

**NEW BRUNSWICK COLLEGE OF MASSAGE THERAPISTS
(the “College”)**

DECISION OF DISCIPLINE AND FITNESS TO PRACTISE COMMITTEE

MARCH 4, 2025

**IN THE MATTER OF COMPLAINT NO 053
BY MEDAVIE BLUE CROSS (the “Complainant”)**

**RESPECTING
TOMMY ROY (the “Member”)
dated November 17, 2023 (the “Complaint”)**

Background

1. On November 17, 2023, Complaint No. 053 was filed with the College of Massage Therapists of New Brunswick against Tommy Roy alleging acts of professional misconduct.
2. In the Complaint and the supporting documents, the Complainant alleges that, during the period from 2019 to 2023, the Member failed to keep treatment notes, provided massage services to himself and wrongly billed Medavie Blue Cross (“Medavie”). In particular, the Complainant alleges that:
 - (a) the Member did not provide the treatment notes that Medavie had requested;
 - (b) the Member did not provide treatment notes for himself despite billing Medavie for his treatments;
 - (c) the Member billed Medavie insurance plan members (using their identification numbers), but not on the day of treatment; most treatments are not billed on the same day, but invoices are instead submitted to Medavie on random days;
 - (d) the Member has never operated a massage clinic or naturopathic clinic at his parents’ home, even though this residence is registered as a clinic in Medavie’s records; and
 - (e) the Member provided massage therapy to himself and billed Medavie using his own billing number.
3. The Member received a copy of the complaint and the supporting documents.
4. In a decision dated February 15, 2024, the College’s Complaints Committee referred the allegations of professional misconduct described in the Complaint to the Discipline and Fitness to Practise Committee (“the Committee”).
5. On March 4, 2024, a notice of hearing was sent to the Member, setting out the details of the allegations against him.

6. Prior to the date of the Committee hearing, the Member and Sheila Mecking, acting as counsel on behalf of the College, agreed to make a joint submission to the Committee on the merits and remedy.

Findings and Reasons

7. Based on the admissions contained in the joint submission, the Committee concludes that the Member made false insurance claims during the period from 2019 to 2023.
8. The Committee has concluded that the joint submission is appropriate, reasonable and in the public interest. Furthermore, acceptance of the joint submission is consistent with the matters heard by previous committees.
9. The Committee accepts the parties' joint submission and finds that the Member is guilty of professional misconduct under paragraph 31(c) of the *Massage Therapy Act*, SNB 2013, c. 49 (the "Act").
10. The Member's actions deviate from the established or recognized professional standards of the massage therapy profession and the College's Code of Ethics.

Order

11. In view of the foregoing and in accordance with the parties' joint submissions, the Committee hereby orders as follows:
 - (a) that the Member's registration be revoked;
 - (b) that the Member be prohibited from practising massage therapy and from using any title, designation or abbreviation indicating that he is or was a massage therapist;
 - (c) that the College's registration and membership records indicate that the Member may not apply for reinstatement of his registration in the future;
 - (d) that the Member pay a fee of \$1,500 to the College; and
 - (e) that the Committee's decision be published on the College's website, together with the Member's name.

Dated at Moncton, New Brunswick, this 4th day of March 2025.

(Original signed by)

Anne-Marie Dupuis

(Original signed by)

Nathalie Noël

(Original signed by)

Lissa Michaud