



Complaint Resolution Process Summary

Shawn Harris (Herring Cove, NS)

October 30, 2024

ARBITRATION

On July 25, 2024, an Arbitrator issued their decision on the conduct of Shawn Harris, a member of the NHPCA, pursuant to Article 10.4 of the Natural Health Practitioners of Canada Association (“NHPCA”) Bylaws, finding that Mr. Harris engaged in conduct pursuant to Article 10.1.1 of the NHPCA Bylaws and that the following nine allegations had been proven:

1. At the material times, Shawn Harris (the “Member”) was a Regular Member in good standing with the Natural Health Practitioners of Canada Association (NHPCA).
2. On or about March 31, 2023, the Member failed to ensure that the client’s genitals were appropriately draped or failed to use appropriate draping techniques during the client’s attendance upon the Member for massage treatment.
3. On or about March 31, 2023, the Member exposed the client’s genitals during the client’s attendance upon the Member for massage treatment.
4. On or about March 31, 2023, the Member touched the client’s genitals without consent during the client’s attendance upon the Member for massage treatment.
5. On or about March 31, 2023, the Member manually stimulated the client’s genitals during the client’s attendance upon the Member for massage treatment.
6. On or about March 31, 2023, the Member made one or more statements of an inappropriate and sexual nature during the client’s attendance upon the Member for massage treatment, including the proposition of oral sex.
7. On or about March 31, 2023, the Member performed oral sex on the client during the client’s attendance upon the Member for massage treatment.



8. On or about March 31, 2023, the Member failed to make a full and accurate treatment note in respect of the client, including not indicating treatment to the legs.
9. It is alleged that the above constitutes conduct justifying a complaint in that the conduct contravenes the NHPCA Code of Ethics or Bylaws, is detrimental to the best interests of the public, harms or tends to harm the standing of the profession generally, or displays a lack of knowledge, skill, or judgment in the practice of the profession.

Pursuant to Article 10.4.11 of the NHPCA Bylaws, the matter was referred to the Sanction Committee of the NHPCA to hold a hearing to determine the appropriate sanctions to be imposed on Mr. Harris.

SANCTION COMMITTEE

A hearing of the Sanction Committee was held on October 1, 2024. The hearing, held pursuant to section 10.5.1 of the NHPCA Bylaws, was to address the sanctions to be imposed upon Mr. Harris, following the decision of the Arbitrator pursuant to section 10.4 of the NHPCA Bylaws.

In its written decision dated October 30, 2024, the Sanction Committee made the following orders in relation to sanction:

- a. Mr. Harris's Certificate of Membership is hereby cancelled;
- b. Mr. Harris shall pay a fine of \$5,000 forthwith;
- c. Mr. Harris shall pay \$30,624.22 plus GST in costs of the investigation and hearing to be paid in equal monthly instalments over a period of 36 months from service of the Sanction Committee's written decision; and
- d. Mr. Harris's name, and a summary of the findings and the decisions of the Arbitrator, and the sanctions imposed shall be published as follows:
 - i. To those insurance companies and other third-party payers that pay directly or reimburse insured clients' claims for members' services;
 - ii. To other similar professional associations, including but not limited to those with which the NHPCA has entered into an agreement through a Memorandum of Understanding such



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as the Massage Therapists Association of Nova Scotia (MTANS), and Canadian Massage and Manual Osteopathy Therapists Association (CMMOTA);

- iii. On NHPCA's website; and
- iv. Via email newsletter to NHPCA's membership wherein a summary of decision and sanctions will be provided.