

**DISCIPLINE COMMITTEE OF
THE COLLEGE OF KINESIOLOGISTS OF ONTARIO**

Sara Gottlieb, Chair)	
Mary Pat Moore)	THURSDAY,
Jennifer Pereira)	THE 10 th DAY OF
Victoria Nicholson)	MARCH, 2022

B E T W E E N:

COLLEGE OF KINESIOLOGISTS OF ONTARIO

- and -

QUSAI GULAMHUSEIN

ORDER

THIS HEARING was held on March 10, 2022 via videoconference.

ON READING the Notice of Hearing dated August 21, 2020, on considering the evidence, and on hearing the submissions of counsel for the College of Kinesiologists of Ontario (the “College”), and Qusai Gulamhusein (the “Registrant”) on his own behalf:

A. THE DISCIPLINE COMMITTEE FINDS that the Registrant committed acts of professional misconduct pursuant to:

1. Clause 51(1)(c) of the *Health Professions Code*, being Schedule 2 of the Regulated Health Professions Act, 1991, as defined in the following paragraphs of section 1 of Ontario Regulation 316/12 made under the Kinesiology Act, 2007:
 - i. **Paragraph 26** (signing or issuing, in his or her professional capacity, a document that the member knows or ought to know contains false or misleading information);
 - ii. **Paragraph 29** (permitting the advertising of the member or his or her practice in a manner that is false or misleading or that includes statements that are not factual and verifiable);
 - iii. **Paragraph 31** (soliciting or permitting the solicitation of an individual in person, by telephone, by electronic communication or by other means of communication unless,

- the person who is the subject of the solicitation is advised, at the earliest possible time during the communication, that,
 - the purpose of the communication is to solicit use of the member's professional services, and
 - the person may elect to end the communication immediately or at any time during the communication if he or she wishes to do so, and
 - the communication ends immediately if the person who is the subject of the solicitation so elects);
- iv. **Paragraph 42** (Contravening, by act or omission, a term, condition or limitation on the member's certificate of registration specifically as set out in s. 4(1)(i) and/or s. 4(1)(ii) of Regulation 401/12);
- v. **Paragraph 50** (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); and/or
- vi. **Paragraph 51** (Engaging in conduct that would reasonably be regarded by members as conduct unbecoming a member of the profession).

B. THE DISCIPLINE COMMITTEE MAKES AN ORDER:

1. Requiring the Registrant to be reprimanded by the panel following the hearing.
2. Directing the Registrar to suspend the Registrant's Certificate of Registration for a period of four (4) months, commencing on a date to be selected by the Registrar.
3. Directing the Registrar to immediately impose the following specified terms, conditions and limitations on the Registrant's Certificate of Registration, all of which are to be completed to the satisfaction of the Registrar:
 - a. Requiring the Registrant to successfully complete an individualized training session with a practice advisor selected by the College regarding, among other things, ethics in the practice of kinesiology, appropriate communications, and College standards, which training session is to be paid for by the College, within four (4) months of the date of this Order; and
 - b. Requiring the Registrant to successfully complete a reflective essay of at least 1,500 words setting out what he has learned from this discipline proceeding and remedial training, within one (1) month of completion of the training outlined in paragraph 3(a) above.
4. Requiring the Registrant to pay to the College costs in the amount of \$4,000.00 within one (1) month of the date of this Order. The Registrar is authorized to impose an

installment plan to ensure regular and consistent payment of the costs order.

March 10, 2022



Sara Gottlieb, Chair
Discipline Panel

DISCIPLINE COMMITTEE OF THE
COLLEGE OF KINESIOLOGISTS
OF ONTARIO

ORDER

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