection of the public, as well as maintenance of public confidence in the reputation and integrity of the profession, effective self-governance, general deterrence, specific deterrence and the potential for the Registrant’s rehabilitation.

22. The College seeks to have the Registrant’s certificate of registrant revoked because her conduct reflects flagrant disregard for patient safety, the College’s standards, and public health.

Although the Registrant showed some cooperation with the College by entering into the Agreed Statement of Facts, she has not brought herself into compliance with the Cease and Desist Order and she did not attend her discipline hearing. The Registrant's misconduct raises serious questions about her governability and the College's ability to protect the public. Registration is a privilege and along with that privilege members have serious obligations and high standards. Where members demonstrate that they will not comport themselves in a way that meets those standards, the privilege of registration can be revoked.

23. The College sought costs in the amount of \$17,298.79, which is roughly two-thirds of the costs it actually incurred. College counsel argued that this proportion of costs is consistent with other cases and appropriate.

24. Since the Registrant did not attend the hearing, the Panel did not have any submissions on penalty or costs from the Registrant. However, the affidavit evidence tendered by the College included a letter from the Registrant to the College Registrar in which the Registrant wrote:

The Penalty has not been signed for two reasons.

1. Financial hardship
2. Resignation of College membership Mar. 3, 2023

Due to my resignation from the College of Chiropractors I am no longer registered so no longer under the jurisdiction of the College.

25. Having considered the submissions of College counsel and the advice of its independent legal counsel, the Panel made an order as follows:

- (i) The Registrant shall receive a written reprimand from the Panel;
- (ii) The Registrar is directed to revoke the Registrant's certificate of registration; and
- (iii) The Registrant shall pay costs to the College in the amount of \$17,298.79.

26. The panel considered the submissions of College counsel as well as the cases submitted by the College in support of its position on penalty. that the Registrant engaged in multiple breaches of various standards of practice of the College as well as provincial law that the Registrant is obligated to follow. Additionally, the Registrant admitted that she did not comply with the restrictions on her practice specifically put in place to protect the public from harm. Her unwillingness to permit a follow-up inspection by members of the Public Health Unit and an inspector of the College can only be interpreted as an unwillingness to conduct herself as required and as expected of a regulated health professional who values above else the safety and well-being of their patients.

27. Having regard to the principles of penalty, the panel determined that the penalty sought by the College was appropriate. An appropriate penalty must serve the goals of specific and

general deterrence, rehabilitation or remediation where possible, and above all, protection of the public and maintaining public confidence in the profession and the College's ability to regulate its members. The revocation of the Registrant's certificate of registration and written reprimand serve those objectives. The severity of the Registrant's misconduct warrants the serious penalty of revocation. It sends a message to the Registrant and other members of the profession that misconduct of this nature will not be tolerated.

28. The panel notes the comment in the Registrant's letter that she is "no longer registered so no longer under the jurisdiction of the College." This reflects a misunderstanding of the Discipline Committee's jurisdiction under the *Health Professions Procedural Code*. Section 14 of the Code provides that "a person whose certificate of registration is revoked or expires or who resigns as a member continues to be subject to the jurisdiction of the College for professional misconduct". That includes the jurisdiction of the Discipline Committee to revoke the Registrant's certificate of registration following a finding of professional misconduct.

29. Costs are not part of the penalty and not meant to be punitive. However, where a registrant has engaged in professional misconduct, it is fair and appropriate that they be ordered to pay a portion of the costs incurred by the College to investigate a matter and bring it to a hearing. The amount sought by the College represents roughly two-thirds of the costs it actually incurred and is fair and reasonable in the circumstances.

I, Peter Stavropoulos, sign this decision and reasons as Chairperson of this Discipline panel and on behalf of the members of the Discipline panel as listed below:



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Peter Stavropoulos, Chairperson

Date: December 18, 2023

Panel Members:

Deborah Loundes, Professional Member

Jannel Somerville, Professional Member

Jim Daley, Public Member

## COLLEGE OF CHIROPODISTS OF ONTARIO v. BETTY McTAGUE

### REPRIMAND

As part of its penalty order this Discipline panel has ordered that you be given a written reprimand.

The fact that you have received this reprimand will be part of the public portion of the Register and, as such, part of your record with the College.

The panel has found that you have engaged in professional misconduct in several ways:

1. You failed to meet several standards of the profession for assessment and management, competence, infection control, nail and cutaneous soft tissue surgery, patient relations, and records;
2. You failed to keep records as required;
3. You contravened regulations under the *Chiropody Act, 1991*;
4. You contravened the provincial *Health Promotion and Protection Act*, the purposes of which is to protect public health and in a matter that is relevant to your suitability to practice; and
5. You engaged in conduct in the course of practising the profession that would be regarded by members as disgraceful, dishonourable or unprofessional.

It is a matter of profound concern to this panel that you have engaged in these forms of professional misconduct. By doing so, you have brought discredit to the profession and to yourself. Public confidence in this profession has been put in jeopardy. Moreover, the result of your misconduct is that you have let down the public, the chiropody profession, and yourself.

We need to make it clear to you that your conduct is unacceptable.

Of special concern to us is the fact that the professional misconduct in which you engaged involved multiple breaches of several standards of the College, as well as breaches of the

regulations that regulate the practice of chiropractors and podiatrists. These breaches clearly put your patients in harm's way in that they risked the possibility of contracting contagious diseases through the use of instruments and physical space that did not comply with proper measures to ensure sterilization, infection control and prevention of cross-contamination. Additionally, your failure to appreciate the gravity of your conduct is evident by the fact that you continued to operate your clinic while under a Cease and Desist Order put in place by the Regional Public Health Unit. This speaks to a callous disregard for the ethics and conduct expected of a regulated health professional.

It is necessary for us to use this reprimand as an opportunity to impress upon you the seriousness of your misconduct.

We have ordered the penalty of revocation, which is the most serious penalty this panel can impose.

Revocation is appropriate because your conduct clearly demonstrates that you are ungovernable. Even in the face of the incontrovertible evidence of gross misconduct in your infection control practices in your clinic, you continued undeterred to put the public at risk of harm. The College cannot tolerate such egregious conduct which has the potential to bring dishonour and disrepute to the entire College membership.

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