

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

IN THE MATTER OF a hearing directed
by the Inquiries, Complaints and Reports Committee of
the College of Naturopaths of Ontario
pursuant to Section 26(1) of the Health Professions Procedural Code
being Schedule 2 of the *Regulated Health Professions Act, 1991*,
S.O. 1991, c. 18, as amended.

BETWEEN:

COLLEGE OF NATUROPATHS OF ONTARIO

- and -

TINA (ROGERS) SESTAN

DECISION AND REASONS

PUBLICATION BAN

Pursuant to section 47 of the Health Professions Procedural Code, no one shall publish or broadcast the names of the patient or any information that could identify the patient or disclose the patient's personal health information referred to at a hearing or in any documents filed with the hearings office. There may be significant fines for breaching this restriction.

A panel of the Discipline Committee of the College of Naturopaths of Ontario (the "Panel") held a hearing on December 2, 2025.

Rebecca Durcan and Enniael Stair represented the College of Naturopaths of Ontario (the "College"). Andrew Parr attended on behalf of the College. Matthew Wilton represented Dr. Tina Sestan, ND (the "Registrant"). Elyse Sunshine acted as independent legal counsel ("ILC") to the Panel.

ALLEGATIONS

The Notice of Hearing, dated May 2, 2025, was filed as Exhibit 1 and set out the following:

The Registrant

1. The Registrant initially registered with the Board of Directors of Drugless Therapy – Naturopathy in 2010. Upon the proclamation of the College of Naturopaths of Ontario on July 1, 2015, she became a registrant of the College.

Patient A

2. It is alleged that the Registrant treated Patient A between approximately July 25, 2017, and January 28, 2023. It is also alleged that the Registrant terminated the naturopathic relationship with Patient A on or about January 28, 2023, and noted this in the patient record.
3. It is alleged that the Registrant saw Patient A socially outside of the clinic prior to January 28, 2023.
4. It is alleged that Patient A remained the Registrant’s patient for one year after January 28, 2023, in accordance with s. 1(6) of the Health Professions Procedural Code, being Schedule 2 to the *Regulated Health Professions Act, 1991* (the “Code”).
5. It is alleged that the Registrant sexually abused Patient A on or about February 17, 2023, when the Registrant engaged in sexual intercourse or other forms of physical sexual relations with Patient A.

Allegations of Professional Misconduct

6. It is alleged that the above noted conduct constitutes professional misconduct pursuant to section 51(1)(b.1) of the Code, as the Registrant sexually abused Patient A, more specifically, the Registrant engaged in sexual intercourse or other forms of physical sexual relations with Patient A.
7. It is further 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:
 - i. College Code of Ethics; and/or
 - ii. College Standard of Practice: Therapeutic Relationships and Professional Boundaries.; and/or

- 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.

ADMISSION AND PLEA INQUIRY

The Registrant admitted to the allegations of professional misconduct set out in the Notice of Hearing.

The Panel conducted an oral plea inquiry and was satisfied that the Registrant's admissions were voluntary, informed and unequivocal.

AGREED STATEMENT OF FACTS

The parties advised that the evidence would be provided by way of an Agreed Statement of Facts, which was filed as Exhibit 2, and set out the following:

The Registrant

1. The Registrant initially registered with the Board of Directors of Drugless Therapy-Naturopathy on or about October 1, 2010. The Registrant became a registrant of the College in the General class of registration on or about July 1, 2015, as a result of the proclamation of the *Naturopathy Act, 2007*.

Patient A

2. It is agreed that the Registrant treated Patient A between approximately July 25, 2017, and January 28, 2023.
3. It is agreed that the Registrant had a close and personal relationship with Patient A prior to January 28, 2023, and concurrent to the naturopath/patient relationship.
4. It is agreed that the Registrant terminated the naturopathic relationship with Patient A on or about January 28, 2023, and noted this in the patient record.
5. It is agreed that the Registrant engaged in sexual intercourse or other forms of physical sexual relations with Patient A (namely genital to genital contact) on or about February 17, 2023.
6. If the Registrant had testified, she would have stated the following:
 - a. She had been in an abusive spousal situation for many years.

- b. In early 2020, she was experiencing symptoms of psychological distress causing her to seek treatment from a registered psychotherapist.
- c. This situation caused her to have a temporary lapse in judgment with Patient A, which she quickly recognized and corrected.
- d. The interaction on February 17, 2023, was the only sexual interaction between Patient A and the Registrant.
- e. Although the Registrant initially consented to the sexual interaction, she quickly stopped the encounter.

Code of Ethics and Standards of Practice

- 7. It is agreed that:
 - a. The College Code of Ethics reflects the standard of the profession and states that every Naturopathic Doctor shall:
 - i. Refrain from treating an individual where the Registrant's professional objectivity may be compromised;
 - ii. Behave in a manner that is beyond reproach; and
 - iii. Comply with all governing legislation, Standards of Practice, policies, by-laws and guidelines approved by the College of Naturopaths of Ontario; and
 - b. The College Standard of Practice: Therapeutic Relationships and Professional Boundaries reflects the standard of the profession and states as follows:
 - i. The Member never enters into a sexual relationship with a current patient or someone with whom the patient has a significant personal relationship.

Admission of Professional Misconduct

- 8. It is agreed that the above noted conduct constitutes professional misconduct pursuant to section 51(1)(b.1) of the Code, as the Registrant sexually abused Patient A, more specifically, the Registrant engaged in sexual intercourse or other forms of physical sexual relations with Patient A.
- 9. It is further agreed that the above noted conduct constitutes professional misconduct pursuant to section 51(1)(c) of the Code, as set out 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:

- i. College Code of Ethics; and
 - ii. College Standard of Practice: Therapeutic Relationships and Professional Boundaries; and
- 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 and unprofessional.

SUBMISSIONS OF THE PARTIES ON LIABILITY

The College submitted that the intention of the legislature is to prevent sexual abuse of patients by regulated health professionals. For the purpose of the sexual abuse provisions of the Code, patient includes anyone who was a registrant's patient within a year from the date they stopped being the registrant's patient. Accordingly, the Agreed Statement of Facts provided clear, cogent and convincing evidence that the Registrant had a concurrent sexual and professional relationship. Further, there was evidence that by engaging in a personal and sexual relationship with a patient, the Registrant contravened the College's Code of Ethics and the Standard of Practice: Therapeutic Relationships and Professional Boundaries. Such conduct would reasonably be regarded by members of the profession as disgraceful, dishonourable and unprofessional.

The Registrant submitted that the evidence supports the findings that the parties are jointly asking the Panel to make. The Registrant noted that this was an isolated incident of bad judgment in the context of difficult personal circumstances.

DECISION AND REASONS ON LIABILITY

The College bears the onus of proving the allegations in accordance with the standard of proof, that being the balance of probabilities based upon clear, cogent and convincing evidence.

Having considered the evidence and the onus and standard of proof, the Panel finds that the Registrant committed acts of professional misconduct as alleged in the Notice of Hearing.

By engaging in sexual intercourse or other forms of physical sexual relations with Patient A, on February 17, 2023, the Registrant sexually abused a patient. The legislation provides that a patient continues to be a patient for a year following the last service. Notwithstanding that the Registrant discharged Patient A on January 28, 2023, he was still her patient on February 17, 2023 when they engaged in sexual activity, including intercourse. The fact that this was a one-off event and that Patient A was going through a difficult time, did not negate that this conduct amounts to sexual abuse.

The Registrant contravened standards by having a close personal relationship with Patient A and by engaging in sexual activity with him. The College's Code of Ethics provides that naturopaths should behave in a manner that is beyond reproach and comply with all governing legislation. By having an inappropriate relationship with a patient, the Registrant did not act in a manner that was beyond reproach. Further, engaging in sexual abuse is not consistent with the governing legislation. The College's Standard of Practice: Therapeutic Relationships and Professional Boundaries states that members of the profession should never enter into a sexual relationship with a current patient or someone with whom the patient has a significant personal relationship. The evidence supports that the Registrant clearly failed to meet that Standard.

Through her conduct in having a close personal and sexual relationship with a patient, the Registrant demonstrated a disregard for her professional obligations and brought dishonour on the profession. The Registrant's conduct occurred in the course of a patient relationship and is relevant to the practice of naturopathy and would be viewed by members of the profession as being disgraceful, dishonourable or unprofessional.

POSITION OF THE PARTIES ON PENALTY AND COSTS

The parties advised that a Joint Submission on Order had been agreed upon and requested that the Panel make the following order:

1. Requiring the Registrant to appear before the panel to be reprimanded immediately following the hearing of this matter, with the fact of the reprimand and the text of the reprimand to appear on the public register of the College.
2. Directing the Chief Executive Officer to revoke the Registrant's Registration effective immediately.
3. Requiring the Registrant to reimburse the College for any amount paid for funding for therapy and counselling provided to the patient under the program established under section 85.7 of the Code, up to the maximum allowable amount of \$17,940.00.
4. Requiring the Registrant to pay the College costs in the amount of \$7,500.00 by certified cheque made payable to the College.

SUBMISSIONS OF THE PARTIES ON PENALTY AND COSTS

The College submitted that the substantive elements of the jointly proposed penalty are mandatory. Under s. 51 of the Code, revocation and the delivery of a reprimand are obligatory since the Registrant's sexual abuse of Patient A included sexual intercourse. The College submitted that such a penalty would be appropriate even if it was not mandatory, given the

findings. The College further submitted that the proposed penalty would protect the public, and achieve general and specific deterrence as it would demonstrate that the College does not tolerate sexual abuse. While the portion of the proposed order that dealt with reimbursement to the College for funding for therapy was discretionary, the College submitted that this was appropriate, even though Patient A indicated that the sexual abuse had not impacted him. Although it was unlikely that Patient A would access the funding for therapy program, given that Patient A had 5 years to make the request, the Registrant should be held financially accountable should Patient A require the therapy.

The College further submitted that the costs portion of the order was agreed upon and appropriate in the circumstances.

The Registrant submitted that the Joint Submission was reached through negotiation. There was little flexibility given the mandatory elements. The Registrant submitted that this matter reflects a serious lapse in judgment for which she is paying a heavy toll. There are mitigating circumstances. The Registrant made factual admissions early to support the Agreed Statement of Facts, demonstrating insight and remorse. The guilty plea further reinforces this remorse. The Registrant noted that the costs have already been paid pending determination of the decision.

DECISION AND REASONS ON PENALTY AND COSTS

The Panel accepted the Joint Submission on Order and made the order requested.

The Supreme Court of Canada set a very high bar for rejecting a Joint Submission on Order. A panel may only depart from such a submission if the proposed sanction would undermine public confidence in the administration of justice or otherwise conflict with the public interest. In this case, the Panel determined that the recommended penalty does not offend the public interest and would not diminish respect for the administration of justice.

The Panel noted that given our findings, revocation and a reprimand were mandatory.

The Panel was mindful that a penalty should, first and foremost, achieve the goal of public protection, while also accounting for other generally established sanctioning principles, which this joint submission would achieve. As such, the Panel found no reason to depart from the proposed order, accepting that joint submissions should not be interfered with lightly and may be rejected only if it is truly unreasonable or unconscionable.

The proposed penalty achieved public protection by removing the Registrant from practice. This most serious consequence will also discourage other registrants from engaging in similar misconduct, and demonstrate to the public that this Committee takes sexual abuse seriously and will sanction practitioners who engage in such conduct accordingly.

The Panel accepted the proposed order as reflecting the aggravating and mitigating factors present in this case. The conduct itself was a significant aggravating factor. The Panel did note the Registrant's difficult personal circumstances. The Panel further considered cooperation with the College throughout the investigation and prosecution of the allegations, which saved the College the time and expense of a contested hearing. The Panel also took note of the Registrant's acceptance of responsibility, signaled by her admitting to the conduct and entering into a joint submission with respect to penalty.

The reprimand and revocation were mandatory. The proposed order was within the range of penalties that have previously been ordered by this Discipline Committee for similar conduct.

With respect to costs, the Panel accepted that it has the authority to award costs under section 53.1 of the Code to ensure that the entire financial burden of investigating and prosecuting registrants who engage in professional misconduct does not rest on the general membership of this profession. The Panel accepted that the costs were jointly agreed on by the parties.

ORDER

The Panel stated its findings in its order of December 2, 2025 (the "Order"), in which the Panel directed as follows on the matter of penalty and costs:

1. The Registrant is required to appear before a panel of the Discipline Committee immediately following the hearing of this matter to be reprimanded, with the fact of the reprimand and the text of the reprimand to appear on the public register of the College.
2. The Chief Executive Officer is directed to revoke the Registrant's Certificate of Registration effective immediately.
3. The Registrant is required to reimburse the College for any amount paid for funding for therapy and counselling provided to the patient under the program established under section 85.7 of the Code, up to the maximum allowable amount of \$17,940.00.
4. The Registrant is required to pay the College costs in the amount of \$7,500.00 by certified cheque made payable to the College.

Dated in Ontario on February 11, 2026

DISCIPLINE PANEL

Dr. Jacob Scheer, ND – Chair, professional member
Dr. Felicia Assenza, ND – professional member
Dr. Laure Sbeit, ND – professional member
Paul Philion – public member
Marija Pajdakovska – public member



Signed: _____
Dr. Jacob Scheer, ND, Chair

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pursuant to Section 26(1) of the Health Professions Procedural Code
being Schedule 2 of the *Regulated Health Professions Act, 1991*,
S.O. 1991, c. 18, as amended.

B E T W E E N:

COLLEGE OF NATUROPATHS OF ONTARIO

- and -

TINA (ROGERS) SESTAN

REPRIMAND

As part of our penalty order this Discipline Panel has ordered that you be given an oral reprimand. The reprimand should impress upon you the seriousness of your misconduct.

The fact that you have received this reprimand will be part of the public portion of the Register and, as such, part of your record with the College.

The Panel has found that you have engaged in professional misconduct in the following ways:

1. You sexually abused a patient, by engaging in sexual intercourse or other forms of physical sexual relations with Patient A.
2. You failed to maintain the standard of practice of the profession, including the College's Code of Ethics and the College's Standard on Therapeutic Relationships and Professional Boundaries.

3. You engaged in conduct relevant to the practice of the profession that would reasonably be regarded by naturopaths as disgraceful, dishonourable or unprofessional.

Your professional misconduct is a matter of profound concern. It is completely unacceptable to your fellow naturopaths and to the public.

It is clear to the Panel, that you have not upheld your professional commitment to:

- abide by the laws, rules, guidelines and requirements of the College

Of particular concern is that

- the professional misconduct in which you engaged involved sexual abuse as defined in the legislation, through the initiation of a sexual relationship with a former patient within the mandatory one-year post-termination period. Maintaining professional boundaries and not engaging in sexual conduct with patients are fundamental protections for patients and essential to upholding public confidence in the profession. Your actions placed the therapeutic relationship at risk, undermined the trust that is central to naturopathic care, and jeopardized public confidence in the ability of the profession to govern itself.

Consequently, it is necessary for us to take steps to impress upon you the seriousness of the misconduct in which you have engaged.

The Panel appreciates that you took responsibility for your actions, demonstrated insight into the boundary violation, and expressed understanding of the very unfortunate circumstances that contributed to your lapse in judgment. We also acknowledge the remorse you have articulated. However, despite these acknowledgments, the obligation to maintain professional boundaries

and abide by the law is absolute. Your actions were inappropriate and represented a significant departure from the standards expected of all registrants.

This concludes our reprimand.