

**DISCIPLINE COMMITTEE OF
THE COLLEGE OF DIETITIANS OF ONTARIO**

B E T W E E N:

COLLEGE OF DIETITIANS OF ONTARIO

- and -

MARILYN MORI

NOTICE OF HEARING

THE INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE of the College of Dietitians of Ontario (the “College”) has referred specified allegations against you 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* (the “Code”). The statement of specified allegations is attached to this Notice of Hearing. A panel of the Discipline Committee (the “Panel”) will hold a hearing under the authority of sections 38 to 56 of the Code for the purposes of deciding whether the allegations are true.

THE HEARING WILL BE HELD before the Panel on a date and time to be set by the Discipline Committee. You will be provided with notice of the location or format of the hearing in advance.

IF YOU DO NOT ATTEND AT THE HEARING IN ACCORDANCE WITH THE PRECEDING PARAGRAPH, THE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THE PROCEEDINGS.

SUBSECTION 51(2) OF THE CODE PROVIDES THAT if the Panel finds that you have engaged in professional misconduct, it may make one or more of the following orders:

1. Directing the Registrar to revoke your Certificate of Registration;
2. Directing the Registrar to suspend your Certificate of Registration, for a specified period of time;

3. Directing the Registrar to impose specified terms, conditions and limitations on your Certificate of Registration, for a specified or indefinite period of time;
4. Requiring you to appear before the Panel to be reprimanded;
5. Requiring you to pay a fine, of not more than \$35,000.00, to the Minister of Finance.

PURSUANT TO SECTION 53.1 OF THE CODE, in an appropriate case, if the Panel finds that you committed an act of professional misconduct or finds you to be incompetent, the Panel may make an order requiring you to pay all or part of the following costs and expenses:

1. The College's legal costs and expenses;
2. The College's costs and expenses incurred in investigating the matter; and
3. The College's costs and expenses incurred in conducting the hearing.

YOU ARE ENTITLED to know what evidence against you the College has or knows about. To obtain disclosure of this evidence, you or your representative may communicate with the lawyers for the College. They are:

Bernard C. LeBlanc
Steinecke Maciura LeBlanc
Barristers & Solicitors
401 Bay Street
Suite 2308, P.O. Box 23
Toronto, ON M5H 2Y4

Telephone: (416) 644-4780
Facsimile: (416) 593-7867
Email: bleblanc@sml-law.com

YOU MUST ALSO MAKE disclosure in accordance with section 42.1 of the *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: April 23, 2024



Melanie Woodbeck
Registrar and Executive Director
College of Dietitians of Ontario

TO: **MARILYN MORI, RD**



STATEMENT OF ALLEGATIONS

1. Marilyn Mori was, at all material times, a dietitian registered to practice dietetics in Ontario.
2. As a result of several concerns that were brought to the College's attention, Ms. Mori entered into an Acknowledgement and Undertaking ("Undertaking") on June 9, 2020.
3. Ms. Mori failed to comply with this Undertaking.
4. In order to address the issues arising out of the first Undertaking, Ms. Mori subsequently entered into a second Undertaking on September 30, 2021.
5. Ms. Mori failed to comply with the second Undertaking.
6. On or about February 7, 2023, following an investigation into Ms. Mori's failure to comply with the first and second Undertakings, the ICRC ordered that Ms. Mori successfully complete a Specified Continuing Education and Remediation Program (SCERP). Among other things, the SCERP contained the following provisions:
 2. Successfully complete a one-on-one remedial course with [an instructor] or similar course pre-approved by the Registrar, including meeting the following requirements:
 - a. The Registrant must start the course within 60 days of the date of this decision;
 - and
 - b. The course provider must submit a final evaluation report demonstrating that the Registrant has achieved an "unconditional pass" or the equivalent.
 3. Within 30 days of completing the requirements outlined in Paragraph 2, the Registrant must submit a reflective essay to the Registrar that meets the following requirements:
 - a. The essay must be between 1,500 and 2,000 words; and
 - b. The essay must summarize what the Registrant has learned from this experience and the remedial course and describe three (3) to five (5) examples

of strategies she will implement or changes she will make to her practice to ensure she fulfills her professional obligations moving forward.

4. All requirements outlined in Paragraphs 1–3 must be fully completed within six (6) months of the date of this decision.

7. Despite being given additional time to successfully complete the SCERP, Ms. Mori failed to successfully complete the requirement in paragraph 3 of the ICRC's order.

8. In the meantime, Ms. Mori entered into a third Undertaking on November 3, 2022. Among other things, the third Undertaking required Ms. Mori to produce reports from her caregivers and workplace monitor within certain prescribed deadlines.

9. Contrary to her obligations under the third Undertaking, Ms. Mori failed to provide to the College reports from two of her caregivers and her workplace monitor.

10. Ms. Mori has therefore breached the terms of the SCERP and the third Undertaking.

11. Ms. Mori has therefore engaged in professional misconduct within the meaning of paragraph 36 (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) of section 1 of O. Reg. 680/93 under the *Dietetics Act, 1991*.

APPENDIX

1. The documents to be tendered in evidence at the hearing have been sent separately.
2. Take notice that the documents that have been and will later be disclosed to you will be tendered as business documents pursuant to the *Evidence Act of Ontario*.
3. All documents that are disclosed to you in this matter are disclosed on the basis that they are to be used solely for the purpose of this proceeding and for no other purpose.

DISCIPLINE COMMITTEE OF
THE COLLEGE OF DIETITIANS OF ONTARIO

NOTICE OF HEARING

STEINECKE MACIURA LEBLANC

Barristers & Solicitors
401 Bay Street, P.O. Box 23
Suite 2308
Toronto, ON M5H 2Y4

Bernard LeBlanc, LSO No.: 32329L

Telephone: (416) 644-4780
Facsimile: (416) 593-7867
Email: bleblanc@sml-law.com

Lawyers for the College of Dietitians of Ontario