

**DISCIPLINE COMMITTEE OF THE
COLLEGE OF NATUROPATHS OF ONTARIO**

BETWEEN:

COLLEGE OF NATUROPATHS OF ONTARIO

- and -

TARAS RODAK

**AGREED STATEMENT OF FACTS
(18-031R)**

The parties hereby agree that the following facts may be accepted as true by the Discipline Committee of the College of Naturopaths of Ontario (the "College"):

The Registrant

1. At all relevant times, Dr. Taras Rodak, ND (the "Registrant") has been a registrant of the College of Naturopaths of Ontario (the "College"). Attached as **Exhibit "A"** is a copy of the Registrant's College Register Profile.
2. The Registrant works at and owns the Wellness Institute, a clinic in Etobicoke, Ontario (the "Clinic").

Electro-Dermal Screening for the Registrant's Patients

3. The Registrant retains Ms. G as an independent contractor to provide electro-dermal screening ("EDS") to patients at the Clinic.
4. EDS is a diagnostic test that measures the body's energetic imbalances to determine appropriate means for restoring equilibrium. It is a non-invasive test that involves the placement of small probes on an individual's fingertips and/or toes in order to measure electrical resistance at different points in the body.
5. Ms. G is not a registrant of the College or any health regulatory college in any jurisdiction.
6. The Registrant's patients sign a separate "Informed consent agreement" for the services provided by Ms. G. Ms. G performs the screening and makes treatment recommendations based on the results.

7. Ms. G does not engage in any controlled acts while performing the screening.
8. The Registrant permits Ms. G to provide EDS to her own personal clients at the Clinic. Ms. G also provides EDS to the Registrant's patients where he determines that EDS would be beneficial in developing the patients' treatment plans. The Registrant does not provide or administer EDS himself but he used to do so and he is able to interpret the data from the EDS procedures.

Cost of EDS

9. Ms. G charges her personal clients \$150.00 for the initial and follow-up EDS services provided at the Clinic. However, Ms. G charges her personal clients \$90.00 for the follow-up evaluations at her own clinics in Barrie and Minden.
10. The Registrant charges his patients \$150.00 for the EDS service. The Member then pays Ms. G \$90.00 for the provision of each EDS service.
11. The Registrant also charges \$15.00 to his patients for a "naturopathic consult" that involves the Registrant reviewing the results of the EDS with his patient. This occurs immediately after the EDS service.

Issuing False or Misleading Invoices

12. As noted above, the Registrant charges his patients \$150.00 for the EDS service provided by Ms. G. On invoices issued by the Registrant, EDS is characterized as a "naturopathic service" and identifies that he provided the service, as opposed to Ms. G. Attached as **Exhibit "B"** is an example of the invoices that the Registrant would issue when Ms. G would perform EDS to his patients. It is agreed that these invoices were false or misleading or that the Registrant ought to have known they were false or misleading because the EDS services should not have been billed as "naturopathic services", they were not provided by the Registrant, and they did not reflect any administrative fees or mark-up costs.
13. It is agreed that the invoices were documents that the Registrant issued in his professional capacity.
14. It is agreed that registrants are required to issue accurate accounts. The accounts issued by the Registrant did not identify that Ms. G provided the EDS service and incorrectly identified it as a "naturopathic service." It is agreed that the cost of the EDS and any administrative fees or mark-up costs were not included on the invoice. It is agreed that in order to ensure accuracy, the Registrant should have identified Ms. G as the service provider and identified that EDS had been provided instead of simply a "naturopathic service" and that the cost and administrative fees or mark-up costs ought to have been included.
15. It is also agreed that registrants are accountable for any fee, billing or account that uses their name and/or registration number, as stipulated in the Fees and Billing Standard of Practice. Attached as **Exhibit "C"** is a copy of the relevant Standard.

16. It is further agreed that although the Registrant audited his invoices to ensure accuracy and compliance with College standards, he now recognizes that he did not have a thorough understanding of the standard and that he needs to be more diligent to ensure he identifies and corrects any errors that may exist.
17. It is agreed that registrants of the College must audit their invoices and billing practices to ensure the accuracy of their invoices and an understanding of how their registration number is being used, as stipulated in the Fees and Billing Standard of Practice (see **Exhibit "C"**).

Admissions of Professional Misconduct

18. It is agreed that the above conduct constitutes professional misconduct pursuant to subsection 51(1)(c) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, and as set out in the following paragraphs of section 1 of Ontario Regulation 17/14 made under the *Naturopathy Act, 2007*:
 - a. **Paragraph 1** – Contravening, by act or omission, a standard of practice of the profession or failing to maintain the standard of practice of the profession, in particular:
 - i. **Fees and Billing Standard of Practice**;
 - b. **Paragraph 18** (Issuing an invoice, bill or receipt that the Registrant knows or ought to know is false or misleading);
 - c. **Paragraph 24** (Signing or issuing, in his or her professional capacity, a document that the Registrant knows or ought to know contains a false or misleading statement); and
 - d. **Paragraph 46** (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 registrants as dishonourable or unprofessional).

Acknowledgement

19. By this document, the Registrant states that:
 - a. He understands fully the nature of the allegations made against him;
 - b. He has no questions with respect to the allegations against him;
 - c. He admits to the truth of the facts contained in this Agreed Statement of Facts and that the admitted facts constitute professional misconduct;
 - d. He understands that by signing this document he is consenting to the evidence as set out in the Agreed Statement of Facts being presented to the Discipline Committee;

- e. He understands that by admitting the allegations, he is waiving his right to require the College to prove the allegations against him at a contested hearing;
- f. He understands that the decision of the Committee and a summary of its reasons, including reference to his name, will be published in the College's annual report and any other publication or website of the College;
- g. He understands that any agreement between him and the College with respect to the penalty proposed does not bind the Discipline Committee; and
- h. He understands and acknowledges that he is executing this document voluntarily, unequivocally, free of duress, and free of bribe and that he has been advised of his right to seek legal advice.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Signed this 7 day of MAY, 2021

T. Rodak ND

Dr. Taras Rodak, ND
Registrant

Signed this 11th day of May, 2021

Andrew Parr

Andrew Parr, CAE
CEO
College of Naturopaths of Ontario

TAB A

TAB B



Wellness Institute
 954 Royal York Rd.
 Toronto, ON M8X 2E5
 Tel.:(416) 234-1888
 Fax: (416) 234-0006

¹⁴
652
Invoice

Date	Invoice #
MM/DD/YYYY	252946

Invoice To
[Redacted]



Terms
On Receipt

Description	QTY	Rate	Amount
Naturopathic Services - Dr. Rodak, N.D. (Registration No.: 741)		150.00	150.00
Methyl B12 Liposome Spray (60ml)		43.00	43.00T
NPN 80029539			
Colloidal Iodine		35.00	35.00T
Naturopathic Visit - Dr. Rodak, N.D. (Registration No: 741)		15.00	15.00
HST On Sales		13.00%	10.14
Business Number: 898257878			

PAID IN FULL	Total	\$253.14
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<i>Receipt for income tax purposes. No refund or exchange on products or services.</i>	Balance Due	\$0.00
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Email	wellnessinstitute@sympatico.ca
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Web Site	www.wellness-institute.ca
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TAB C



The College of Naturopaths of Ontario

Standard of Practice:

Fees and Billing

Introduction

The intent of this standard is to advise Members with respect to fees and billing for naturopathic services, drugs, substances, products or devices.

Definitions

Block Fee: A flat fee charged for a predetermined set of services or unlimited services.

Markup: the amount added to the cost price of goods to cover overhead costs.

1. Fees and Billing

The Member establishes and maintains fair and ethical fees and billing practices. Members are accountable for any fee, billing or account that uses their name and/or registration number. Naturopaths must be aware of how their names and registration numbers are being used.

Performance Indicators

The Member:

- ensures that patients are informed of the fees to be charged;
- ensures that a fee schedule is established and posted that outlines:
 - the fees for all visits or services;
 - any administrative fees; and
 - penalties for missed or cancelled appointments.
- ensures that the fees charged:
 - are not excessive in relation to the services proposed;
 - for drugs, substances, products and devices are only marked-up to cover the direct overhead expenses incurred in obtaining, storing, dispensing and selling these items;
 - are an accurate reflection of the services provided to each patient.
- May charge a reasonable fee for collecting non-blood specimens to be sent for laboratory testing, and itemize it on the invoice as "collection of specimen"
- May charge the patient for the cost of the test and any associated fee(s) (e.g. requisition/collection fees from the medical laboratory) incurred by the Member.
- Does not charge a mark-up on the cost of the test and any associated fee(s) (e.g. requisition/collection fees from the medical laboratory) incurred by the naturopathic doctor.
- May charge a reasonable fee for the analysis of laboratory test results if it is done outside of a patient visit/consultation

- ensures that any departure from an established or documented fee is consented to by the patient and documented in the patient record;
- Prior to providing care, ensures that the patient is given clear information about fees and that they understand this information, this includes:
 - any relevant financial policies and payment expectations;
 - information on fees and the fee schedule specific to the patient circumstances, including all fees that might apply to the patient;
 - the basis upon which a bill for services is calculated; and
 - the acceptable methods of payment.
- audits invoices and billing practices at periodic intervals to ensure:
 - the accuracy of invoices;
 - an understanding of the fees that are being charged for their services;
 - an understanding of how their registration or billing number is being used; and
 - when abnormalities are discovered, reasonable steps are taken to remedy the situation.
- ensures that processes exist for the timely:
 - notification of any balance due or owing; and
 - provision of applicable refunds.
- does not charge a block fee;
- does not charge a dispensing fee;
- does not offer or give a reduction in fees for prompt payment of services.

2. Receipts

The Member issues a receipt for all payments.

Performance Indicators

Receipts clearly and legibly record:

- name of treating Member, clinic name, address, telephone number;
- Member's registration number;
- patient's name and address;
- date of service;
- services billed;
- fees for supplements, injectable substances, drugs, laboratory tests, devices, special testing, etc.;
- payments received;
- balance owing;
- HST registration number, if applicable.

If a replacement receipt is issued it is clearly marked "COPY".

Receipts are clearly itemized. Fees for naturopathic consultation are separated from all other fees. Fees for supplements, injectable substances, drugs, laboratory tests, devices, special testing, etc., are individually listed, either on the same or another receipt.

The purchase and redemption of vouchers or gift certificates are clearly documented.

Related Standards

Conflict of Interest
Consent
Dispensing
Prescribing
Recommending Non-Scheduled Substances
Record Keeping
Selling

Legislative Framework

[Professional Misconduct Regulation](#)

Approval

Original Approval Date: October 15, 2012

Latest Amendment Date: March 6, 2019

Disclaimer

In the event of any inconsistency between this standard and any legislation that governs the practice of Naturopathic Doctors, the legislation shall govern.

DISCIPLINE COMMITTEE OF THE
COLLEGE OF NATUROPATHS
OF ONTARIO

AGREED STATEMENT OF FACTS
(18-031R)

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