



# ICRC & DISCIPLINE COMMITTEE UPDATE

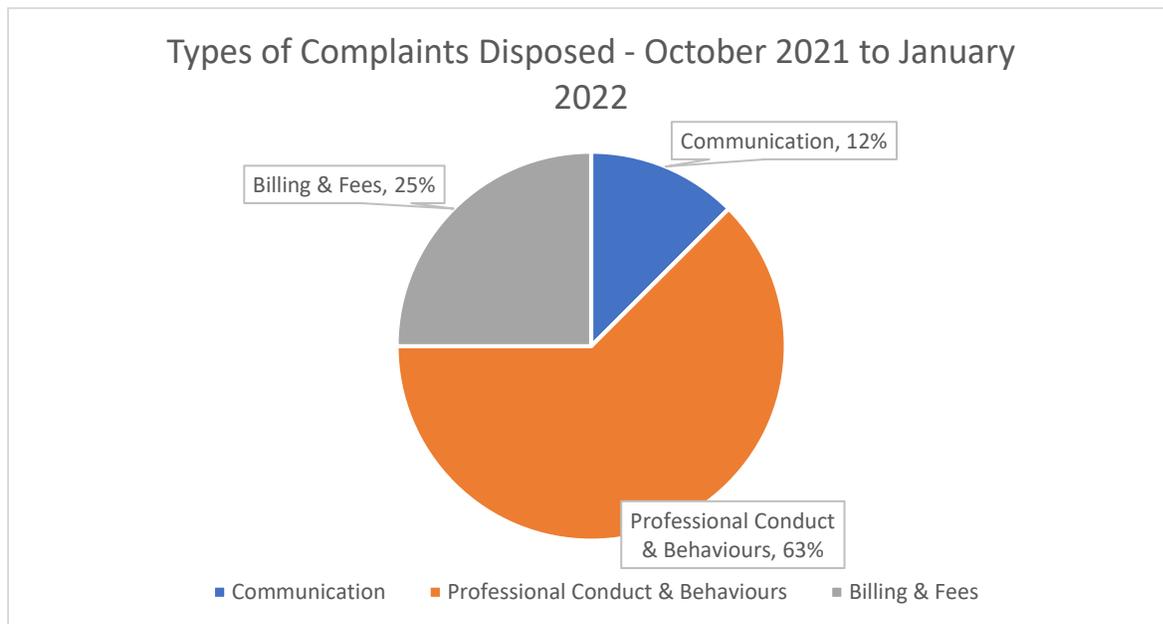
## *Complaints and Reports*

Between October 2021 and January 2022, the College received eight complaints, and opened one Registrar's investigations. These numbers are consistent with last year. By comparison, in the same period in 2020-2021, the College received 14 complaints and opened four Registrar's investigation.

Between October 2021 and January 2022, ICRC panels disposed of six complaints matters as follows:

- 4 cases – no further action was taken
- 1 case – SCERP
- 1 case – referral to the Discipline Committee

Two cases were withdrawn.



There are currently eight matters waiting to be disposed of by panels of the ICRC.

## *Discipline Committee*

There are currently nine cases that have been referred to the Discipline Committee and are waiting to be heard.



Most of the referrals relate to professional misconduct as a result of breaching the College's Prescription Custom Foot Orthoses standard. The high volume of referrals continues to be linked to the College's zero tolerance policy on inappropriate business practices, which was released to the membership in June 2019. Examples of misconduct include:

- Prescribing orthotics to patients without an assessment;
- Prescribing orthotics to patients but failing to dispense them or follow-up;
- Incentives schemes, such as providing free shoes with the purchase of orthotics;
- Signing for having conducted gait analysis scans for patients the member did not see, for the purpose of prescribing orthotics;
- Issuing or submitting insurance claims for shoe modifications that were off the shelf shoes;
- Practising in a conflict of interest where the member wrote prescriptions for custom foot orthotics that were manufactured by a lab, in which he was a shareholder, officer or director.

[Referrals are posted on the College's website](#)

Disciplinary matters are resolved by way of uncontested or contested hearings. Matters are resolved or disposed of when:

- All allegations are withdrawn or dismissed;
- No findings of professional misconduct and/or incompetence are made by a panel;
- Findings of professional misconduct and/or incompetence are made and a penalty is ordered;
- Reinstatement requests are granted, not granted or abandoned; and
- Removal of information requests are granted, not granted or abandoned.

Between October 2021 and January 2022, the Discipline Committee disposed of five matters (in a sixth case, the hearing is ongoing due to an adjournment). In one case, the Committee accepted the College's motion to stay the allegations of professional misconduct against the member because he signed an undertaking to permanently resign from the College. The member was ordered to pay costs to the College in the amounts of \$8,000.

In the second case, the member signed an agreed statement of facts, admitting that he engaged in professional misconduct, including that he:

- failed to meet or contravened the College's standards,
- practised the profession in a conflict of interest,
- failed to keep records,
- signed or issues a document that contained a false or misleading statement,
- contravened the Chiropody Act and its regulations, and
- engaged in conduct that was disgraceful, dishonourable and unprofessional.

The Committee ordered that the member receive an oral reprimand, that his certificate of registration be suspended for seven months (two months to be remitted if the ProBe Ethics course and U of T records course are completed), and that he be restricted from imaging, casting, prescribing, constructing, fitting, dispensing or ordering the fabrication of orthotics for six months from the date his



suspension ends, among other terms, conditions and limitations on her certificate of registration. The Member was also ordered to pay costs in the amount of \$25,500 to the College.

In the third and fourth case, the members signed an agreed statement of facts, admitting that they engaged in professional misconduct, including that they:

- failed to meet or contravened the College's standards,
- doing something for a therapeutic, preventative, diagnostic, cosmetic or other health-related purpose without consent,
- practised the profession in a conflict of interest,
- providing treatment that the member knew, or ought to have known, was ineffective, unnecessary or deleterious,
- failed to keep records,
- falsifying a record,
- signed or issues a document that contained a false or misleading statement,
- contravened the Chiropody Act and its regulations, and
- engaged in conduct that was disgraceful, dishonourable and unprofessional.

The Committee ordered that the members receive an oral reprimand, that their certificates of registration be suspended for 10 months (two months of which would be remitted if they complete the ProBe Ethics course), and that they be restricted from imaging, casting, prescribing, constructing, fitting, dispensing or ordering the fabrication of orthotics for 12 months from the date their suspension ends, among other terms, conditions and limitations on his certificate of registration. The Members were also ordered to pay costs in the amount of \$15,000 to the College.

In the final case, the member signed an agreed statement of facts, admitting that he engaged in professional misconduct, including that he:

- failed to meet or contravened the College's standards,
- practised the profession in a conflict of interest,
- failed to keep records,
- signed or issues a document that contained a false or misleading statement,
- submitted an account or charge for service that the member knew is false or misleading,
- charged a fee that is excessive in relation to the services or devices charged for,
- contravened the Chiropody Act and its regulations, and
- engaged in conduct that was disgraceful, dishonourable and unprofessional.

The Committee ordered that the member receive an oral reprimand, that his certificate of registration be suspended for eight months (two months to be remitted if the ProBe Ethics course and U of T records course are completed), and that he be restricted from imaging, casting, prescribing, constructing, fitting, dispensing or ordering the fabrication of orthotics for 12 months from the date his suspension ends, among other terms, conditions and limitations on her certificate of registration. The Member was also ordered to pay costs in the amount of \$9,000 to the College.

[Discipline decisions can be found on the College's website](#)