

Discipline Hearing Summary- Chris Challenger

At a hearing on January 16, 2017, a Panel of the Discipline Committee found Christopher Challenger guilty of professional misconduct with respect to the following:

1. In relation to the submission of OCF forms and reporting letters to various insurance companies through the Health Claims for Auto Insurance (HCAI) system, he used a registration number that was not his registration number with the College and did not represent his credentials accurately. The Panel found that he:
 - Failed to maintain a standard of practice of the profession;
 - Issued an invoice, bill or receipt for services that he knew or ought to have known was false or misleading;
 - Signed or issued, in his professional capacity, a document that he knew or ought to have known contained false or misleading information;
 - Engaged in conduct or performed 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.
2. In relation to his record keeping practices, he left records unsecure in his home and car, did not have an appointment record and did not represent his credentials accurately. The Panel found that he:
 - Failed to maintain a standard of practice of the profession;
 - Failed to keep records in accordance with the standards of the profession;
 - Engaged in conduct or performed 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.
3. In relation to the investigations by Economical Insurance Company and the College, the Panel found that he:
 - Failed to maintain a standard of practice of the profession;
 - Failed to cooperate with an investigator;
 - Engaged in conduct or performed 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.

4. In relation to practising the profession while suspended for non-payment of fees, the Panel found that he:
- Issued an invoice, bill or receipt for services that he knew or ought to have known was false or misleading;
 - Signed or issued, in his professional capacity, a document that he knew or ought to have known contained false or misleading information;
 - Falsified a record relating to his practice;
 - Contravened the *Kinesiology Act, 2007* by using the title “kinesiologist” while suspended;
 - Directly or indirectly benefitted from the practice of the profession while his certificate of registration was suspended;
 - Engaged in conduct or performed 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.

Penalty

The Panel ordered the following:

1. An oral reprimand.
2. Directed that his certificate of registration¹ be suspended as of the date he is granted a new certificate of registration. The suspension may be reduced by two (2) months if he complies with the terms, limits and conditions set out below.
3. If he is to re-apply for a certificate of registration, that specified terms, conditions or limitations be imposed on his registration requiring that he:
 - a) successfully complete within six (6) months of the date the suspension takes effect, to the satisfaction of the Registrar, and at his own expense:
 - i. a record keeping course pre-approved by the Registrar; and
 - ii. the College’s Professionalism and Ethics e-Learning Module;
 - b) meets with a mentor within three (3) months of the date the suspension takes effect at his own expense. He is required to develop a learning plan regarding the allegations and breached standards. The mentor will provide a progress report to the College.
 - c) within one (1) month of the date that he first meets with the mentor, submit to an inspection of his record keeping and billing practices with the mentor and review the learning plan.
 - d) submit to further inspections by a College approved inspector, for a period of one (1) year at his own expense. The inspections will begin within 60 days of him returning to practice following his suspension. There will be no more than three (3) inspection sessions.
4. Costs to the College in the amount of \$5,000.

The full text of the Panel's decision will be published when completed.

¹ The member resigned his certificate of registration in April 2016. The terms of the penalty will only be served if the member applies and is granted a new certificate of registration, with exception of the oral reprimand, which was delivered on the date of the hearing.