

**DISCIPLINE COMMITTEE OF
THE COLLEGE OF OPTICIANS OF ONTARIO**

BETWEEN:

COLLEGE OF OPTICIANS OF ONTARIO

- and -

MURTAZA AHMED JANMOHAMED

NOTICE OF HEARING

THE INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE OF THE COLLEGE OF OPTICIANS OF ONTARIO (the "College") has referred specified allegations against you to the Discipline Committee of the College. The allegations were referred in accordance with section 26(1)1 of the *Health Professions Procedural Code* (the "Code") which is Schedule II to the *Regulated Health Professions Act, 1991*. The statement of specified allegations is attached to this Notice of Hearing as Schedule "A". A discipline 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 committed professional misconduct, it may make an order, doing one or more of the following:

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;
6. If the act of professional misconduct was the sexual abuse of a patient, require you to reimburse the College for funding provided for that patient under the program required under section 85.7 of the Code; and/or
7. If the Panel makes an order under paragraph 6, require you to post security acceptable to the College to guarantee the payment of any amounts the member may be required to reimburse under the order under paragraph 6.

PURSUANT TO SECTION 53.1 OF THE CODE, in an appropriate case, if the Panel finds that you committed 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. The initial disclosure has been served with this Notice of Hearing. To communicate with the lawyers for the College please contact:

Anastasia- Maria Hountalas
Steinecke Maciura LeBlanc
Barristers & Solicitors

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

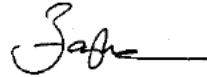
Direct: (416) 644-4781
Fax: (416) 593-7867
Email: ahountalas@sml-law.com

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.

If you prefer to communicate with the College in French or would like the hearing of your case to be conducted in French, then you must notify the College as soon as possible so that it can make reasonable attempts to accommodate your request.

Date: November 20, 2024



Fazal Khan
Registrar
College of Opticians of Ontario

TO: **MURTAZA AHMED JANMOHAMED**



**STATEMENT OF SPECIFIED ALLEGATIONS
MURTAZA AHMED JANMOHAMED**

The Registrant

1. At all material times, Murtaza Ahmed Janmohamed (“the Registrant”) was a registered optician in Ontario. The Registrant owns and/or works at Crystalline Eyewear in Richmond Hill, Ontario (the “Clinic”).

Fraudulent Billing

2. It is alleged that, between in or about March 2022 and February 2023, the Registrant submitted claims to an insurer for approximately 87 treatments purportedly provided by an optometrist at the Clinic when the treatments were not actually provided by the optometrist as claimed and/or were provided on a different date and/or were not provided at all.
3. It is alleged that the claims identified in paragraph 2 above are records relating to the Registrant’s practice.

Allegations of Professional Misconduct

4. As a result of the above, it is alleged that the Registrant engaged in the following acts of professional misconduct as set out in one or more of the following paragraphs of section 1 of Ontario Regulation 828/93:
 - a. Paragraph 2: Contravening a standard of practice of the profession, more specifically, Standard 2: Professional Conduct and/or Standard 5: Record Keeping;
 - b. Paragraph 21: Falsifying a record relating to the member’s practice;
 - c. Paragraph 23: Signing or issuing, in the member’s professional capacity, a document that the member knows or ought to know contains a false or misleading statement;
 - d. Paragraph 24: Submitting an account or charge for services that the member knows or ought to know is false or misleading; and/or
 - e. Paragraph 28: Engaging in conduct or performing an act, in the course of practicing opticianry that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

APPENDIX

1. The documents to be tendered in evidence at the hearing have been sent with this Notice of Hearing.
2. The *Rules of Procedure of the Discipline Committee* have been sent with this Notice of Hearing.
3. Take notice that the documents that have been and may later be disclosed to you will be tendered as business documents pursuant to the *Evidence Act* of Ontario.
4. 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 OPTICIANS
OF ONTARIO

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of Ontario