

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

B E T W E E N :

COLLEGE OF NATUROPATHS OF ONTARIO

- and -

ANNA BLASZCZYK

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 at the offices of the College at 150 John Street, 10th Floor, Toronto, Ontario **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*.

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.

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

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.

November 16, 2020
Date: _____



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

TO: Anna Blaszczyk
831 Canyon St.
Mississauga, ON L5H 4M3
jblas@rogers.com

STATEMENT OF SPECIFIED ALLEGATIONS

The Registrant

1. Anna Blaszczyk (the “Registrant”) registered with the Board of Directors of Drugless Therapy – Naturopathy on or about September 1, 1991. The Registrant then became registered with the College of Naturopaths of Ontario (the “College”) on July 1, 2015.

Failing to co-operate with the Quality Assurance Committee

2. In or about July 2019, the Registrant was randomly selected to undergo a 2019-2020 Peer & Practice Assessment (“PPA”) in accordance with Section 7(2) of the College’s Quality Assurance (“QA”) Regulation.
3. It is alleged that the Registrant failed to complete the PPA and/or failed to meet with and/or co-operate with the QA assessor.

Acts of Professional Misconduct

4. 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 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 s. 4 and s. 7 of the Quality Assurance Regulation;
 - b. **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.
5. It is also alleged that the above noted conduct constitutes professional misconduct pursuant to section 51(1)(b.0.1) of the Code.

Practising while suspended

6. On April 2, 2020 the Registrant’s certificate of registration was suspended for her failure to maintain professional liability insurance.
7. It is alleged that, despite her suspension, the Registrant continued to identify herself as a naturopathic doctor and/or used protected titles and designations on social media.

8. It is alleged that the Registrant also identified herself as a “dermatologist” on social media.
9. It is alleged that in or around June 2020 an undercover investigator of the College (using the alias Zach Barrett) called the Registrant. It is alleged that the Registrant advised Zach Barrett that:
 - a. She was a dermatologist;
 - b. She specialized in skin and sexually transmitted diseases; and/or
 - c. She could be called “Dr. Blaszczyk”.
10. It is alleged that on or about July 15, 2020 Zach Barrett attended at the Registrant’s home for a scheduled appointment. It is alleged that the following occurred:
 - a. The Registrant asked Zach Barrett to complete an intake form which stated the Registrant’s name and the title “Naturopathic Doctor”;
 - b. Zach Barrett noted several forms which identified the Registrant as a naturopathic doctor and/or as being authorized to use protected titles and designations;
 - c. The Registrant advised Zach Barrett that he was experiencing insomnia and low energy;
 - d. The Registrant used a machine called a “MORA” to check the electricity in Zach Barrett’s organs;
 - e. Following this assessment, the Registrant informed Zach Barrett that he had food allergies, candida, weak adrenals, hypoglycemia, and/or a weak gall bladder;
 - f. The Registrant advised a change in diet and stated that the reason he was experiencing insomnia and low energy was because of these issues; and/or
 - g. The Registrant charged Zach Barrett \$150.00 for the appointment.
11. It is alleged that after the Registrant became aware of the College investigation she called Zach Barrett and advised him that if the College called him, he should say the following:
 - a. That he visited her as a “friend of a friend”;
 - b. That he did not pay her; and/or
 - c. That he knew the Registrant was not practising as a naturopathic doctor.

Acts of Professional Misconduct

12. It is alleged that the above noted conduct constitutes professional misconduct pursuant to section 51(1)(c) of 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. Advertising standard of practice; and/or
 - ii. Restricted Titles standard of practice;
- b. **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;
- c. **Paragraph 30** - Inappropriately using a term, title or designation in respect of the member's practice;
- d. **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 limited to s. 4 and s. 8 of the Act;
- e. **Paragraph 39** - Practising the profession while the member's certificate of registration has been suspended;
- f. **Paragraph 40** - Directly or indirectly benefiting from the practice of the profession while the member's certificate of registration is suspended unless full disclosure is made by the member to the College of the nature of the benefit to be obtained and prior approval is obtained from the Executive Committee;
- g. **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
- h. **Paragraph 47** - Engaging in conduct that would reasonably be regarded by members as conduct unbecoming a member of the profession.

13. It is also alleged that the above noted conduct constitutes professional misconduct pursuant to s. 4(3) of the *Naturopathy Act*.

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.

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- and -

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OF THE COLLEGE OF
NATUROPATHS OF ONTARIO

NOTICE OF HEARING

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