

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

Dr. Jordan Sokoloski, ND, Chair)	THURSDAY,
Dr. Denis Marier, ND)	THE 29 th DAY
Ms. Lisa Fenton, Public Member)	OF MAY 2025

B E T W E E N :

COLLEGE OF NATUROPATHS OF ONTARIO

- and -

MICHAEL UM

THIS HEARING was held on January 22, 25, 26, February 26, 28, September 4, 5, and 16, 2024, and March 25 and 31, 2025, virtually by way of videoconference.

ON READING the Notice of Hearing dated September 7, 2022, and on hearing the evidence and submissions of counsel for the College and the legal representative for Michael Um (the “**Registrant**”):

A. THE DISCIPLINE COMMITTEE ORDERS THAT the Registrant has engaged in professional misconduct pursuant to subsection 51(c) of the *Health Professions Procedural Code* (the “**Code**”), being Schedule 2 to the *Regulated Health Professions Act, 1991* (the “**RHPA**”), as set out the following paragraphs of section 1 of Ontario Regulation 17/14 made under the *Naturopathy Act, 2007* (the “**Act**”):

1. 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:
 - a. Advertising Standard of Practice;
 - b. Injection Standard of Practice;
 - c. IVIT Standard of Practice;
 - d. Performing Authorized Acts Standard of Practice;

- e. Prescribing Standard of Practice;
 - f. Record Keeping Standard of Practice;
 - g. Scope of Practice Standard of Practice; and
 - h. Sections 3(1) and 13(3) of Regulation 168/15;
2. Paragraph 7 – Recommending or providing treatment that the member knows or ought to know is unnecessary or ineffective;
 3. 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;
 4. Paragraph 9 – Failing to advise a patient or the patient's authorized representative to consult another member of a health profession within the meaning of the *RHPA*, where the member knows or ought to know that the patient requires a service that the member does not have the knowledge, skill or judgment to offer or is beyond his or her scope of practice;
 5. Paragraph 10 – Performing a controlled act that the member is not authorized to perform;
 6. Paragraph 14 – Prescribing, dispensing, compounding or selling a drug or a substance for an improper purpose;
 7. Paragraph 15 – Administering a substance by injection or inhalation to a patient for an improper purpose;
 8. Paragraph 23 – Failing to keep records in accordance with the standards of the profession;
 9. 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;
 10. 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;
 11. Paragraph 36 – Contravening, by act or omission, a provision of the Act, the *RHPA*, or the regulations under either of those Acts including:
 - a. Section 4(3) of the Act; and
 - b. Sections 2(1) and 5(1) of Regulation 168/15; and
 - c. Section 76 of the Code;
 12. 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

13. Paragraph 47 – Engaging in conduct that would reasonably be regarded by members as conduct unbecoming a member of the profession.

B. THE DISCIPLINE COMMITTEE ALSO MAKES THE FOLLOWING ORDER as a result of the findings of professional misconduct against the Registrant, and pursuant to subsections 51(2) and 51(3) of the Code:

1. Requiring the Registrant to appear before the discipline Panel to receive a reprimand, to be scheduled within 30-days of this order becoming final;
2. Directing the Chief Executive Officer (CEO) to suspend the Registrant's certificate of registration for eighteen months, to commence one month after the date of the order, four months of which shall be remitted if the Registrant complies with the provisions in paragraph 4 below, no later than twelve months from the date of the order;
3. Directing the CEO to impose the following specified terms, conditions and limitations ("**TCLs**") on the Registrant's certificate of registration indefinitely and all of which the Registrant shall complete at the Registrant's expense and to the CEO's satisfaction:
 - a. The Registrant shall not perform, delegate, or accept a delegation (except in accordance with Part III of the General Regulation, O. Reg. 168/15) of the authorized act of administering, by injection or inhalation, a prescribed substance on any person unless the substance is specified in Tables 1 or 2 of the General Regulation made under the *Naturopathy Act, 2007*;
 - b. The Registrant shall not perform, delegate, or accept a delegation (except in accordance with Part III of the General Regulation, O. Reg. 168/15) of the authorized act of administering, by injection or inhalation, a prescribed substance on any person unless the route of administration is specified in Table 1 or 2 of the General Regulation made under the *Naturopathy Act, 2007*;
 - c. The Registrant shall not perform, delegate, or accept a delegation (except in accordance with Part III of the General Regulation, O. Reg. 168/15) of the authorized act of prescribing, dispensing, compounding or selling a drug designation in the regulation to any person unless the drug is specified and in compliance with any limitations listed on Tables 3, 4, 5, or 6 of the General Regulation made under the *Naturopathy Act, 2007*;
 - d. The Registrant shall not recommend any product to any person unless the product has been approved by Health Canada for patient use and does not contain any restriction (e.g., for research purposes, etc.);
 - e. The Registrant shall ensure that no injections to any person, other than injections using substances, in accordance with the limitations, specified in Table 2 of the

General Regulation made under the *Naturopathy Act, 2007*, are advertised by the Registrant and/or his clinic;

- f. The Registrant shall post a sign, acceptable to the College, in a prominent and visible location in the waiting room and each of the examination/treatment rooms of the Registrant's place(s) of practice, and on the Registrant's professional website, that states that:
 - i. The Registrant is not authorized to perform, delegate, or accept delegation (except in accordance with Part III of the General Regulation, O. Reg. 168/15) for the controlled act of administering a substance by injection to any person, other than a substance, in accordance with the limitations, specified in Table 2 of the General Regulation made under the *Naturopathy Act, 2007*; and
 - ii. The Registrant shall ensure that every patient he treats or offers to treat, sign a form, acceptable to the College, confirming that they are made aware that the Registrant is not authorized to perform, delegate or accept delegation (except in accordance with Part III of the General Regulation, O. Reg. 168/15) for the controlled acts of administering a substance by injection to any person, other than a substance, in accordance with the limitations, specified in Table 2 of the General Regulation made under the *Naturopathy Act, 2007*;
- 4. Directing the CEO to impose the following specified TCLs on the Registrant's certificate of registration, all of which the Registrant shall complete at the Registrant's expense and to the CEO's satisfaction within twelve months of the date of the order:
 - a. Requiring the Registrant to unconditionally pass the PROBE ethics course;
 - b. Requiring the Registrant to successfully complete the College's Jurisprudence course;
 - c. Requiring the Registrant to review, and confirm same with the CEO, the following:
 - i. All standards of practice (as set out in the General Regulation, O. Reg. 168/15, and issued by the College) that were determined to have been contravened by the Discipline Committee;
 - ii. All College guidelines related to the above noted standards of practice; and
 - iii. Professional Misconduct Regulation (O. Reg. 17/14);
 - d. Requiring the Registrant to meet and cooperate with a Regulatory Expert selected by the College for a minimum of one and a maximum of three times, at the discretion of the Regulatory Expert, to discuss the Registrant's completion of

subparagraphs 4(a) through 4(c) above and the Decision and Reasons of the Discipline Committee:

- i. The Registrant shall undertake to have the Regulatory Expert deliver a report to the CEO, that is deemed to be satisfactory to the CEO, setting out the Regulatory Expert's opinion as to whether the Registrant has developed insight into the Discipline Committee's findings and whether the Registrant will incorporate learnings from the hearing and subparagraphs 4(a) through 4(c) above into his practice, within one month of the final meeting or at any other time that the Regulatory Expert feels is appropriate; and
- e. Requiring the Registrant to send a letter, subject to the approval of the CEO, to all clients of the Registrant who were/are members of the Pastoral Medical Association (PMA), that states:
 - i. The Registrant erred in advising that:
 - (1) The College could not access PMA member records; and
 - (2) The Registrant was authorized to provide the services provided to them pursuant to the PMA agreement;
 - ii. The Registrant has been found to have engaged in professional misconduct; and
 - iii. Neither the Registrant nor his clinic will be providing the unauthorized services on a go forward basis;
- 5. Directing the CEO to impose the following specified TCLs on the Registrant's certificate of registration, all of which the Registrant shall complete at the Registrant's expense and to the CEO's satisfaction, and shall commence once the Registrant completes his suspension as set out in paragraph 2 and shall continue indefinitely until the Practice Monitor and the CEO determine that the TCLs in paragraph 3 above are no longer required:
 - a. Requiring the Registrant to meet and cooperate with a Practice Monitor selected by the College, for a minimum of one and a maximum of three times every two months, at the discretion of the Practice Monitor, to allow the Practice Monitor to inspect and observe the Registrant's clinic, clinic website, client charts and the Registrant's interaction with clients in light of the findings made by and the reasons issued by the Discipline Committee:
 - i. The Registrant shall undertake to have the Practice Monitor deliver a report to the CEO, that is deemed acceptable by the CEO, after each visit setting out:

(1) The Practice Monitor's opinion as to whether the Registrant is:

(A) Complying with the findings of the Discipline Committee;
and

(B) Complying with the TCLs as set out in paragraph 3;

(2) A summary of the client charts reviewed; and

(3) Any recommendations provided to the Registrant and whether the Registrant implemented such recommendations.

C. THE DISCIPLINE COMMITTEE FURTHER MAKES THE FOLLOWING ORDER

pursuant to s. 53.1 of the Code:

1. Requiring the Registrant to pay to the College two thirds of all investigative, legal and hearing costs and expenses, which amounts to **\$189,993.49**, within 24 months of the date of the order on the following schedule:

a. \$7,916.29 due one month from the date of the order; and

b. \$7,916.40 due every month thereafter until paid in full.

May 29, 2025



Dr. Jordan Sokoloski, ND, Chair