

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

R. Gail Goodman, Chair	)	
Dr. Jacob Scheer, ND	)	THURSDAY, THE 22 nd
Dr. Rick Olazabal, ND	)	
Dianne Delany	)	DAY OF AUGUST, 2019

B E T W E E N:

COLLEGE OF NATUROPATHS OF ONTARIO

- and -

ANTHONY YORES

ORDER

THIS HEARING was held in Toronto, Ontario.

ON READING the Notice of Hearing, the Agreed Statement of Facts and Admission of Professional Misconduct, and the Joint Submission on Penalty and Costs, and on hearing the submissions of counsel for the College of Naturopaths of Ontario ("College") and counsel for the Member:

A. THE DISCIPLINE COMMITTEE FINDS that the Member committed acts of professional misconduct pursuant to:

- i. Section 51(1)(c) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991* as set out in 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 the following: Sections 3, 5 and 12 of regulation 168/15, Conflict of Interest, Fees and Billing, Selling, and Consent; 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); 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 *Regulated Health Professions Act, 1991*, when 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); paragraph 17 (acting in a conflict of interest when acting in a professional capacity); paragraph 21 (failing to provide an account or failing to itemize the account in a way that sets out each item charged, including, but not limited to, professional fees, products, services and applicable taxes); paragraph 23 (failing to keep records in accordance with the standards of the profession); paragraph 36 (contravening, by act or omission, a provision of the *Naturopathy Act, 2007*, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts); 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 paragraph 47 (engaging in conduct that would reasonably be regarded by members as conduct

unbecoming a member of the profession) of section 1 of Ontario Regulation 17/14 made under the *Naturopathy Act, 2007*; and

- ii. Section 4(3) of the *Naturopathy Act, 2007* (contravening section 4(2) of the *Naturopathy Act, 2007*, by failing to perform a procedure under the authority of section 4(1) of the *Naturopathy Act, 2007* in accordance with the regulations).

B. THE DISCIPLINE COMMITTEE MAKES AN ORDER:

1. Requiring the Member to appear before the panel to be reprimanded immediately following the hearing of this matter.
2. Directing the Registrar to suspend the Member's certificate of registration for a period of seven (7) months, on a schedule to be set by the Registrar, three (3) months of which shall be remitted if the Member complies with the provisions of paragraph 3(a) through 3(d) no later than January 31, 2020.
3. Directing the Registrar to impose the following specified terms, conditions and limitations on the Member's certificate of registration:
 - a. Requiring that the Member unconditionally pass, by June 30, 2020, and at his own expense, the ProBe course in ethics and/or jurisprudence;
 - b. Requiring that the Member successfully complete by December 31, 2019, to the satisfaction of the Registrar and at his own expense, the College IVIT Course;
 - c. Requiring that the Member successfully complete by December 31, 2019, to the satisfaction of the Registrar and at his own expense, the College Jurisprudence Course;

- d. Requiring that the Member successfully complete by December 31, 2019, to the satisfaction of the Registrar and at his own expense, the Medical Records Course at the University of Toronto;
 - e. Requiring that the Member successfully complete, to the satisfaction of the Registrar and at his own expense, up to one (1) meeting, to be determined by the Registrar, with a Regulatory Expert, approved by the Registrar, within twelve (12) months following the lifting of the suspension; and
 - f. Requiring that the Member write an essay of approximately 1000 words in length, and provide it to the Registrar, no later than one month from the date of the meeting with the Regulatory Expert, or if the Registrar determines that no such meeting is required no later than one month from date the Registrar provides notice to the Member, that shall be published by the College at a time and in a format determined by the Registrar, on the following issue:
 - i. The lessons he learned in completing the ProBe, IVIT, Jurisprudence, and Medical records courses and the meeting with the Regulatory Expert (if required by the Registrar).
4. For greater certainty, the Member's obligation to comply with the proposed terms, conditions and limitations on his certificate of registration contained in paragraph 3 is not relieved by serving the entire suspension referred to in paragraph 2 above.
5. Requiring the Member to pay of fine of not more than \$350 to the Minister of Finance within two months of the date of the hearing.

6. Requiring the Member to pay the College's costs fixed in the amount of \$5,000 payable in a schedule determined by the Registrar.

Date:

Aug 28, 2019

A handwritten signature in cursive script, appearing to read "R. Gail Goodman".

R. Gail Goodman, Chair
Discipline Panel

DISCIPLINE COMMITTEE OF THE
COLLEGE OF NATUROPATHS
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ORDER

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