

**DISCIPLINE COMMITTEE OF
THE COLLEGE OF CHIROPODISTS OF ONTARIO**

B E T W E E N:

COLLEGE OF CHIROPODISTS OF ONTARIO

- and -

ANGELO CASELLA

NOTICE OF HEARING

THE INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE of the College of Chiropractors of Ontario (the "**College**") has referred specified allegations against **Angelo Casella** (Registration #900286) to the Discipline Committee of the College. The allegations were referred in accordance with paragraph 26(1)1 of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*.

Further information about the allegations is contained in the Statement of Allegations 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* for the purposes of deciding whether the allegations are true.

IF YOU DO NOT ATTEND AT 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 Registrar to revoke your certificate of registration.
2. Direct the Registrar to suspend your certificate of registration for a specified period of time.
3. Direct the Registrar 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.

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*, as amended. You, or your representative, may contact the lawyer for the College in this matter:

Debra McKenna
WEIRFOULDS LLP
Barristers & Solicitors
4100-66 Wellington Street West
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The College intends to introduce as business records, under section 35 of the *Evidence Act*, any writings or records that were made in the usual and ordinary course of business. Without limiting the generality of the foregoing, the College intends to introduce as business records the patient and financial records related to the patient care that is the subject of the allegations.

You must also make disclosure in accordance with section 42.1 of the *Health Professions Procedural Code*, which states as follows:

Evidence of an expert led by a person other than the College is not admissible unless the person gives the College, at least ten days before the hearing, the identity of the expert and a copy of the expert's written report or, if there is no written report, a written summary of the evidence.

Date: February 22, 2022



Nicole Zwiers, Registrar and CAO
College of Chiropodists of Ontario
180 Dundas Street West
Toronto, ON M5G 1Z8

TO: Angelo Casella

STATEMENT OF ALLEGATIONS

1. On or about June 11, 1990, Angelo Casella was first registered as a member of the College.
2. On June 15, 2021, a hearing was held before a panel of the Discipline Committee at which Mr. Casella's certificate of registration was suspended for a period of seven months. The suspension was ordered to take effect and did take effect on July 15, 2021.
3. It is alleged that, during the period from about June 2021 to February 2022 (the "**Relevant Period**"), Mr. Casella engaged in conduct that constitutes professional misconduct pursuant to the following:
 - (a) Clause 51(1)(c) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, and as defined in one or more of the following paragraphs of section 1 of the Professional Misconduct Regulation (O. Reg. 750/93) under the *Chiropody Act, 1991*:
 - (i) paragraph 2 – failing to meet or contravening a standard of practice of the profession; specifically, the Patient Relations Standard;
 - (ii) paragraph 20 – signing or issuing, in the member's professional capacity, a document that contains a false or misleading statement;
 - (iii) paragraph 21 – submitting an account or charge for services that the member knows is false or misleading;
 - (iv) paragraph 30 – contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts and, in particular:

- a. Section 10(1) of the *Chiropody Act, 1991*, SO 1991, c. 20;
 - b. Section 10(2) of *Chiropody Act, 1991*, SO 1991, c. 20; and/or
 - c. Section 85.14 of the *Health Professions Procedural Code*;
- (v) paragraph 33 – engaging in conduct or performing an act, in the course of practising the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional); and/or
- (vi) paragraph 36 – failing to comply with an order of the Complaints Committee, the Discipline Committee or the Fitness to Practise Committee.

PARTICULARS OF THE ALLEGATIONS

1. On or about June 11, 1990, Angelo Casella was first registered as a member of the College. On or about December 6, 2012, Mr. Casella incorporated Casella Chiropody Professional Corporation for the purpose of practising chiropody in Ontario.
2. On June 15, 2021, Mr. Casella was found to have engaged in professional misconduct by a panel of the Discipline Committee.
3. As a result of the findings of professional misconduct, the panel made an order, among other things, suspending Mr. Casella's certificate of registration with the College for a period of seven months, effective July 15, 2021.
4. At the time of the discipline hearing in June 2021, Mr. Casella was engaged in the practice of chiropody at the West Mountain Footcare Clinic, located in Hamilton, Ontario (the "**Clinic**"). Mr. Casella was, and continues to be, the sole owner of the Clinic.
5. On or about September 2021, the College received information that Mr. Casella was continuing to practise notwithstanding the suspension order. Based on that information, the College commenced an investigation under section 75(1)(a) of the *Health Professions Procedural Code*.
6. The results of the College's investigation revealed that, notwithstanding his suspension, Mr. Casella has continued to operate the Clinic. Among other things, Mr. Casella has been engaged in the following misconduct during the suspension period:
 - advertising his chiropody services on the Clinic website;
 - using the restricted title of chiropodist on the Clinic website;

- holding himself out as a person who is qualified to practise in Ontario as a chiropodist;
- failing to inform patients that he was suspended and/or misleading patients in that regard;
- directing his staff to schedule patients to see other members of the College contracted by Mr. Casella to work at the Clinic;
- having his health profession corporation issue invoices or other documents for chiropody services provided by other members of the College working at the Clinic; and/or
- paying himself a bi-weekly salary through his health profession corporation during the suspension period from the revenues generated by his health profession corporation.

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Lawyers for the College of
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