

NOTICE OF PUBLICATION BAN

In the hearing of the College of Registered Psychotherapists of Ontario and Elisabeth Haramic, the Discipline Committee ordered that no person shall publicly disclose, publish, or broadcast the name of any patient(s) referred to at the hearing in this proceeding or in documents filed as exhibits in this proceeding, or any information that could disclose their identities, in accordance with s. 45 (3) of the *Health Professions Procedural Code*.

**DISCIPLINE COMMITTEE
OF THE COLLEGE OF REGISTERED PSYCHOTHERAPISTS
AND REGISTERED MENTAL HEALTH THERAPISTS OF ONTARIO**

IN THE MATTER OF the *Psychotherapy Act, 2007* and the Regulation (Ontario Regulation 317/12) thereunder;

AND IN THE MATTER OF a discipline proceeding against Elisabeth Haramic, a Member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario.

PANEL: ANDREW BENEDETTO
 KENNETH LOMP
 STEVEN STIJACIC
 SHIKHA KASAL

BETWEEN:	)	Rebecca Durcan,
	)	Steinecke Maciura LeBlanc
COLLEGE OF REGISTERED	)	Barristers & Solicitors,
PSYCHOTHERAPISTS AND	)	for College of Registered
REGISTERED MENTAL HEALTH	)	Psychotherapists and Registered
THERAPISTS OF ONTARIO	)	Mental Health Therapists of Ontario
- and -)	
)	
ELISABETH HARAMIC	)	Elisabeth Haramic, Present
(REGISTRATION # 001399)	)	(Represented by Michael Gordner)
)	
)	
	)	Bonni Ellis,
	)	Lerners LLP,
	)	Independent Legal Counsel
)	
)	
	)	Heard: January 11, 2018

DECISION AND REASONS FOR DECISION

This matter was heard before a panel of the Discipline Committee (the “Panel”) of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario (the “College”) on January 11, 2018 at the College at 375 University Avenue at Toronto.

Elisabeth Haramic (the “Member” or “Ms. Haramic”) was present and was represented by legal counsel.

The Notice of Hearing, dated May 25, 2017, was filed and entered as Exhibit #1.

THE ALLEGATIONS

Counsel for the College advised the Panel that the College was requesting leave to withdraw the allegations as set out in paragraphs 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 30(b) and (c), and 33(c) of the Notice of Hearing. Counsel for the College also advised the Panel that the College was requesting leave to withdraw the word “disgraceful” from paragraph 33(b) of the Notice of Hearing. The Panel granted these requests.

The remainder of the allegations against the Member are as follows:

Application, Registration and Revocation

1. Ms. Haramic submitted or authorized the submission of an application for registration (the “Application”) with the College on or about October 24, 2014.
2. The Application requested whether there is “anything else currently or in the past, including actions or findings related to your membership in any professional association that would call into question your ability to practise psychotherapy safely and professionally”.
3. In the Application, Ms. Haramic disclosed a complaint filed against her with the Canadian Counselling and Psychotherapy Association (“CCPA”) in August 2013 (the “2013 Complaint”).
4. The 2013 Complaint alleged that Ms. Haramic breached professional boundaries.

5. The Application was approved by the Registrar. Ms. Haramic became a member of the College on or about April 8, 2015.
6. Ms. Haramic's certificate of registration was revoked by the College Registrar on April 20, 2017 pursuant to subsection 3(2) of Ontario Regulation 67/15 under the *Psychotherapy Act, 2007*, for making false or misleading statements or representations on or in connection with her application for registration.

[Paragraphs 7 to 23, withdrawn]

Non-disclosure of 2011 CCPA Complaint

24. It is alleged that in about June 2011, a complaint was filed against Ms. Haramic with the CCPA (the "2011 Complaint").
25. The 2011 Complaint alleged that Ms. Haramic served alcohol to members of a therapy group and was intoxicated, and that Ms. Haramic subsequently treated the complainant inappropriately.
26. It is alleged that the CCPA Ethics Committee stated that Ms. Haramic's actions conveyed a lack of conscientiousness and professional judgment of the possible risks to group members.
27. It is alleged that the CCPA Ethics Committee requested that Ms. Haramic complete remedial activities.
28. It is alleged that Ms. Haramic did not disclose the 2011 Complaint on her Application.
29. It is alleged that in not disclosing the 2011 Complaint on her Application, Ms. Haramic made a false or misleading statement or representation on or in connection with her Application.

Failure to Disclose is Professional Misconduct

30. For each of these reasons, it is alleged that Ms. Haramic engaged in professional misconduct pursuant to subsection 51(1)(c) of the *Health Professions Procedural Code*, namely, she contravened:

- a. paragraph 42 of Ontario Regulation 317/12 under the *Psychotherapy Act, 2007* (contravening the *Psychotherapy Act, 2007*, the *Regulated Health Professions Act, 1991*, or a regulation under either of those acts), namely
 - i. subsection 3(2) of Ontario Regulation 67/15 under the *Psychotherapy Act, 2007*;

[Paragraphs 30(b) and 30 (c), withdrawn]

Illegal Use of Doctor Title

31. It is alleged that while she was a Member of the College, Ms. Haramic used the title “doctor” or an abbreviation thereof, in the course of providing or offering to provide, in Ontario, health care to individuals.
32. It is alleged that Ms. Haramic is not a member of a regulatory college whose members may use the title “doctor” in the course of providing or offering to provide, in Ontario, health care to individuals.
33. For each of these reasons, it is alleged that Ms. Haramic engaged in professional misconduct pursuant to subsection 51(1)(c) of the *Health Professions Procedural Code*, namely, she contravened:
 - a. paragraph 42 of Ontario Regulation 317/12 (contravening the *Psychotherapy Act, 2007*, the *Regulated Health Professions Act, 1991*, or a regulation under either of those acts), namely
 - i. subsection 33(1) of the *Regulated Health Professions Act, 1991*; and/or
 - b. paragraph 52 of Ontario Regulation 317/12 (engaging in dishonourable or unprofessional conduct).

[Paragraph 33(c), withdrawn]

Threats or Abuse toward Person 1

34. It is alleged that on or about August 30, 2016, Ms. Haramic communicated with Person 1 in an unprofessional, threatening or abusive manner, for example, telling Person 1:

- a. "who was tested mother-f---ing crazy..." ;
 - b. "f---ing psychopath" ;
 - c. "crazy f---" ;
 - d. "I should have let you f---ing die";
 - e. "piece of f---ing s--t";
 - f. "twisted idiot" "twisted f---";
 - g. "Whatever you do to me, I will do ten times worse to you f---face. You have never experienced my wrath on you. Never.";
 - h. "You are such a dumb f---" ;
 - i. "You f---ing dumb f---" ;
 - j. "You piece of rotten s--t";
 - k. "I was willing for you to mother-f---ing rape me..." ; and/or
 - l. "I don't give a s--t about the f---ing College".
35. For this reason, it is alleged that Ms. Haramic engaged in professional misconduct pursuant to subsection 51(1)(c) of the *Health Professions Procedural Code*, namely, she contravened:
- a. paragraph 52 of Ontario Regulation 317/12 (engaging in disgraceful, dishonourable or unprofessional conduct); and/or
 - b. paragraph 53 of Ontario Regulation 317/12 (conduct unbecoming a psychotherapist).

MEMBER'S PLEA

The Member admitted to the allegations as set out in paragraphs 1, 2, 3, 4, 5, 6, 24, 25, 26, 27, 28, 29, 30(a)(i), 31, 32, 33(a)(i), 33(b) (as revised), 34, and 35 in the Notice of Hearing. The Panel conducted an oral plea inquiry and was satisfied that the Member's admission was voluntary, informed and unequivocal.

AGREED STATEMENT OF FACTS

The following Agreed Statement of Facts was filed as Exhibit #2 and presented to the Panel (the attachments to the Agreed Statement of Facts are not appended to this decision):

Application, Registration and Revocation

1. Elisabeth Melita Haramic (“Ms. Haramic”) did not personally complete her application for registration (the “Application”) with the College. Ms. Haramic asked Person 1 to input the information into the electronic Application. The Application was submitted on or about October 24, 2014. Attached at **Tab 1** is a copy of the Application.
2. The Application requested whether there is “anything else currently or in the past, including actions or findings related to your membership in any professional association, that would call into question your ability to practise psychotherapy safely and professionally.”
3. In the Application, Ms. Haramic disclosed a complaint filed against her with the Canadian Counselling and Psychotherapy Association (“CCPA”) in August 2013 (the “2013 Complaint”). The 2013 Complaint alleged that Ms. Haramic breached professional boundaries. The 2013 Complaint was substantiated and Ms. Haramic was found to have violated the CCPA Code of Ethics and Standards of practice. Attached at **Tab 2** is a copy of the Decisions and Reasons of the CCPA.
4. As a result of the 2013 Complaint, the CCPA Ethics Committee requested that Ms. Haramic complete remedial activities, which she eventually did to the Committee’s satisfaction. Attached at **Tab 3** is a copy of the correspondence between the CCPA and Ms. Haramic.
5. The College sought clarification from Ms. Haramic when it reviewed information about the 2013 Complaint on the Application. After receiving said clarification, the Application was approved by the Registrar. Ms. Haramic became a member of the College on or about April 8, 2015.

6. On or about September 1, 2016 the Registrar discovered that Ms. Haramic was also the subject of a CCPA complaint in 2011 (the “2011 Complaint”). Ms. Haramic did not disclose the 2011 Complaint in her Application.
7. The Registrar alerted Ms. Haramic to her concerns and provided her with an opportunity to respond. Ms. Haramic disclosed that she did report the 2011 complaint in her written notes, however, Person 1 did not include it when he submitted the Application electronically. Ms. Haramic accepts full responsibility for failing to properly review the Application prior to signing it, and allowing it to be sent into the College. Ms. Haramic admits that it was her responsibility to carefully review and accept all of the information in her Application.
8. After reviewing her submissions, the Registrar decided to revoke Ms. Haramic’s certificate of registration, effective April 20, 2017, pursuant to subsection 3(2) of Ontario Regulation 67/15 under the *Psychotherapy Act, 2007* (the “Registration Regulation”), for making false or misleading statements or representations on or in connection with her application for registration. Attached at **Tab 4** is a copy of s. 3(2) of the Registration Regulation.
9. Ms. Haramic sought a judicial review of the Registrar’s decision to administratively revoke her certificate or registration.
10. In advance of the judicial review, Ms. Haramic sought an injunction to stay the decision of the Registrar pending the judicial review. On or about September 25, 2017, Justice Nancy Spies decided to stay the decision to revoke Ms. Haramic pending the hearing of the Application. Attached at **Tab 5** is a copy of Justice Spies’ decision.
11. Ms. Haramic was not a member of the College from April 20, 2017 until approximately September 25, 2017 when she was administratively reinstated (as a result of Justice Spies’ decision).
12. Ms. Haramic has agreed to withdraw the application for judicial review on a without costs basis provided that the revocation is revoked before this hearing.

Non-Disclosure of 2011 CCPA

13. In or about June 2011, the 2011 Complaint was filed against Ms. Haramic.
14. The 2011 Complaint alleged that Ms. Haramic did not comply with CCPA standards.
15. The 2011 Complaint was substantiated and Ms. Haramic was found to have violated the CCPA Code of Ethics and Standards of practice. Attached at **Tab 6** is a copy of the CCPA Ethics Committee decision.
16. As a result of the 2011 Complaint, the CCPA Ethics Committee requested that Ms. Haramic complete remedial activities, which were completed to the Committee's satisfaction.
17. As set out above Ms. Haramic did not disclose the 2011 Complaint on her Application.
18. In not disclosing the 2011 Complaint on her Application, Ms. Haramic made a false or misleading statement or representation on or in connection with her Application.
19. For these reasons, it is agreed that Ms. Haramic engaged in professional misconduct pursuant to subsection 51(1)(c) of the *Health Professions Procedural Code*, namely she contravened:
 - a) paragraph 42 of Ontario Regulation 317/12 under the *Psychotherapy Act, 2007* (contravening the *Psychotherapy Act, 2007*, the *Regulated Health Professions Act, 1991*, or a regulation under either of those acts), namely
 - i. subsection 3(2) of Ontario Regulation 67/15 under the *Psychotherapy Act, 2007*.

Illegal Use of Doctor Title

20. It is agreed that Ms. Haramic has a Ph.D.
21. It is agreed that Ms. Haramic is not a physician, optometrist, chiropractor, psychologist, dentist or naturopath.

22. A scheduling fee was posted by the reception area identifying Ms. Haramic as “Dr. Haramic.”
23. Ms. Haramic permitted patients in her clinic to call her “Dr. Haramic.”
24. This is strictly forbidden as a result of s. 33(1) of the *Regulated Health Professions Act*, which states that unless you are a member of a designated college, you cannot use the doctor title when providing or offering to provide health care in Ontario. Attached at **Tab 7** is a copy of s. 33(1) of the *Regulated Health Professions Act*.
25. For each of these reasons, it is agreed that Ms. Haramic engaged in professional misconduct pursuant to subsection 51(1)(c) of the *Health Professions Procedural Code*, namely, she contravened:
 - a. paragraph 42 of Ontario Regulation 317/12 (contravening the *Psychotherapy Act, 2007*, the *Regulated Health Professions Act, 1991*, or a regulation under either of those acts), namely
 - i. subsection 33(1) of the *Regulated Health Professions Act, 1991*; and
 - b. paragraph 52 of Ontario Regulation 317/12 (engaging in dishonourable and unprofessional conduct).

Threats or Abuse towards Person 1

26. On or about August 30, 2016, Ms. Haramic communicated with Person 1 (who was her intern, business colleague and a former patient [in 2007]), as well as a peer, being a registered psychotherapist himself) in an unprofessional, threatening and abusive manner. Person 1 taped the conversation unbeknownst to Ms. Haramic. During the conversation, Ms. Haramic said the following to Person 1:
 - a) “who was tested mother f---ing crazy...”;
 - b) “f---ing psychopath”;
 - c) “crazy f---”;
 - d) “I should have let you f---ing die”;
 - e) “piece of f---ing s---t”;
 - f) “twisted idiot” “twisted f---”;

- g) “whatever you do to me, I will do ten times worse to you f--- face. You have never experienced my wrath on you. Never.”;
- h) “You are such a dumb f—”;
- i) “You f---ing dumb f---”;
- j) “You piece of rotten s—t”;
- k) “I was willing for you to mother f---ing rape me...”; and/or
- l) “I don’t give a s—t about the f---ing College”;

Attached at **Tab 8** is an audio recording of the comments made by Ms. Haramic.

- 27. For this reason, it is agreed that Ms. Haramic engaged in professional misconduct pursuant to subsection 51(1)(c) of the *Health Professions Procedural Code*, namely, she contravened:
 - a. paragraph 52 of Ontario Regulation 317/12 (engaging in disgraceful, dishonourable and unprofessional conduct); and
 - b. paragraph 53 of Ontario Regulation 317/12 (conduct unbecoming a psychotherapist).
- 28. The Member acknowledges and understands that the Agreed Statement of Facts is not binding upon the Discipline Committee.
- 29. The Member acknowledges that she has had the opportunity to receive independent legal advice.

FINDING

The Panel finds that the Member committed the acts of professional misconduct set out in the Notice of Hearing, as described and admitted to in the Agreed Statement of Facts.

With respect to allegation 33(b) and 35(a) in the Notice of Hearing, the Panel notes the Member’s corresponding admissions set out at paragraphs 25(b) and 27(a) of the Agreed Statement of Facts. Accordingly, the Panel finds that the Member’s conduct, as alleged in paragraph 33(b) of the Notice of Hearing and admitted to in paragraph 25(b) of the Agreed Statement of Facts, would reasonably be regarded by members of the profession as dishonourable and unprofessional. Similarly, the Panel finds that the Member’s conduct, as

alleged in paragraph 35(a) of the Notice of Hearing and admitted to in paragraph 27(a) of the Agreed Statement of Facts would also reasonably be regarded by members of the profession as disgraceful, dishonourable and unprofessional.

PARTIAL JOINT SUBMISSION ON PENALTY AND COSTS

Counsel for the College and Counsel for the Member presented a partial Joint Submission as to Penalty and Costs (Exhibit #3), which provides as follows:

The College of Registered Psychotherapists of Ontario and Elisabeth Haramic ("the Member") agree and jointly submit that the Discipline Committee make an order:

1. Requiring the Member to appear before the panel to be reprimanded immediately following this hearing.
2. Imposing the following terms, conditions and limitations on the Member's certificate of registration, all of which are at her own expense:
 - a. Requiring that the Member successfully complete the *ProBe: Ethics & Boundaries Program-Canada* course to the satisfaction of the Registrar no later than six months of the date of this order;
 - b. Requiring that the Member practise under the supervision of a member who has been pre-approved by the Registrar (the "Monitor"):
 - i. Requiring the Monitor to specifically communicate with the Member about the following issues:
 1. Dual boundaries;
 2. Conflict of interest;
 3. Importance of communicating accurately and honestly with the College;
 4. Use of the doctor title; and

5. Professional communications with colleagues;
- ii. Requiring the Monitor to provide the Registrar reports in writing (on a schedule determined by the Registrar) that:
1. The issues identified in paragraph 2(b)(1) have been addressed with the Member;
 2. The Member is abiding by the expectations of the College;
 3. If the Member at any time does not abide by the expectations of the College; the Monitor will immediately advise the Registrar; and
 4. Requiring that the Member successfully complete the College Jurisprudence Program no later than three months of the date of this order.
3. Please note that the College and the Member have not agreed to the time period for the supervision as set out in paragraph 2(b).
4. The Member shall pay the College's costs fixed in the amount of \$4,460 according to the following schedule:
- a. The first payment of \$1,000 shall be due within two months of the date of this order;
 - b. The second payment of \$1,000 shall be due within two months of the date of the first payment;
 - c. The third payment of \$1,000 shall be due within two months of the date of the second payment;
 - d. The fourth payment of \$1,000 shall be due within two months of the date of the third payment;
 - e. And the remaining payment of \$460 shall be due on the 15th of the subsequent month.

5. The Member acknowledges that this Joint Submission as to Penalty and Costs is not binding upon the Discipline Committee.
6. The Member acknowledges that she has had the opportunity to receive, and has, in fact received, independent legal advice.

COMPONENTS OF THE PENALTY IN DISPUTE

The parties disagreed with respect to two aspects of the penalty: (i) the length of time that the Member should be required to practice under supervision, as contemplated by paragraph 2(b) of the Partial Joint Submission on Order and Costs, and (ii) an additional term, condition or limitation that the College was seeking to add to the penalty, which would require the Member to obtain psychotherapy treatment.

With respect to the duration of the period of supervision, the College submitted that this should continue until such time as the Registrar determines that the supervision is no longer required. Member's Counsel, in contrast, submitted that a finite term would be adequate given that Ms. Haramic was an experienced psychotherapist, has understood the concerns of the panel, and has shown herself to be governable.

With respect to the College's position that the Panel should include with its Order a term, condition or limitation requiring the Member to obtain psychotherapy treatment, the College proposed the following be added to paragraph 2 of the Partial Joint Submission as to Penalty and Costs:

- (d) Requiring that the Member undergo psychotherapy treatment from a psychotherapist who has been pre-approved by the Registrar until the psychotherapist and the Registrar agree that such therapy is no longer necessary. The psychotherapist will:
 - i. not be a person to whom the Member has any family or personal relationship;
 - ii. not be a person to whom the Member has any past or current business or financial relationship;
 - iii. not be a person who has at any time or in any jurisdiction been found to have committed professional misconduct or found civilly or criminally liable for any acts similar

to those set out in the Notice of Hearing;

- iv. be provided, by the Member, with a copy of the Agreed Statement of Facts, Joint Submission on Penalty and Decision and Reasons of the Discipline Committee Panel;
- v. agree to provide the Registrar with regular updates (every four months) on the Member's progress and insight on the issues as set out in the Notice of Hearing; and
- vi. advise the Registrar as to when the psychotherapist believes that the Member no longer requires psychotherapy.

Member's Counsel, in contrast, submitted that mandatory psychotherapy is not a commonly accepted sanction and its use as a disciplinary measure should generally be avoided.

SUBMISSIONS ON PENALTY AND COSTS

Counsel for the College submitted that the penalty it was proposing fulfilled the objectives of specific and general deterrence, remediation and protection of the public. Counsel for the College further submitted that the penalties are in keeping with dispositions previously ordered by other regulatory bodies under similar circumstances and presented case law in corroboration, including: *Ontario College of Teachers v. Lowrie, 2015 ONOCT 53, Law Society of Upper Canada v. Guiste, 2011 ONLSHP 0024 and ONLSHP 0129, College of Audiologists and Speech-Language Pathologists of Ontario v. Berge, 2015 (upheld by Divisional Court), College of Physicians and Surgeons of Ontario v. Wyatt, 2000 ONCPSD 12, College of Physicians and Surgeons of Ontario v. Vasic, 2007 ONCPSD 19.*

As part of his submissions, Counsel for the Member provided the Panel with two Affidavits, which were entered as Exhibit #4 and Exhibit #5, respectively. Exhibit #4 provided a number of affidavits from individuals as well as a newspaper article identifying how Ms. Haramic has provided services pro bono to members of her community.

DECISION ON PENALTY AND COSTS

The Panel makes an Order:

1. Requiring the Member to appear before the panel to be reprimanded immediately following this hearing.

2. Imposing the following terms, conditions and limitations on the Member's certificate of registration, all of which are at her own expense:

a. Requiring that the Member successfully complete the *ProBe: Ethics & Boundaries Program-Canada* course to the satisfaction of the Registrar, no later than six months from the date of this order;

b. Requiring that the Member practise under the supervision of a member who has been pre-approved by the Registrar (the "Monitor") until the Registrar deems that it is no longer required;

i. Requiring the Monitor to specifically communicate with the Member about the following issues:

1. Dual boundaries;
2. Conflict of interest;
3. Importance of communicating accurately and honestly with the College;
4. Use of the doctor title; and
5. Professional communications with colleagues

ii. Requiring the Monitor to provide the Registrar with reports in writing (on a schedule determined by the Registrar) showing that:

1. The issues identified in paragraph 2(b)(1) have been addressed with the Member;
2. The Member is abiding by the expectations of the College; and
3. If the Member at any time does not abide by the expectations of the College, the Monitor will immediately advise the Registrar;

c. Requiring that the Member successfully complete the College Jurisprudence Program no later than three months from the date of this order; and

d. Requiring that the Member undergo psychotherapy treatment at the Member's own cost from a psychotherapist who has been pre-approved by the Registrar until the psychotherapist and the Registrar jointly agree that such therapy is no longer necessary.

The psychotherapist will:

- i. not be a person to whom the Member has any family or personal relationship;
- ii. not be a person to whom the Member has any past or current business or financial relationship;
- iii. not be a person who has at any time or in any jurisdiction been found to have committed professional misconduct or found civilly or criminally liable for any acts similar to those set out in the Notice of Hearing;
- iv. be provided, by the Member, with a copy of the Agreed Statement of Facts, Joint Submission on Penalty and Decision and Reasons of the Discipline Committee Panel;
- v. agree to provide the Registrar with regular updates (every four months) on the Member's progress and insight on the issues as set out in the Notice of Hearing; and
- vi. advise the Registrar as to when the psychotherapist believes that the Member no longer requires psychotherapy.

3. Requiring the Member to pay the College's costs, fixed in the amount of \$4,460, according to the following schedule:

- a. The first payment of \$1,000 shall be due within two months of the date of this order;
- b. The second payment of \$1,000 shall be due within two months of the date of the first payment;
- c. The third payment of \$1,000 shall be due within two months of the date of the second payment;

d. The fourth payment of \$1,000 shall be due within two months of the date of the third payment; and

e. And the remaining payment of \$460 shall be due on the 15th of the subsequent month.

REASONS FOR DECISION ON PENALTY AND COSTS

The Panel remained mindful of the Supreme Court's direction that a joint submission should be accepted unless it would bring the administration of justice into disrepute or otherwise be contrary to the public interest. Accordingly, the Panel accepted the portions of the penalty and costs that were jointly agreed to, concluding that they were consistent with the objectives of a discipline order, as described above.

With respect to the portions that differed, the Panel considered a number of mitigating and aggravating factors. The Member acknowledged her actions and cooperated fully, thereby accepting responsibility for her conduct and sparing the College from the time and costs associated with proceeding to a contested hearing.

The aggravating factors related to the seriousness of the Member's conduct itself, particularly the Member's unprofessional and abusive communications with Person 1, who was a former client and colleague of the Member. The Panel reviewed and considered in this context Tab 8 to the Agreed Statement of Facts, which was the secret audio recording of a conversation in which the Member was verbally aggressive towards Person 1, using vulgarities and offensive tone. It was entirely inappropriate for the Member to demonstrate such verbal aggression towards another person, which reveals her remarkable lack of professionalism and judgment, amongst other things.

Additionally, the Member held herself out as a "doctor" by using the title or abbreviations in multiple instances, including in the published newspaper article presented as evidence. This conduct, which the Member knew or ought to have known she was not entitled to do, was deliberate and transgressed the regulatory model for providing health care to individuals in Ontario. By engaging in such conduct, the Member abused the public's trust.

The Panel felt that the seriousness of the misconduct supported the more significant penalty

sought by the College. The Panel did, however, recognize that the requirement to undergo psychotherapy was a unique and rare penalty that should not be ordered lightly. Counsel for the College presented a case to the Panel that included a similar disposition, although the misconduct in that case was quite different than what occurred here. Even still, it is the Panel's view that the Member's misconduct was serious enough to warrant this requirement, which will help to ensure that any improvements to the Member's behavior and emotional well-being will be maintained.

I, Shikha Kasal, sign this Decision and Reasons for Decision as Chair of this Panel and on behalf of the panel members of the Discipline Committee listed below.

Date: June 7, 2018

Shikha Kasal, Chair
Discipline Panel

Panel:
Andrew Benedetto
Kenneth Lomp
Steven Stijacic

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