

## ONTARIO CHIROPODISTS AND PODIATRISTS DISCIPLINE TRIBUNAL

**Citation:** *College of Chiropractors of Ontario v. Wilson*, 2025 ONCPDT 8

**Date:** August 27, 2025

**Tribunal File No.:** 24-006-CP

### BETWEEN:

College of Chiropractors of Ontario

**College**

- and -

Patricia Gloria Wilson

**Registrant**

### FINDING AND PENALTY REASONS

**Heard:** August 6, 2025, by videoconference

#### **Panel:**

Sherry Liang (panel chair)

Melanie Atkinson (chiropractor)

Reshad Nazeer (public)

#### **Appearances:**

Debra McKenna, for the College

Nabiel Dawood, for the registrant

#### **RESTRICTION ON PUBLICATION**

Pursuant to Rule 2.2.2 of the HPDT Rules of Procedure and ss. 45-47 of the Health Professions Procedural Code, no one shall publish or broadcast the names of patients or any information that could identify patients or disclose patients' personal health information or health records referred to at a hearing or in any documents filed with the Tribunal. There may be significant fines for breaching this restriction.

The Ontario Chiropractors and Podiatrists Discipline Tribunal is the Discipline Committee established under the Health Professions Procedural Code.

## **Introduction**

[1] The registrant is a chiropractor practising in four different clinics in Ontario. At the relevant time, she provided clinical placement opportunities for students registered in the chiropractic program at the Michener Institute. The College of Chiropractors of Ontario (College) alleges that the registrant engaged in misconduct by failing to properly supervise students and permitting them to treat patients in a manner contrary to the standards of the profession. The College further alleges that the registrant submitted inaccurate documentation to an insurance company in support of benefit claims.

[2] The hearing proceeded on an Agreed Statement of Facts (ASF) and Joint Submission on Penalty and Costs (JSP). After reviewing the ASF and hearing the submissions of counsel for the parties, the panel found misconduct as alleged. We ordered the penalty detailed in the JSP, which included a suspension of seven months (with two months remitted on the completion of remedial work), education, a four-month restriction on providing orthotics-related services and a period of supervised practice. We ordered the registrant to pay costs to the College of \$20,000. These are the reasons for our findings and penalty.

## **Agreed facts and admissions**

[3] The registrant first registered with the College in 2013. Prior to the current matter, she had no complaints or discipline history. In December 2022, her primary practice location was Wilson Health Services (the clinic), which operated at four locations in Ontario.

[4] In November 2023, Sun Life Assurance Company of Canada (“Sun Life”) made a complaint to the College about the registrant’s activities. Sun Life reported that, in an investigation of the registrant’s business practices, it found that the registrant had permitted a Michener chiropractic student (who was not registered with the College and was completing his clinical placement at the Clinic) to see, assess, and provide treatment to DK, who was a covert Sun Life investigator posing as a patient, without proper supervision and in a manner that was contrary to the College’s standards.

[5] Specifically, the student did not conduct or document an adequate assessment and relevant clinical findings to support the orthotic treatment, as required. The student

also did not document a differential diagnosis and anticipated prognosis and did not discuss or document any discussion about informed consent with the patient.

[6] Under the College's Patient Relations standard, registrants must provide the patient with the necessary information and obtain a valid informed consent prior to the start of any procedure and/or treatment. The College's standard on Assessment and Management requires that registrants perform an assessment for each patient, document a differential diagnosis and a treatment plan with anticipated prognosis and establish a management plan based on the assessment.

[7] The registrant acknowledges that it was her professional obligation to be involved in the operations of the clinic so that she could ensure it was operating according to required regulations and standards. She agrees that, in providing chiropody treatment to DK in December 2022, she failed to ensure that the student under her supervision conducted and documented a proper patient assessment.

[8] The College's Prescription Custom Foot Orthoses standard (Orthotics standard) contains more detailed requirements relating to the prescribing and dispensing of orthotics, setting out the components required in an assessment to support a prescription for orthotics. The standard also requires that scanning for the purpose of orthotics be done by a registrant or, if done by a designated trained assistant, reviewed and assessed by the prescribing registrant and compared against the patient's feet. The parties agree that the student providing chiropody treatment to DK performed a scan for the manufacturing of orthotics without any review by the registrant or another member of the College.

[9] The registrant maintains that she was not aware that students could not perform scans or that she was required to review the scan with the patient. Nevertheless, she agrees that the manner in which this was done was contrary to the College's standards.

[10] The registrant permitted a chiropody graduate, who had not yet obtained her registration with the College, to dispense orthotics to 15 patients, including DK, in December 2022. The College's Orthotics standard provides that this may only be done by a registrant. The chiropody graduate also talked to DK about how to order off-the-shelf shoes, without doing an assessment and determining whether prescription footwear was medically necessary, as required by the Prescription Footwear standard.

[11] Finally, the documentation submitted to Sun Life to support the benefit claims for 15 patients indicated that the registrant had assessed the patient and/or dispensed orthotics or footwear to patients when she did not personally do so. In addition to the registrant's name, the name of the graduate student who dispensed the orthotics also appeared on some of the records.

[12] The College's Records standard requires, at a minimum, that records kept by a registrant be clear and accurate. Under the standard, financial records must contain the name of the registrant and the person who provided the professional product or service if it was not the registrant. The record-keeping provisions of O. Reg. 203/94, made under the *Chiropody Act, 1991*, SO 1991, c. 20 (Act), require, among other things, that registrants keep a patient health record containing "reasonable information about every examination performed by the member and reasonable information about every clinical finding, diagnosis and assessment made by the member."

[13] The registrant maintains that she viewed herself as the most responsible practitioner, which is why the records submitted to Sun Life contain her name, and that at no time was she aware that this manner of documentation was improper. However, she acknowledges that she failed to maintain proper patient records, including financial records, as required by the College's regulations and standards in that she signed, issued, and/or submitted documents to Sun Life containing false or misleading information.

## **Findings**

[14] Based on the above facts, the registrant engaged in professional misconduct pursuant to s. 51(1)(c) of the Health Professions Procedural Code, Schedule 2 to the *Regulated Health Professions Act, 1991*, SO 1991, c. 18 (*RHPA*) and within the meaning of the following paragraphs of s. 1 of the Professional Misconduct Regulation, O. Reg. 750/93 under the Act:

- 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;

d. Prescription Custom Foot Orthoses; and

e. Prescription Footwear.

- paragraph 17 – failing to keep records as required by the regulations;
- paragraph 20 – signing or issuing, in the member’s professional capacity, a document that contains a false or misleading statement;
- paragraph 30 – contravening the Act, the *RHPA*, or the regulations under either of those Acts, in this case, O. Reg. 203/94, Part III (Records).

[15] We also find the registrant’s conduct would reasonably be regarded as disgraceful, dishonourable or unprofessional, within the meaning of paragraph 33 of the Professional Misconduct Regulation. Her lapses, as a professional helping to train the next generation of chiropractors, bring discredit to the profession.

### **Penalty and Costs**

[16] The parties made a joint submission on penalty and costs, agreeing that the registrant should receive a reprimand, a seven-month suspension of her certificate of registration, two months of which will be remitted upon the registrant successfully completing specified remedial work, and terms, conditions and limitations on her certificate of registration.

[17] The parties’ agreement on penalty must be implemented unless it is so “unhinged from the circumstances” that implementing it would bring the administration of the College’s professional discipline system into disrepute: see *R. v. Anthony-Cook*, 2016 SCC 43 and *Bradley v. Ontario College of Teachers*, 2021 ONSC 2303 (Div. Ct.). We are satisfied that the proposed penalty is not contrary to the public interest in this manner.

[18] The most important goal of a penalty order is the protection of the public. The public must have confidence in the registrant, the profession and the College’s ability to govern the profession in the public interest. Other penalty goals that support protection of the public include discouraging the registrant and other physicians from committing misconduct (specific and general deterrence), rehabilitating the registrant, ensuring a

safe return to practice where appropriate and expressing the Tribunal and the profession's disapproval of the misconduct.

[19] We are satisfied that the proposed penalty order achieves the above purposes and is not contrary to the public interest. The cases the College referred us to resulted in suspensions of varying lengths. Although each has its own set of distinct facts, we are satisfied that the seven-month suspension (along with the possibility of a two-month remittance) is reasonably within the range of penalties imposed in similar cases. The other provisions, including a requirement to undertake remedial work, to work under supervision and not provide orthotics-related services for a set period are also proportionate penalties which have been ordered in other similar cases.

[20] We find that the proposed penalty protects the public and is not so "unhinged from the circumstances" that implementing it would bring the administration of the College's professional discipline system into disrepute. We also accept the parties' agreement that the registrant pay the College \$20,000 in costs in installments and the terms providing for transparency of the decision through publication.

## **Order**

[21] We order:

### Penalty

1. The Registrant will be reprimanded by the Discipline Tribunal immediately following the hearing, and the fact and nature of the reprimand shall be recorded on the College's public register for an unlimited period of time.
2. An order suspending the Registrant's certificate of registration for a period of seven (7) months, commencing on August 6, 2025, two (2) months of which will be remitted upon the Registrant successfully completing, to the Registrar's satisfaction, the remedial work outlined in paragraph 3(a) below;
3. An order directing the Registrar to impose terms, conditions, and limitations on the Registrant's certificate of registration requiring the following:
  - a. Prior to returning to practice, the Registrant shall successfully complete the PROBE Ethics Course at her

own expense and provide documentary evidence of her completion of this remedial step to the satisfaction of the Registrar;

- b. Upon returning to practice after her suspension, the Registrant is prohibited from imaging, casting, prescribing, constructing, fitting, dispensing and/or ordering the fabrication of orthotics for a period of four (4) months (the "Restricted Period"). The Registrant is additionally not entitled to assign these duties to anyone else in her clinic, regardless of whether she receives a fee, during the Restricted Period, but shall refer such duties to another registrant of the College in good standing at another clinic not affiliated with the Registrant's clinic.
- c. Upon returning to practice after her suspension, for a period of thirty-six (36) months, the Registrant is required to provide any chiropractic educational institution that retains her to teach students and/or provide clinical placements for students with the Discipline Tribunal's decision;
- d. Upon returning to practice after her suspension, for a period of thirty-six (36) months, the Registrant is required to inform the Registrar that she has been retained by a chiropractic educational institution to teach students and/or provide clinical placements for students and confirm that she has provided the educational institution with the Discipline Tribunal's decision;
- e. At her own expense, the Registrant will receive supervision of her chiropractic practice with a mentor selected by the Registrar for a period of twenty (20) months from the date on which the Registrant returns to practice from the suspension. The terms of the supervision are as follows:
  - The mentor shall visit with the Registrant in person on at least three (3) occasions – one in the first four months and one in the last six months;
  - The visits with the mentor will be as directed by the mentor;
  - The mentor shall determine the length of each visit;

- In conducting the supervision, the mentor shall discuss ethics, practice management, record-keeping and compliance with the College's standards with the Registrant;
  - The mentor shall prepare a report to the Registrar after each visit;
  - The Registrant shall provide the mentor with the Discipline Tribunal's decision and then provide written confirmation to the Registrar, signed by the mentor, that the mentor has received and reviewed the final decision;
- f. In the event that the Registrant obtains employment to provide chiropody services during the twelve (12) months following the date that the Registrant is able to return to practise after her suspension, the Registrant shall:
- notify any current or new employers of the Discipline Tribunal's final decision;
  - ensure the Registrar is notified of the name, address, and telephone number of all employer(s) within fifteen (15) days of commencing employment;
    - provide her employer(s) with a copy of:
      - the Discipline Tribunal's Order;
      - the Notice of Hearing;
      - the Agreed Statement of Facts;
      - the Joint Submission on Penalty;
      - a copy of the Discipline Tribunal's decision; and
    - have her employer forward a report to the Registrar within fifteen (15) days of commencing employment confirmation that the employer has received the documents noted above and agrees to

notify the Registrar immediately upon receipt of any information that the Registrant is not complying with the College's standards;

4. An order that the Tribunal's decision be published, in detail with the Registrant's name, in the College's official publications, on the College's website, on the College's public register and/or on CanLII.

Costs

5. The Registrant shall pay costs to the College in the amount of \$20,000 on the following timetable:
  - \$5,000.00 – to be paid on August 6, 2025;
  - \$5,000.00 – to be paid on December 6, 2025;
  - \$5,000.00 – to be paid on April 6, 2026; and
  - \$5,000.00 – to be paid on August 6, 2026.

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**Tribunal File No.: 24-006-CP**

**BETWEEN:**

College of Chiropractors of Ontario

**College**

- and -

Patricia Gloria Wilson

**Registrant**

**The Tribunal delivered the following Reprimand  
by videoconference on Wednesday, August 6, 2025.**

**\*\*\*NOT AN OFFICIAL TRANSCRIPT\*\*\***

Ms. Wilson,

The panel has found that you have engaged in professional misconduct by failing to maintain patient records as required, submitting documents to an insurance company that contained false or misleading information and failing to ensure that a student under your supervision conducted and documented a proper patient assessment.

The public must have confidence that members of the profession submit accurate documentation to support benefit claims. They must also have confidence that chiropractic students who are placed in clinics as part of their education are properly supervised and that registrants overseeing their placements ensure that students assess and provide treatment in accordance with the College's standards.

Although you indicate you had a misunderstanding about how some of the College's standards applied, this does not excuse your lapses as a professional helping to train the next generation of chiropractors.

We acknowledge that you have taken responsibility for your actions and were willing to admit misconduct. We expect that with the benefit of the remedial course and period of supervision that you have agreed to, you will return to practice with a greater understanding of your obligations and this conduct will not be repeated in the future.