

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

B E T W E E N :

COLLEGE OF NATUROPATHS OF ONTARIO

- and -

NATASHA TURNER

NOTICE OF HEARING

The Inquiries, Complaints and Reports Committee of the College of Naturopaths of Ontario (the “College”) has referred specified allegations against you to the Discipline Committee of the College. The allegations were referred in accordance with section 26 of the *Health Professions Procedural Code* which is Schedule II to the *Regulated Health Professions Act, 1991*. The statement of specified allegations is attached to this notice of hearing. A discipline panel will hold a hearing under the authority of sections 38 to 56 of the *Health Professions Procedural Code*, as amended, for the purposes of deciding whether the allegations are true. A **pre-hearing conference** will be held at a date and location to be set by the Presiding Officer. A discipline panel will convene by secure video connection at **9:30 a.m. on a date to be set by the Chief Executive Officer**, or as soon thereafter as the panel can be convened, for the purposes of conducting the **discipline hearing**.

IF YOU DO NOT ATTEND ON THE DATE FOR THE HEARING IN ACCORDANCE WITH THE PRECEDING PARAGRAPH, THE DISCIPLINE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THE PROCEEDINGS.

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

1. Direct the Chief Executive Officer¹ to revoke your certificate of registration.
2. Direct the Chief Executive Officer (CEO) to suspend your certificate of registration for a specified period of time.
3. Direct the CEO to impose specified terms, conditions and limitations on your certificate of registration for a specified or indefinite period of time.
4. Require you to appear before the panel to be reprimanded.
5. Require you to pay a fine of not more than \$35,000 to the Minister of Finance.
6. If the act of professional misconduct was the sexual abuse of a patient, require you to reimburse the College for funding provided for that patient under the program required under section 85.7 of the *Health Professions Procedural Code*.
7. If the panel makes an order under paragraph 6, require you to post security acceptable to the College to guarantee the payment of any amounts the Registrant² may be required to reimburse under the order under paragraph 6.

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

You are entitled to disclosure of the evidence against you in accordance with section 42(1) of the *Health Professions Procedural Code* and Rules 17-20 of the *Rules of Procedure of the Discipline Committee of the College of Naturopaths of Ontario*.

You, or your representative, may contact the solicitor for the College, Rebecca Durcan, in this matter:

Steinecke Maciura LeBlanc
Barristers & Solicitors
401 Bay Street
Suite 2308, P.O. Box 23
Toronto, ON M5H 2Y4

¹ The Chief Executive Officer has been appointed by the Council to oversee operations and perform the duties of the Registrar as set out in and defined in section 1(1) of the *Health Professions Procedural Code* (the Code).

² The Council of the College of Naturopaths of Ontario has directed that the College refer to individuals registered with the College as "Registrants". "Registrant", as it is used in this Notice of Hearing has the same meaning as "member" as defined in section 1(1) of the Code.

Telephone: (416) 644-4783
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Note that, Rules 17-20 of the *Rules of Procedure of the Discipline Committee of the College of Naturopaths of Ontario* also apply to you. Rules 18-20 state as follows:

RULE 18. Documentary Disclosure

- 18.1 Each Party to a Proceeding shall deliver to every other Party (a) a list of, and (b) if not previously produced, copies of, all documents and things that the Party intends to produce or enter as evidence at the Discipline Hearing, in the case of the College, as soon as is reasonably practicable after the Notice of Hearing is served, and in the case of any other party, as soon as is reasonably practicable after disclosure by the College under this Rule, but in any case at least ten (10) days before the commencement of the Pre-Hearing Conference.
- 18.2 A Party who does not disclose a document or thing in compliance with sub-rule 18.1 may not refer to the document or thing or introduce it in evidence at the Discipline Hearing without leave of the Panel, which may be on any conditions that the Panel considers just.
- 18.3 Where a party discovers a document or thing that it will refer to or give in evidence at the hearing after the disclosure date specified in subrule 18.1, the party shall make the disclosure immediately after the discovery.

RULE 19. Fact Witness Disclosure

- 19.1 A Party to a Proceeding shall serve every other Party a list of the witnesses the Party intends to call to testify on the Party's behalf at the Discipline Hearing, in the case of the College, as soon as is reasonably practicable after the Notice of Hearing is served, and in the case of any other Party, at least ten (10) days before the commencement of the Pre-Hearing Conference.
- 19.2 If no affidavit has been served in accordance with Rule 45 (Evidence by Affidavit), and material matters to which a witness is to testify have not

otherwise been disclosed, a Party to a Proceeding shall provide to every other Party a summary of the evidence that the witness is expected to give at the Discipline Hearing on the merits, in the case of the College, as soon as reasonably practicable after the Notice of Hearing is served, and in the case of any other party, as soon as is reasonably practicable after disclosure by the College under this Rule, but in any case at least ten (10) days before the commencement of the Discipline Hearing.

- 19.3 The disclosure obligations set out in Rule 19.2 shall not apply to witnesses called in Reply that the College had no reasonable expectation of calling in-chief.
- 19.4 A witness summary shall contain:
- (a) the substance of the evidence of the witness;
 - (b) reference to any documents to which that witness will refer; and
 - (c) the witness's name and address or, if the witness's address is not provided, the name and address of a person through whom the witness can be contacted.
- 19.5 A Party who does not include a witness in the witness list or provide a summary of the evidence a witness is expected to give in accordance with these rules may not call that person as a witness without leave of the Panel, which may be on any conditions as the Panel considers just.
- 19.6 A witness may not testify to material matters that were not previously disclosed without leave of the Panel, which may be on any conditions that the Panel considers just.

RULE 20. Expert Opinion Disclosure

- 20.1 A Party who intends to call an expert to give expert opinion evidence at a Hearing shall:
- (a) inform the other Parties of the intent to call the expert;
 - (b) identify the expert and the issue(s) on which the expert's opinion will be tendered;

- (c) serve the other Parties with a copy of the expert's written report or, if there is no written report, an affidavit in accordance with RULE 45 (Evidence by Affidavit), or a witness summary in accordance with sub-rule 19.3; and
- (d) file an "Acknowledgement Form – Expert's Duty" signed by the expert, in the form appended to these rules.
- 20.2 The College shall serve any expert report or affidavit or witness summary upon which the College intends to rely at the Hearing at least sixty (60) days before the commencement of the Hearing.
- 20.3 The Member shall serve any expert report upon which he or she intends to rely at least thirty (30) days before the commencement of the Hearing.
- 20.4 The College may serve a reply expert report at least fifteen (15) days before the commencement of the Hearing.
- 20.5 Where an expert report is filed, it shall at a minimum include the following information:
- (a) qualifications of the expert;
 - (b) the instructions provided to the expert;
 - (c) the nature of the opinion being sought;
 - (d) the factual assumptions upon which the opinion is based; and
 - (e) a list of documents reviewed by the expert.
- 20.6 A Party who fails to comply with sub-rule 20.1 may not call the expert as a witness or file the expert's report or affidavit without leave of the Panel, which may be on any conditions that the Panel considers just.

Date: _____
December 9, 2021



Andrew Parr, CAE
Chief Executive Officer
College of Naturopaths of Ontario

TO: **Dr. Natasha Turner, ND**
c/o Symon Zucker, Professional Corporation
375 University Avenue, Suite 701
Toronto, ON M5G 2J5
sz@bondlaw.net

STATEMENT OF SPECIFIED ALLEGATIONS

The Registrant

1. Dr. Natasha Turner, ND (the “Registrant”) registered with the Board of Directors of Drugless Therapy – Naturopathy on or about October 28, 1999. The Registrant then became registered with the College of Naturopaths of Ontario (the “College”) on July 1, 2015.
2. The Registrant has not successfully completed a course on prescribing approved by Council and/or an examination on prescribing administered or approved by Council and therefore is not authorized to prescribe drugs and/or substances.
3. At all relevant times, the Registrant worked at and/or owned Clear Medicine in Toronto, Ontario (the “Clinic”).

Prescribing and/or Selling

4. It is alleged that between approximately March 1, 2018 and February 24, 2021, the Registrant:
 - a. Recommended and/or prescribed and/or sold Vitamin D to their patient(s) in excess of 1000 IU; and/or
 - b. Recommended and/or sold Vitamin D to the public in excess of 1000 IU and/or other treatments or substances via their Clinic website.
5. It is alleged that the Registrant prescribed or sold a drug or a substance for an improper purpose including but not limited to recommending or selling “treatment-specific kits” on the Clinic website and not within the context of a registrant-patient relationship and/or without conducting an assessment.

Recommending non-scheduled substances

6. It is alleged that the Registrant offered and/or sold and/or recommended non-scheduled products and/or services and/or drugs to the public on the Clinic website and not within the context of a registrant-patient relationship and/or without conducting an assessment.

Advertising

7. It is alleged that the Registrant permitted statements to be posted on their social media and/or Clinic website as a guarantee of success including but not limited to the following:
 - a. “The book is based on their successful clinical approach for creating hormonal balance to gain strength, lose fat and live younger longer. Their second book, The Supercharged Hormone Diet, an accelerated 30 day plan to restore your metabolism and look younger longer, became a #1 national bestseller on its first day of release in March 2011”; and/or

- b. The Hormone Diet will result in eating less and exercising more.
8. It is alleged that the Registrant permitted the use of testimonial(s) from a patient, former patient and/or other person in respect of their practice and/or products on the Clinic website.
 9. It is alleged that the Registrant indicated and/or implied that they were a specialist in the profession including but not limited to publishing the following:
 - a. "one of North America's leading naturopathic doctors";
 - b. "natural health expert";
 - c. "health expert";
 - d. "a leader in her field"; and/or
 - e. "endorsed by New York Times best selling authors."
 10. It is alleged that the Registrant advertised a comparative or superlative statement about their service, quality, products or people including but not limited to publishing the following:
 - a. "one of North America's leading naturopathic doctors ... natural health expert .. a leader in her field ..endorsed by New York Times best selling authors ..." and/or
 - b. "With now over 1000 successfully transformed bootcampers, we are proud to say that The Hormone Diet Bootcamp is one of the top wellness programs in Canada."
 11. It is alleged that the Registrant made a claim respecting a drug, substance, remedy, treatment, device or procedure other than a claim that can be supported as a reasonable professional opinion including but not limited to publishing the following:
 - a. "The book is based on her successful clinical approach for creating hormonal balance to gain strength, lose fat and live younger longer. Her second book, The Supercharged Hormone Diet, an accelerated 30 day plan to restore your metabolism and look younger longer, became a #1 national bestseller on its first day of release in March 2011".
 12. It is alleged that the Registrant permitted advertising of their practice in a manner that was false or misleading and/or that includes statements that are not factual and verifiable including but not limited to publishing the following:
 - a. "one of North America's leading naturopathic doctors ...";
 - b. "The book is based on her successful clinical approach for creating hormonal balance to gain strength, lose fat and live younger longer. Her second book, The Supercharged Hormone Diet, an accelerated 30 day

plan to restore your metabolism and look younger longer, became a #1 national bestseller on its first day of release in March 2011”; and/or

- c. Immune Support Kit – “aids in immune function; provides natural antiviral support; useful for those who are immune compromised or HIV positive.”
13. It is alleged that the Registrant endorsed drugs, products and/or brands of equipment, including but not limited to “Clear” drugs, products and/or brands of equipment,” used in their practice.

Fees and Billing

14. It is alleged that the Registrant charged block fees for the Hormone Diet Bootcamp and/or Clear Medicine Wellness Program.
15. It is alleged that the Registrant permitted the issuance of inaccurate and/or misleading naturopathic receipts in their name and/or in the name of the Clinic.

Acts of Professional Misconduct

16. It is alleged that the above noted conduct constitutes professional misconduct pursuant to section 51(1)(c) of the Health Professions Procedural Code, being Schedule 2 to the *Regulated Health Professions Act, 1991* (the “Code”) as set out in one or more of 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, including but not limited to the following:
 - i. Core Competencies;
 - ii. Advertising;
 - iii. Fees and Billing;
 - iv. Prescribing;
 - v. Recommending Non-Scheduled Substances; and/or
 - vi. Selling.
 - b. **Paragraph 8** - Providing or attempting to provide services or treatment that the member knows or ought to know to be beyond the member’s knowledge, skill or judgment;
 - c. **Paragraph 10** - Performing a controlled act that the member is not authorized to perform;
 - d. **Paragraph 14** - Prescribing, dispensing, compounding or selling a drug or a substance for an improper purpose;

- e. **Paragraph 17** - Acting in a conflict of interest when acting in a professional capacity;
- f. **Paragraph 26** - Making a claim respecting a drug, substance, remedy, treatment, device or procedure other than a claim that can be supported as reasonable professional opinion;
- g. **Paragraph 27**- Permitting the advertising of the member or his or her practice in a manner that is false or misleading or that includes statements that are not factual and verifiable;
- h. **Paragraph 28** - Using or permitting the use of a testimonial from a patient, former patient or other person in respect of the member's practice;
- i. **Paragraph 31**- Inappropriately using a term, title or designation indicating or implying a specialization in the profession;
- j. **Paragraph 36** - Contravening, by act or omission, a provision of the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts including but not limited to Regulation 168/15 and/or s. 4 of the Act;
- k. **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 members as disgraceful, dishonourable or unprofessional; and/or
- l. **Paragraph 47** - Engaging in conduct that would reasonably be regarded by members as conduct unbecoming a member of the profession.

APPENDIX

1. The documents to be tendered in evidence at the hearing have been sent with this Notice of Hearing.
2. The *Rules of Procedure of the Discipline Committee* have been sent with this Notice of Hearing.
3. Take notice that the documents that have been and may later be disclosed to you will be tendered as business documents pursuant to the *Evidence Act* of Ontario.
4. All documents that are disclosed to you in this matter are disclosed on the basis that they are to be used solely for the purpose of this proceeding and for no other purpose.

COLLEGE OF NATUROPATHS OF ONTARIO

- and -

NATASHA TURNER

DISCIPLINE COMMITTEE
OF THE COLLEGE OF
NATUROPATHS OF ONTARIO

NOTICE OF HEARING

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