

SPRING 2021

# INFORMED

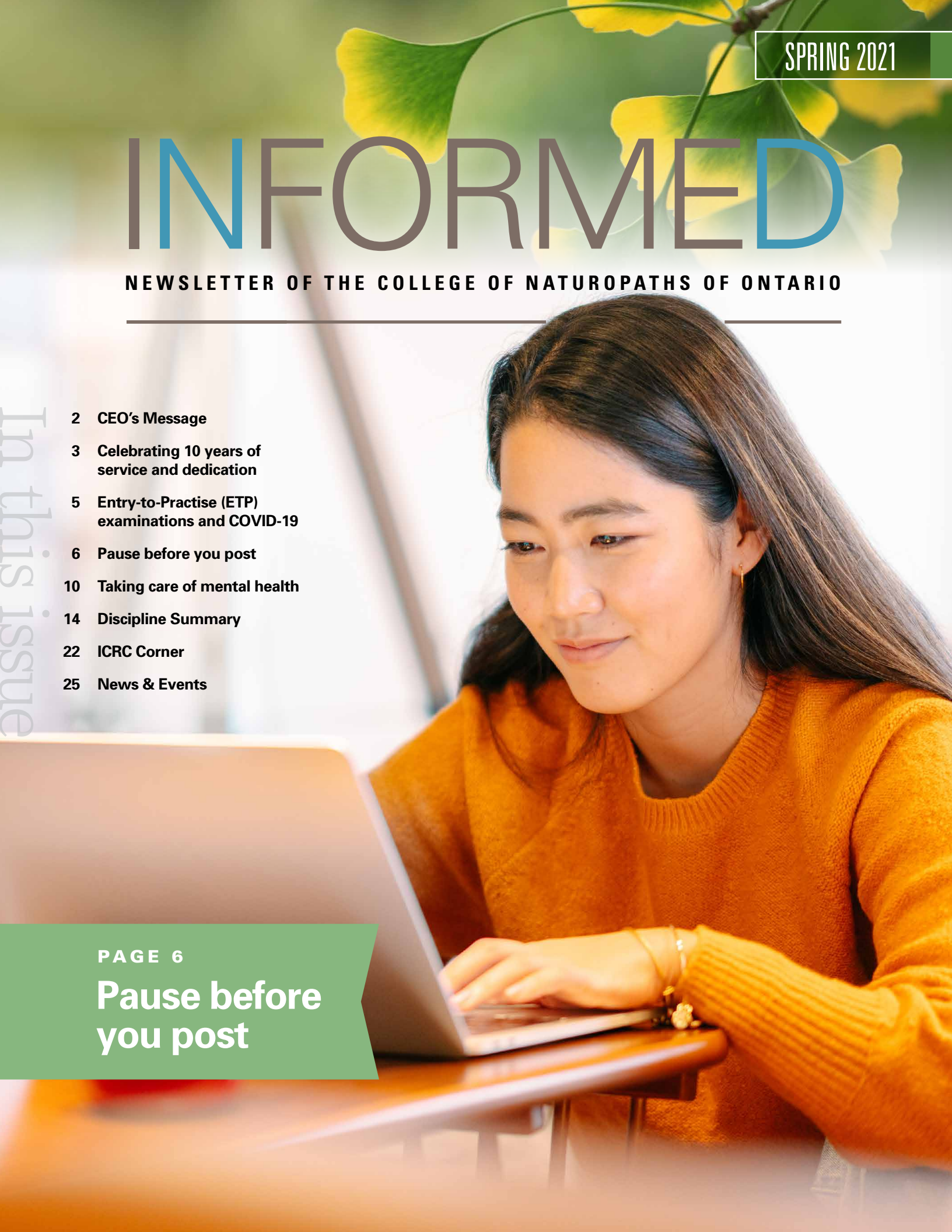
NEWSLETTER OF THE COLLEGE OF NATUROPATHS OF ONTARIO

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**Pause before  
you post**



## CEO'S MESSAGE

## *Let's talk about change.*

Mark Twain once apparently exclaimed "I'm in favor of progress; it's change I don't like."

That's a sentiment many can understand and empathise with, myself included. Progress is necessary and celebrated but requires changes to make growth a reality. These changes can sometimes be uncomfortable, cumbersome and even difficult to face and implement.

With the dawn of a new year came several important and necessary changes for the College, and by extension its Registrants and the public which the College seeks to protect—all of which were pursued with the primary goal of ensuring positive progress.

What were these changes, you might ask?

First, and critically important I might add, was a full-scale renovation of our increasingly ancient website. With the site used as a repository for crucial information for naturopaths and the public, and after a full review of the existing site in 2019, it was decided that change would be needed to pull the website away from obsolescence and make it more accessible to the public as well as Registrants.

After countless hours spent by dedicated specialists from Seventyeight Digital, our contracted website design agency, as well as the College's team, a new site with a brand new look was built from scratch and website content was edited and created as needed. Across the College, staff helped with gathering information, uploading content, and testing the new site.

The result of hours and hours of hard work?

A beautiful, clean and polished website that's vastly more accessible and user-friendly than our previous website ever was, and a more expansive repository for the information the public and naturopaths need regarding the profession and its practice in Ontario.

The second major (and equally-needed) change was the integration of a new regulatory management system and a transition away from the old system, which did not suit our purposes or mission anymore. This involved the implementation of a new and improved portal for Registrants that offers added functionality, efficiency for the College and better ways for us to reach out to members of the profession in Ontario with important information quickly and effectively.

In short, I can easily summarise the above as positive change and progress that has proven itself immensely over the past 5 months. The path to progress was not easy or simple for both the website and the new portal; there were hiccups along the way, plenty of learning opportunities, and countless sleepless nights. Reflecting what Twain said, change can be difficult.

What we achieved with these changes, safe to say, was absolutely worth the effort.

Here's to another year of progress and change!

Andrew Parr, CAE  
Chief Executive Officer

## CELEBRATING 10 YEARS



## Celebrating 10 years of service and dedication

I've read that the best CEOs are the ones who surround themselves with the brightest and most talented individuals. I have been fortunate working at the College to have an amazing team of people who support our work and make the College—and me—look good. Principle among this group is Jeremy Quesnelle, our Deputy CEO who has been with the College since March of 2011.

Over these past 10 years, Jeremy has proven his loyalty and dedication to the College and its Council time and time again. From his humble beginnings as a Policy Analyst through the position of Director of Professional Practice and now as Deputy CEO, Jeremy has consistently been the first one to volunteer to take on a challenge, and the first one to defend the work of the College and its public interest mandate and motivation.

Jeremy has served with many Council members supporting their work on several vital committees, including both the Quality Assurance Committee (QAC) and the Inquiries, Complaints and Reports Committee (ICRC). Barry Sullivan, former Public member on Council and now a Public Representative, who has served on the QAC since its inception said this, "Jeremy has been a mainstay at the College. I have found him to be a highly capable and conscientious leader who demonstrates an unwavering commitment to the mandate of the College while being empathetic to the well-being of the profession."



Jeremy Quesnelle,  
Deputy CEO



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**“Jeremy truly makes the College better with his upbeat and calm demeanour and he makes it a joy to work on whatever committee or project he is a part of.”**

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Dr. Kim Bretz, ND

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Dr. Erin Psota, ND, Chair of the ICRC echoed those sentiments saying “I think that Jeremy is an irreplaceable member of the College team! He has been my go-to person for every single regulatory question that’s come up in the past 10 years, which he always patiently answers with a depth of knowledge that I aspire to and that little bit of humour that makes him a joy to work with on the ICRC.”

According to Dr. Kim Bretz, ND, Council Chair, if she had to describe Jeremy, it would include the words “sunshine and rainbows”, the same words he uses to describe the Quality Assurance Program. “Jeremy truly makes the College better with his upbeat and calm demeanour and he makes it a joy to work on whatever committee or project he is a part of.”

Over these 10 years, Jeremy has worked very closely with several other long-serving staff.

According to Natalia Vasilyeva, Manager of Professional Conduct, “Jeremy is the worst person to work with. He is smart, extremely efficient, seems to know everything there is to know about regulation, thinks on his feet, and has a way of making a great impression on everyone he meets. He cares about the job he does and people he works with and is always ready to go the extra mile to achieve results. Who wants a boss like this? Well, I certainly do. He’s the reason why I always work hard, improve and continue to grow professionally.”

It gives me a great deal of pleasure to publicly recognise a stellar employee, an upstanding person who is dedicated to his work almost but not nearly as much as he is to his wife and children. Jeremy, thank you for your 10 years of service to this College and thank you for all your hard work. I look forward to continuing to work with you for a very long time!

Andrew Parr, CAE  
Chief Executive Officer

# Entry-to-Practise (ETP) examinations and COVID-19

In 2020, COVID-19 didn't just change daily lives of Ontarians, it also altered the landscape in which regulatory bodies carry out operations necessary for upholding the vital mandate of public protection.

The administration of entry-to-practise (ETP) examinations is one of a handful of regulatory functions that have been impacted by the pandemic. ETP exams ensure that all individuals granted a certificate of registration have the knowledge, skill, and judgement to practise the profession safely, competently, and ethically. To allow continued access to ETP exams despite COVID-19, the College has temporarily moved exams that can be administered virtually to a secure online delivery and proctoring platform.

For exams where competency must be demonstrated in-person, such as those which assess hands-on practical skills, contingency back-up exam dates have been reserved.

For candidates preparing to sit ETP examinations in 2021, it is extremely important to remember that COVID-19 carries an element of uncertainty; circumstances can change rapidly. Exam postponements have and may continue to occur this year to safeguard the health and wellbeing of exam candidates and examinations staff.

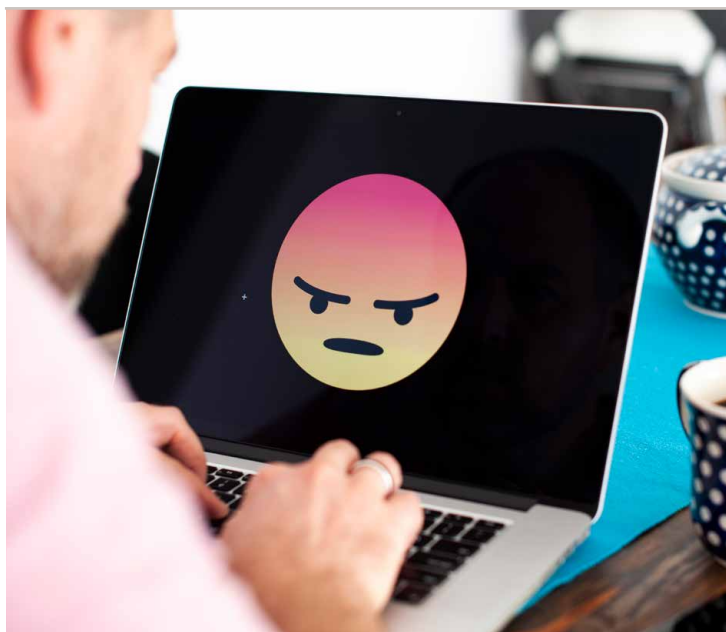
For additional information about sitting an exam during the COVID-19 pandemic, please review the [associated Q&A](#).

## Help protect the health and wellbeing of others on exam days by:

- Performing regular COVID-19 self-screenings prior to exam sessions and staying home if you've been recently exposed to the virus or if you are unwell;
- Adhering to provincial guidelines regarding COVID-19, including those pertaining to social distancing, travel from outside of the province/country, and quarantine; and
- Reviewing and abiding by the College's COVID-19 exam protocol, as noted in each of the College's exam handbooks.



## PAUSE BEFORE YOU POST



# Pause before you post

The College recognises and appreciates that most Registrants communicate professionally, respectfully, and appropriately. However, when emotions run high and opinions are strong, the normal restraints and sense of professionalism can be forgotten. Despite the medium or the audience, the use of inappropriate language, questionable content and falsehoods have no place in any form of communication by naturopaths. This includes conversations with colleagues, patients, the public, professional associations, or the regulatory College itself. It also extends to e-mail, phone calls, and even social media such as Twitter or Facebook.

The College has received complaints related to Registrants' posts on social media. These complaints are about posting patient testimonials, a patient's personal information and treatment recommendations, re-posting information from secondary sources, advertising products, and providing health advice.

Social media platforms, such as Facebook, Twitter, LinkedIn, YouTube, Instagram, or Snapchat, provide opportunities to build a practice, educate patients and the public, and connect with colleagues. By design, social

media is informal and accessible making it easy to quickly post or re-post a comment before taking time to consider if it would be considered professional by your peers or your regulator. Before posting, or sending an e-mail, we recommend that Registrants always pause to ensure their information is appropriate, respectful, professional, and within the standards and Code of Ethics set by the College.

The following information is provided to help naturopaths navigate the use of social media, stay within the expectations of the College, and steer clear of the potential pitfalls.

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**PAUSE BEFORE YOU POST**

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**Assume all content is public and accessible by anyone who wants to find it.**

- Use the strongest privacy settings, especially for your personal social media accounts. This can help prevent patients who may search for their naturopath's personal social media accounts from finding them.
- Regularly review the platform's privacy statements, policies, and settings to ensure your privacy settings are current.
- Be cautious if you share information that can identify you, the information you post can be used to commit identity theft.
- If an account is open and patients can identify the naturopath, the content can be considered by the College when investigating a complaint.
- There is the potential that your content can spread very easily and quickly, resulting in a possible loss of control of where and how far your content goes.

**Assume that the information you post online will be there forever.**

- Even if you delete a post, it is possible that someone has taken a screen shot and saved it or shared it with someone else.
- An online electronic trail of websites you have visited and searches you have done is left behind and can be traced.

**Patient privacy and confidentiality must always be maintained.**

- The best practice is to refrain from posting anything about a patient, including re-posting content from a patient's social media.
- Information you disclose within a closed group can be shared with someone outside of the group, this can lead to a breach of patient privacy.
- As with all posts, there is the potential for rapid spread and loss of control of who sees the content.

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**PAUSE BEFORE YOU POST**

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**Do not provide clinical advice to a patient through any social media platform.**

- It is never advisable to provide treatment recommendations to a patient via social media.
- Patient treatment advice must always be provided in accordance with the College's standards of practice.
- You may need to educate your patients and let them know you cannot provide advice online. Recommend the patient make an appointment where you can fully discuss their concerns.
- It is acceptable to use social media to provide general naturopathic information for the purpose of educating the public and patients.

**Consider professional boundaries and do not cross them. Do not do something online that you would not do in person.**

- It is best to create a business account that is separate from your personal accounts.
- Before posting a comment, take time to consider the consequences. Pause and consider if you would say the same thing to someone in person. If not, don't post it.
- Use professionally appropriate, clear, verifiable, and honest language in all your communications.
- Do not create personal online connections with patients or someone they are close to as this can blur the boundary between naturopath and patient.

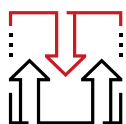


## PAUSE BEFORE YOU POST



Consider the requirements outlined in the [Standard of Practice for Advertising](#) and make sure the information you are posting is in compliance.

- Do not post testimonials.
- Do not suggest patients post reviews or testimonials on their personal accounts.
- Do not re-post content, especially if it is related to their treatment, that a patient has posted on their social media accounts.
- Do not endorse products by including brands and product names.



Avoid any actual or perceived [conflicts of interest](#).

- A conflict of interest can include offering incentives such as discounts for patients or making endorsements.



Any post can affect both the naturopath's personal reputation as well as that of the profession.

- Do not post anything that could be seen to be unprofessional.
- Do not post anything that would reasonably be regarded by your peers as disgraceful, dishonourable, or unprofessional.
- Remember that you are always a naturopath.

For more information about the use of social media for health care professionals:



College of Physiotherapists  
of Manitoba

**College of Physiotherapist of Manitoba**  
[Use of Social Media](#)



Physiotherapy Alberta  
College + Association

**Physiotherapy Alberta**  
[Social Media Resource Guide for  
Alberta Physiotherapists](#)



## Taking care of mental health

It has now been a year since our lives shifted significantly with the COVID-19 pandemic. As we continue to navigate the third wave and adapt to new preventative measures, it's important to prioritise mental health awareness and care as much as physical health.

If a patient discloses abuse, self-harm, or suicidal thoughts, be prepared to stop your assessment or treatment and address these comments. You need to maintain confidentiality of capable patients unless there is a significant risk of harm. In those particular situations, your duty to warn (keep others safe) may supersede your need to obtain consent.

As a naturopath, it's important to notice the red flags, to be able to readily offer information about resources and support, and to refer to the appropriate professional.

**Crisis lines** are excellent resources to call to seek guidance on how best to proceed if you are concerned about a patient. It is important to **document the relevant information** and actions taken in the clinical record, including only the critical details. Make sure to stay within your scope of practice as a health care professional by responding to concerning comments, asking a few probing questions, and then deciding on your course of action. Depending on the scenario, the course of action might be to offer resource information, or to contact a family member or physician, or even to call 911 in extreme cases.

**Don't ignore concerning comments.** Be human, be empathetic, and indicate your concern. For example: "That sounds very stressful, and I'm really concerned about you." You may be the only health professional that the patient feels comfortable enough with to disclose this information to. How you respond might open doors for the patient to seek supportive services.

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 TAKING CARE OF MENTAL HEALTH
 

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**Ask your patient some probing questions** to get more information about the degree of danger present. In an abusive scenario, you could ask if there are children witnessing the abuse, or whether there are guns in the home. If you are in the middle of a hands-on technique when a patient makes a disclosure that causes you concern, be aware of how touch can be impactful and be careful of the effect on your patient if you suddenly take your hands off them after the disclosure.

Capable adults have the right to make their own choices, even if that means remaining in an abusive relationship. **Offer your patient available resources** for support services if they are open to it. **Involve your patient in your action plan** whenever possible to foster trust. For example, say “I’m really concerned about your safety, I’m going to get the number for the suicide hotline and we’ll call them together for some advice.” Suggest to your patient that you’d like to **create a team to support them**. Explain that in addition to yourself you think it would be beneficial for them to connect with their school counsellor, physician, social worker or psychologist to ensure that all of their needs are addressed by the right professional with the right skills.

**Follow-up with patients** who stop therapy mid-session, leave, and cancel sessions. Naturopathy can provide great value for people who may not feel valued themselves and might need an open-door reminder.

It’s important to keep in mind that many people are feeling extremely isolated and due to the current preventative measures in place, a patient’s health professional may be one of the few people they are interacting with.

During these unprecedented times many people are experiencing an increase in stress and anxiety. This does not just include patients, but health care professionals are just as vulnerable to the same mental health hardships as any other person. They are experiencing the same fears, questions of the unknown, stressors of health and finance and an overload in COVID related information. In addition to supporting your patients, it’s important that you also take care of yourself.

The following resources are just a few of those available to anyone who may need some support in these challenging times, including naturopaths, students, patients, caregivers, kids, staff and other health providers.




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**CAMH**

CAMH provides access to mental health and addiction supports for health care workers impacted by the COVID-19 pandemic. This includes access to resources, psychotherapy, and psychiatric services.

[camh.ca/en/health-info/mental-health-and-covid-19/information-for-professionals](https://camh.ca/en/health-info/mental-health-and-covid-19/information-for-professionals)

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## TAKING CARE OF MENTAL HEALTH

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WELLNESS TOGETHER

**Canada****Wellness Together Canada**

Wellness Together Canada was funded by the Government of Canada in response to the unprecedented rise in mental distress due to the COVID-19 pandemic. It provides mental health and substance use support, resources, and counselling with a mental health professional. This service is accessible 24/7 and is free for everyone.

[ca.portal.gs](https://ca.portal.gs)

**The Canadian Psychological Association**

The Canadian Psychological Association is offering psychological services to frontline health care workers free of charge.

[CCHL - CCLS News - CCHL – CCLS | The Canadian College of Health Leaders \(cchl-ccls.ca\)](https://cchl-ccls.ca)

**ConnexOntario**

ConnexOntario provides free and confidential health services information for people experiencing problems with alcohol and drugs, mental illness, or gambling by connecting them with services in their area.

[connexontario.ca/en-ca](https://connexontario.ca/en-ca)

**211 Ontario**

211 Ontario can help you find support during COVID-19 and is your primary source of information on government and community-based social services. Things are changing quickly during this unusual time, but they are committed to providing accurate and up-to-date information to Ontarians about responses to the novel coronavirus.

[211oncovid19.ca](https://211oncovid19.ca)

**Kids Help Phone**

Children and youth under 18 can locate mental health services through the Ontario.ca and Kids Help Phone websites, or contact Kids Help Phone (1-800-668-6868) for 24/7 support, if they need someone to talk to.

[kidshelpphone.ca](https://kidshelpphone.ca)



## TAKING CARE OF MENTAL HEALTH



### Good2Talk

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Good2Talk is a free, confidential mental health support service providing professional counselling and information, and referrals for mental health, addictions, and well-being to post-secondary students in Ontario, 24/7/365.

[good2talk.ca](http://good2talk.ca)



### BounceBack

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A free skill-building program managed by the Canadian Mental Health Association (CMHA). It is designed to help adults and youth 15+ manage low mood, mild to moderate depression and anxiety, stress or worry.

[bouncebackontario.ca](http://bouncebackontario.ca)



### Togetherall

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An online, peer-to-peer support community for anxiety, depression, and other common mental health issues.

[togetherall.com/en-ca](http://togetherall.com/en-ca)



### Mental Health Commission of Canada

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Includes a resources and tools section for Health Care workers.

[Resources for Healthcare Sector | The Working Mind](#)



### Ministry of Health and Mental Health and Addictions Centre of Excellence of Ontario

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The Ministry of Health and the Mental Health and Addictions Centre of Excellence of Ontario have partnered with five hospitals to provide confidential support to frontline health and community care workers.

[The Royal Ottawa Mental Health Centre, Ottawa](#)  
[Waypoint Centre for Mental Health Care, Penetanguishene](#)  
[Centre for Addictions and Mental Health \(CAMH\), Toronto](#)  
[Ontario Shores Centre for Mental Health Sciences, Whitby](#)  
[St. Joseph's Healthcare, Hamilton](#)

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**DISCIPLINE OUTCOMES**


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## **DC19-03 HELEN COHEN (SUSPENDED), REGISTRATION #0709**

**Hearing Date: September 28, 2020**

Discipline is a critical aspect of self-regulation and maintaining public trust. The College has the responsibility and the authority to investigate breach of a regulation or a professional standard by a naturopath, and to take action and assess a range of appropriate penalties. Any decisions are made in the best interests of the public. Publishing summaries of the decisions in this newsletter is part of the transparency of the discipline process and is intended to help readers understand what may constitute professional misconduct.

### **SUMMARY OF ALLEGATIONS**

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- Providing false or misleading information to an Insurer in 2015 and/or 2017; and/or created false or misleading treatment notes and/or assessment notes.
- Conduct or an act relevant to the practice of naturopathy that, having regard to all the circumstances, would reasonably be regarded by naturopathic doctors as unprofessional or incompetent.
- Contravening standards of practice or guidelines of practice set by the Board of Directors of Drugless Therapy – Naturopathy, specifically, deal honestly with all patients, colleagues, public institutions and legal bodies,

and refrain from giving any false, incomplete or misleading information.

The Agreed Statement of Facts and the Joint Submission as to Penalty and Costs had been agreed on before the hearing. The Discipline Panel found that the Registrant committed acts of professional misconduct as admitted by the Registrant.

### **CHRONOLOGY**

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**August 2015**—The Insurer received confirmation from the Registrant regarding sixteen naturopathic treatments allegedly provided by the Registrant between 2013 and 2014.

**September 2017**—The Insurer obtained the treatment notes and assessment notes for the sixteen naturopathic treatments allegedly provided by the Registrant between 2013 and 2014.

**October 17, 2017**—The College received a complaint from the Insurer alleging that the Registrant submitted and issued false claims.

**2017-2018**—The Registrant denied intentionally submitting or issuing false claims. The Registrant could not remember providing the services but told the Insurer they believed the notes to be in their handwriting. The Registrant conceded that when they were asked by the Insurer if they provided the naturopathic treatments, they did not take the necessary time to ensure that their answer was accurate and informed.

## DISCIPLINE OUTCOMES

### ADMISSION OF PROFESSIONAL MISCONDUCT

A Joint Submission as to Penalty and Costs had been agreed upon prior to the hearing. The parties submitted that the public was protected because the Registrant had accepted responsibility for their actions and had agreed to an appropriate penalty which provided for specific and general deterrence, rehabilitation, and monitoring.

### ORDER

The Discipline Panel imposed an order:

1. The Registrant shall appear before the panel to be reprimanded immediately following the hearing of this matter.
2. The Chief Executive Officer (CEO) is directed to suspend the Registrant's certificate of registration for a period of four months, on a schedule to be set by the CEO.
3. The CEO is directed to impose the following specified terms, conditions and limitations on the Registrant's certificate of registration:
  - a. Requiring that the Registrant unconditionally pass the PROBE ethics course, which is to be taken at their own expense by July 31, 2021;
  - b. Requiring that the Registrant successfully complete, to the satisfaction of the CEO and at their own expense, a Medical Records course by July 31, 2021;
  - c. Requiring that the Registrant write an essay between 1,000 and 1,500 words in length, and provide it to the CEO, no later than August 31, 2021, that shall be published by the College at a time and in a format determined by the CEO, on the following issues:
    - i. The lessons they learned in completing the PROBE course and Medical Records course; and
    - ii. The methods they will incorporate into their practice to ensure proper record-keeping practices and their obligations as a Registrant of the College; and
  - d. Requiring the Registrant to submit to, and at their own expense, a practice inspection to be completed within six months following their return to practice.

4. The Registrant to pay a fine of \$350 to the Minister of Finance no later than November 28, 2020.
5. The Registrant shall pay the College's costs fixed in the amount of \$3,500, payable on a schedule to be set by the CEO.

The Panel concluded that the proposed penalty was reasonable and in the public interest, and that it satisfied the principle of public protection.

### COLLEGE'S COSTS

The following costs and expenses were incurred by the College in regard to this matter:

- Legal costs and expenses: \$18,745
- Investigation costs: \$7,040
- Other costs: \$3,226

As previously noted, the Panel ordered the Registrant to pay the College's costs fixed in the amount of \$3,500, which amounted to 12% of the College's costs.

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**DISCIPLINE OUTCOMES**


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**DC19-04  
HELEN COHEN (SUSPENDED),  
REGISTRATION #0709**
**Hearing Date: September 28, 2020**

Discipline is a critical aspect of self-regulation and maintaining public trust. The College has the responsibility and the authority to investigate breach of a regulation or a professional standard by a naturopath, and to take action and assess a range of appropriate penalties. Any decisions are made in the best interests of the public. Publishing summaries of the decisions in this newsletter is part of the transparency of the discipline process and is intended to help readers understand what may constitute professional misconduct.

**SUMMARY OF ALLEGATIONS**


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The Agreed Statement of Facts and the Joint Submission as to Penalty and Costs had been agreed on before the hearing. The Discipline Panel found that the Registrant committed acts of professional misconduct as admitted by the Registrant.

- Failure to comply with order of a panel of the ICRC.
- 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 naturopathic doctors as disgraceful, dishonourable or unprofessional.

**CHRONOLOGY**


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**September 7, 2017**—A panel of the Inquiries, Complaints and Reports Committee (ICRC) ordered the Registrant to successfully complete a Specified Continuing Education or Remediation Program (SCERP) at their own expense (the “Order”). The deadline for the completion of the SCERP was December 12, 2018.

**November 2, 2018**—The College followed up with the Registrant and reminded them of the inspection component of the SCERP. The deadline to provide the name and resume of a proposed inspector had passed. The Registrant responded that day.

**November 5, 2018**—The College responded and informed the Registrant that they needed to send in the name of a proposed inspector. The Registrant responded that day and provided a name of a proposed inspector.

**November 23, 2018**—The Registrant advised that the proposed inspector would no longer be able to do the inspection. The College responded that day and asked for another name to be provided.

**December 10, 2018**—The Registrant advised the College that they had run out of people to ask. The College responded that day and provided the name of another proposed inspector. The Registrant responded and raised the concern about cost.



## DISCIPLINE OUTCOMES

**December 11, 2018**—The College responded and reminded the Registrant of the Order, which explicitly states that the cost of the SCERP (including the inspection) is the responsibility of the Registrant.

**December 12, 2018**—December 12, 2018, was the deadline set by the ICRC for the SCERP to be concluded. The College wrote to the Registrant and advised them of the deadline and to write to the CEO setting out their reasons for the delay. The Registrant advised the CEO of their difficulties in finding an impartial inspector and asked for an extension.

**December 14, 2018**—The Registrant wrote to the College and advised that they had received a response from proposed inspector, and they had advised their cost to perform the inspection would be \$1,130. The Registrant explained to the College that they could not afford the cost.

**May 30, 2019**—The Registrant had failed to successfully complete all components of the SCERP.

### ADMISSION OF PROFESSIONAL MISCONDUCT

A Joint Submission as to Penalty and Costs had been agreed upon prior to the hearing. The parties submitted that the public was protected because the Registrant had accepted responsibility for their actions and had agreed to an appropriate penalty which provided for specific and general deterrence, rehabilitation, and monitoring.

### ORDER

The Discipline Panel imposed an order:

1. The Registrant shall appear before the panel to be reprimanded immediately following the hearing of this matter.
2. The Chief Executive Officer (CEO) is directed to suspend the Registrant's certificate of registration for a period of at least four months, to commence on the date of the hearing of this matter and continuing for four months or until the Registrant completes the requirements as set out in the Order made by the ICRC on September 7, 2017, whichever is longer.
3. The CEO is directed to impose the following specified terms, conditions and limitations on the Registrant's certificate of registration:
  - a. Requiring that the Registrant unconditionally pass the PROBE ethics course, which is to be taken at their own expense, by July 31, 2021;
  - b. Requiring that the Registrant successfully complete, to the satisfaction of the CEO and at their own expense, the College's Jurisprudence course by April 30, 2021; and
  - c. Requiring that the Registrant write an essay between 1,000 and 1,500 words in length, and provide it to the CEO, no later than August 31, 2021; that shall be published by the College at a time and in a format determined by the CEO, on the lessons

## DISCIPLINE OUTCOMES

they learned in completing the PROBE course and Jurisprudence course.

4. The Registrant shall pay a fine of not more than \$350 to the Minister of Finance no later than November 28, 2020.
5. The Registrant shall pay the College's costs fixed in the amount of \$3,500, payable on a schedule to be set by the CEO.

The Panel concluded that the proposed penalty was reasonable and in the public interest, and that it satisfied the principle of public protection.

### COLLEGE'S COSTS

The following costs and expenses were incurred by the College in regard to this matter:

- Legal costs and expenses: \$10,363
- Investigation costs: \$0
- Other costs: \$1,228

As previously noted, the Panel ordered the Registrant to pay the College's costs fixed in the amount of \$3,500, which amounted to 33% of the College's costs.

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**DISCIPLINE OUTCOMES**


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## **DC19-05 YELENA DESHKO (SUSPENDED) REGISTRATION #2098**

**Hearing Date: December 6, 2020**

Discipline is a critical aspect of self-regulation and maintaining public trust. The College has the responsibility and the authority to investigate breach of a regulation or a professional standard by a naturopath, and to take action and assess a range of appropriate penalties. Any decisions are made in the best interests of the public. Publishing summaries of the decisions in this newsletter is part of the transparency of the discipline process and is intended to help readers understand what may constitute professional misconduct.

### **SUMMARY OF ALLEGATIONS**

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The Agreed Statement of Facts and the Joint Submission as to Penalty and Costs had been agreed on before the hearing. The Discipline Panel found that the Registrant committed acts of professional misconduct as admitted by the Registrant.

- Improper delegation to a nurse and/or nurses
- Charging block fees
- Failing to comply with the *Laboratory and Specimen Collection Centre Licensing Act* (LSCCLA);

- Permitting the advertising of the Registrant or their practice in a manner that is false or misleading or that includes statements that are not factual and verifiable.

### **CHRONOLOGY**

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**July 1, 2015**—The Registrant improperly delegated the act of administering a substance by injection to the nurses in their clinic (“the Clinic”). The Registrant did not delegate Intravenous Infusion Therapy (IVIT) or intramuscular (i.m.) injections at the Clinic in accordance with the General Regulation. Further, the Registrant did not record all of the necessary documentation as required by the General Regulation.

The Registrant delegated the act of compounding to the nurses at the Clinic but did not record information or comply with the steps as required in s. 19 and s. 21 of the General Regulation.

The Registrant ordered specimens to be sent and actually sent specimens to laboratories not licensed by the LSCCLA.

The Clinic offered and the Registrant administered, ordered and/or delegated treatments to patients that they were not authorised to administer.

**December 12, 2018**—An undercover investigator of the College ordered “Health Track-Pro” from the Clinic’s website. Health Track-Pro included a blood work requisition and one hour appointment with a naturopath from the Clinic. The undercover investigator was immediately sent an electronic

## DISCIPLINE OUTCOMES

receipt attaching a link to download a lab requisition. The requisition was signed by the Registrant who ordered various tests. The undercover investigator was not a patient of the Registrant.

**December 12, 2018**—The undercover investigator had their blood drawn at a laboratory.

**January 23, 2019**—The undercover investigator attended the Clinic and had a 30-minute appointment with the Registrant. The Registrant reviewed the results and discussed a treatment plan with the undercover investigator.

### ADMISSION OF PROFESSIONAL MISCONDUCT

A Joint Submission as to Penalty and Costs had been agreed upon prior to the hearing. The parties submitted that the public was protected because the Registrant had accepted responsibility for their actions and had agreed to an appropriate penalty which provided for specific and general deterrence, rehabilitation, and monitoring.

### ORDER

The Discipline Panel imposed an order:

1. Requiring the Registrant to appear before the panel to be reprimanded immediately following the hearing of this matter.
2. Directing the Chief Executive Officer (CEO) to suspend the Registrant's certificate of registration for a period of five months, on a

schedule to be set by the CEO, two months of which shall be remitted if the Registrant complies with the provisions of paragraph 3(a) through 3(c) no later than May 7, 2021.

3. Directing the CEO to impose the following specified terms, conditions and limitations on the Registrant's certificate of registration:
  - a. Requiring that the Registrant unconditionally pass, and at their own expense, the PROBE course in ethics and boundaries, no later than June 7, 2021;
  - b. Requiring that the Registrant successfully complete, to the satisfaction of the CEO and at their own expense, the College's Jurisprudence course, no later than June 7, 2021;
  - c. Requiring that the Registrant successfully complete, to the satisfaction of the CEO and at their own expense, a record-keeping course, approved by the CEO, no later than June 7, 2021;
  - d. Requiring the Registrant to submit to, and at their own expense, three practice inspections to be completed within two years following their return to practice.
4. For greater certainty, the Registrant's obligation to comply with the proposed terms, conditions and limitations on her certificate of registration contained in paragraph 3 is not relieved by serving the entire suspension referred to in paragraph 2 above.
5. Requiring the Registrant to pay a fine of not more than \$350 to the Minister of Finance no later than February 7, 2021.



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## DISCIPLINE OUTCOMES

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6. The Registrant shall pay the College's costs fixed in the amount of \$11,000 payable on schedule set by the CEO.

The Panel concluded that the proposed penalty was reasonable and in the public interest, and that it satisfied the principle of public protection.

### **COLLEGE'S COSTS**

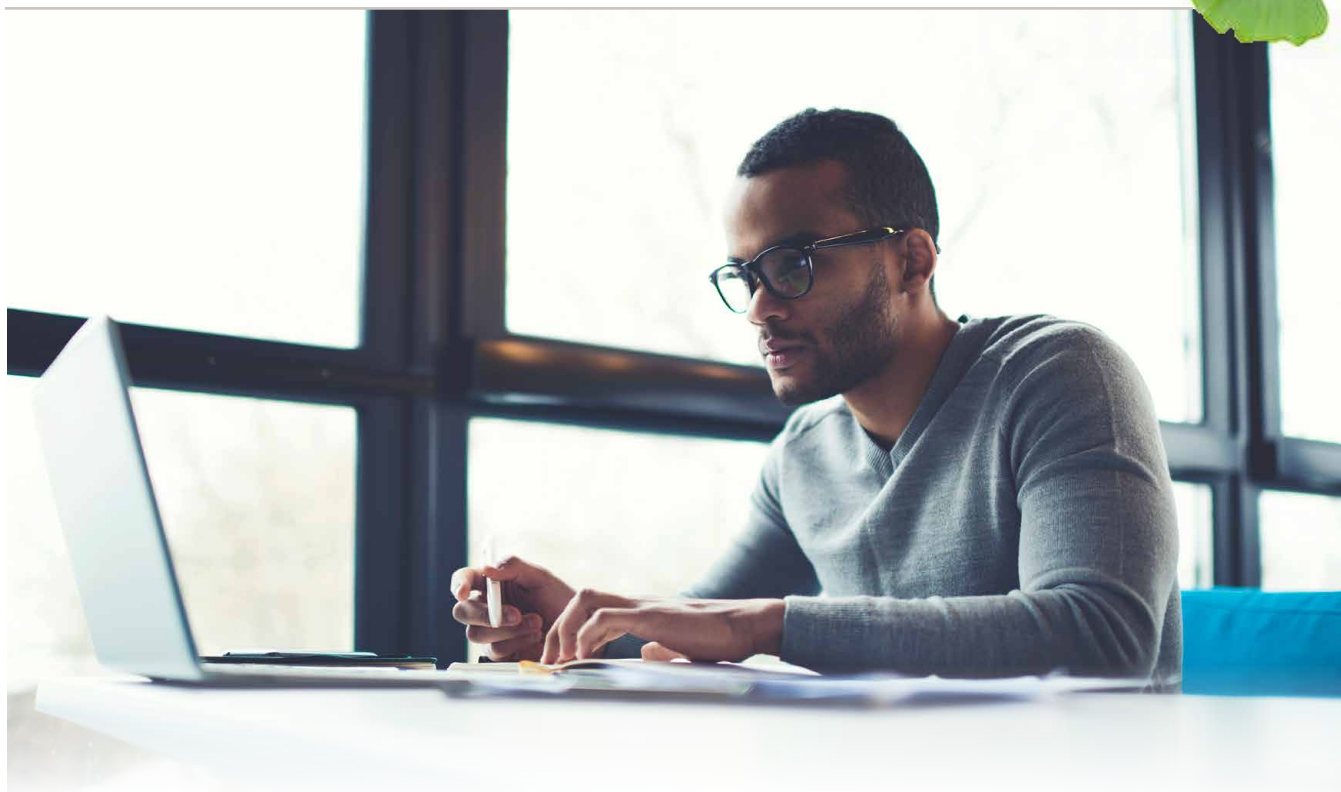
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The following costs and expenses were incurred by the College in regard to this matter:

- Legal costs and expenses: \$28,641
- Investigation costs: \$16,969
- Other costs: \$1,450

As previously noted, the Panel ordered the Registrant to pay the College's costs fixed in the amount of \$11,000 which amounted to 23% of the College's costs.

## ICRC CORNER



## SUMMARY OF COMPLAINT

The College received a complaint from a regulated health professional who expressed concerns about the information made available to the public through the Registrant's website and social media accounts. The first concern raised by the Complainant was the use of the term "general family practice". The Complainant was concerned that the term could be perceived as a form of misrepresentation and confusing to the public, since the Registrant does not have the medical education or training of a family physician. Additionally, the Complainant raised concerns about the Registrant posting anti-vaccination sentiments and mocking Public Health hygiene measures on social media. The Complainant stated, "In my opinion, these

posts are both unprofessional and extremely inappropriate, particularly in the context of a global pandemic." The Complainant further added that posting information on a personal social media account does not absolve the Registrant of their responsibilities.

In response to the complaint the Registrant stated that it was an "oversight" on their part to use the term "general family practice". The Registrant advised that they are very clear on their website that they are a naturopathic doctor and are not misrepresenting themselves as a medical doctor. Nevertheless, the Registrant addressed the concern by removing the term "family practice" from their website.

## ICRC CORNER

The Registrant also responded to the Complainant's concern regarding posting anti-vaccination sentiments. The Registrant stated, "I do not feel that my online posts were unprofessional or warrant a formal complaint". They further pointed out that the posts were made on a personal account and not on a professional one. The Registrant denied making an "anti-vax" statement and stated that their "opinions were presented in an articulate, thought provoking manner."

In response to the Complainant's concern regarding mocking Public Health hygiene measures, the Registrant advised that they never meant to make statements about Public Health hygiene methods that are unprofessional and inappropriate, and they did not feel that their online posts warranted a formal complaint. Nevertheless, to address the concerns, the Registrant took prompt action to increase their privacy settings so that their social media posts were not accessible to the public.

## OUTCOME

Having completed its investigation into this matter, the Inquiries, Complaints and Reports Committee (ICRC) issued a Letter of Counsel to the Registrant. The ICRC informed the Registrant of their concern that the Registrant may not have recognised their professional obligations to their governing body while posting health-related information on private social media channels which may not have complied with the Colleges' Standards of Practice. Additionally, the ICRC reminded the Registrant of the potential influence they have over their readers' healthcare

decisions and the potential risk to the safety of their readers, especially during a global pandemic.

## ANALYSIS

In arriving at its decision, the ICRC acknowledged that the Registrant was cooperative during the investigation, expressed a willingness to address the issues, and undertook timely measures to amend their online presence.

Upon review of the allegation regarding the use of the term "family practice", the ICRC is of the opinion that the term "family practice" is not a protected term and as such, use of the term presents as a grey area. However, as this is a recurring issue in complaint matters, the ICRC has had the opportunity to discuss the terminology extensively and has determined that the context in which a Registrant uses the term "family practice" must clearly indicate to the reader that the Registrant is a naturopathic doctor and not a medical doctor or specialist. When reviewing the Registrant's website, it was found that the Registrant did not consistently use the ND designation following their name when using the "Dr." title. This in conjunction with using the term "family practice" may have the potential to mislead members of the public to believe that the Registrant is a medical doctor.

Upon investigation of the second allegation regarding the Registrant positing anti-vaccination sentiments, the ICRC acknowledged that the Registrant denied they had posted an "anti-vax" statement and advised that their posts were intended to engage "healthy conversation amongst friends." The ICRC also acknowledged

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## ICRC CORNER

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that the Registrant used a pseudo-name and did not use the “ND” title on their social media account. However, the ICRC found that the Registrant’s personal account was linked to their professional website, therefore not entirely removing their identity as an ND. The ICRC expressed that regardless of using the ND title on a personal social media account, it is reasonable to assume that the Registrant’s friends would know they are an ND, and therefore, will read any posts in the context of the Registrant being an ND. The Registrant’s comments to friends may also implicate the naturopathic profession and some may assume they are speaking for the profession as a whole.

Upon review of the last allegation regarding the Registrant mocking Public Health measures, the ICRC acknowledged the Registrant’s efforts to increase their privacy settings, however, were concerned about the Registrant’s oversight to recognise that their comments could be interpreted as anti-Public Health and thereby cause readers to question the effectiveness of Public Health’s recommended measures to prevent the spread of COVID-19. The ICRC firmly believes that the Registrant has a responsibility to understand that any health-related information they share, whether publicly or privately, has the potential to influence the attitudes and healthcare choices of others. The ICRC was especially concerned about posts that could influence readers to reject Public Health initiatives put in place to contain a global pandemic.

## BOTTOM LINE

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It is the responsibility of each Registrant to exercise caution in how they represent themselves professionally to reduce the potential to confuse or mislead the public. As a regulated health professional, it is important that Registrants consider how they use social media channels and before posting anything it is advisable to pause to ensure the post is accurate, verifiable, appropriate, professional, and within the standards set by the College.

Although Registrants are entitled to their own personal opinions and can share them, it is important to recognise that as a regulated professional, there may be repercussions to voicing or posting opinions that may be seen as contrary to the public interest. Further, any medium a Registrant uses may be considered advertising and personal/private social media channels are not untouchable by a regulatory body. Sharing personal opinions has the potential to be brought before the College for evaluation in the context of professional misconduct.

The College continues to publish various resources on its website to remind its Registrants of their obligation to [advertise in an appropriate](#) and professional manner. It is the responsibility of the Registrant to review these publications and to ask for clarification should they require it.

## Exam cancellation notice

**The May 16, 2021 session of the Ontario Clinical (Practical) Examinations has been cancelled due to the province-wide 30-day stay at home order.**

Please note that all examination candidates seeking to sit one or more exams in 2021 are cautioned to monitor College notifications and communications as some examinations may need to be cancelled out of necessity due to COVID-19. If a cancellation is imminent or has occurred, the notification will appear in the News section of the College's website, as well as on the exam's landing page.

If the College is required to cancel an examination after registration for that session has occurred, candidates will be refunded their examination fee. Wherever possible, we will try to offer an alternative date as soon as possible, and that information will be posted on our [website](#).

### March 31, 2021 Council meeting

The Council recently met as scheduled on March 31. You can access [materials and minutes](#) from the meeting via the College website.

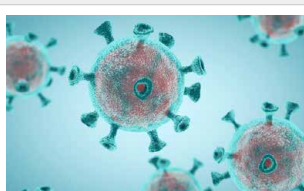
### New Publication

Read the College's [Performance Measurement Framework Report](#) for 2020.

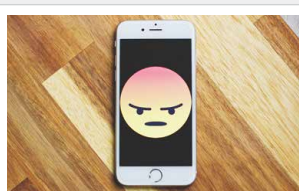
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**How much does the College pay in rent each month and why?**