

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

PANEL:

David Milne, Chair, Public Member
Kevin Cloutier, Professional Member
Carlo Sicoli, Public Member
Alicia Munian, Public Member
Parminder Kalsi, Professional Member

BETWEEN:

COLLEGE OF OPTICIANS OF ONTARIO

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Carly Waisglass for the
College of Opticians of Ontario

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- and -

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Charlotte McLachlan, for the
Registrant

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MURTAZA AHMED JANMOHAMED

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Luisa Ritacca
Independent Legal Counsel

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Heard: July 25, 2025

DECISION AND REASONS

This matter came on for a hearing before a Panel of the Discipline Committee of the College of Opticians of Ontario (the “College”) on July 25, 2025. The matter was heard by way of video conference.

The Allegations

The allegations against the Registrant Murtaza Ahmed Janmohamed as stated in the Notice of Hearing dated November 20, 2024 (Exhibit #1), are as follows:

STATEMENT OF SPECIFIED ALLEGATIONS

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.

The Registrant's Plea

The Registrant pleaded guilty to having engaged in professional misconduct as set out in the Notice of Hearing.

The panel conducted an oral plea inquiry to satisfy itself that the Registrant's plea was voluntary, informed, and unequivocal. Having done, the panel was content to accept the Registrant's plea.

Agreed Statement of Facts

At the outset of the hearing, counsel for the College and Registrant advised the panel that an agreement had been reached on the facts and introduce an Agreed Statement of Facts (Exhibit #2) which provides as follows:

The Registrant

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

Fraudulent Billing

2. It is agreed that between March 2022 and February 2023, the Registrant submitted false and misleading claims to an insurer for 86 treatments purportedly provided by an optometrist at the Clinic when, in fact:
 - a. 56 of the claimed treatments were not provided at all;
 - b. 9 of the claimed treatments were not provided by the optometrist; and
 - c. 21 of the claimed treatments were provided by the optometrist, but not on the date claimed.
3. It is agreed that the insurer paid Crystalline Eyewear for the fraudulent claims in the amount of \$7,236.53. It is further agreed that the Registrant repaid this amount in April 2023.
4. It is agreed that the claims identified in paragraph 2 above are records relating to the Registrant's practice and are issued in his professional capacity.

Admission of Professional Misconduct

5. By this document, the Registrant admits to the truth of the facts referred to in paragraphs 1 to 4 above (the "Agreed Facts").
6. The Registrant admits that the Agreed Facts constitute professional misconduct pursuant to:
 - a. clause 51(1)(c) of the Code and as defined in the following paragraphs of and as set out in the following paragraphs of section 1 of Ontario Regulation 828/93 made under the Opticianry Act, 1991:
 - i. Paragraph 2: Contravening a standard of practice of the profession, more specifically, Standard 2: Professional Conduct, attached hereto as **Tab "A"**, and Standard 5: Record Keeping, attached hereto as **Tab "B"**;
 - ii. Paragraph 21: Falsifying a record relating to the member's practice;

- iii. 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;
- iv. Paragraph 24: Submitting an account or charge for services that the member knows or ought to know is false or misleading; and
- v. 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.

Plea Inquiry

7. By this document, the Registrant states that:
- a. he understands fully the nature of the allegations against him;
 - b. he has no questions with respect to the allegations against him;
 - c. he understands that by signing this document he is consenting to the evidence as set out above being presented to the Discipline Committee;
 - d. he understands that by admitting the allegations, he is waiving his right to require the College to prove the case against him;
 - e. he understands that the decision of the Discipline Committee and a summary of its reasons, including reference to his name, may be published in a publication or website of the College;
 - f. he understands that any agreement between him and the College with respect to the penalty proposed does not bind the Discipline Committee; and
 - g. he understands and acknowledges that he is executing this document voluntarily, unequivocally, free of duress, free of inducement or bribe, and that he has been advised of his right to seek legal advice and that he has had the opportunity to receive such advice.

Decision

Having considered the Registrant's plea, the Agreed Statement of Facts, and the parties' submissions, the panel concluded that the Registrant engaged in professional misconduct as set out in the Notice of Hearing.

Reasons for Decision

The panel was satisfied that the facts set out in Exhibit #2 are sufficient to establish professional misconduct on a balance of probabilities. The Registrant acknowledged that he submitted false and misleading claims to an insurer for 86 treatments over the period between March 2022 and February 2023. He collected funds from the insurer based on the false claims.

By engaging in this misleading activity, the Registrant was clearly in contravention with the College's standards of practice of the profession, including the standards relating to professional conduct and record keeping. He falsified records and signed documents he knew or ought to have known were false and misleading. In doing so, the Registrant engaged in conduct that would reasonably be regarded by other members of this College as disgraceful, dishonourable, or unprofessional. Falsifying claims is deeply problematic and is contrary to the standards expected of members of this College.

Joint Submission as to Penalty and Costs

Counsel for the College advised the Panel that a Joint Submission on Penalty and Costs had been agreed upon (Exhibit #3). The Joint Submission provides as follows:

1. The Registrant is required to appear before a panel of the Discipline Committee immediately following the hearing of this matter to be reprimanded, with the fact of the reprimand and a summary of the reprimand to appear on the public register of the College.
2. The Registrar is directed to suspend the Registrant's Certificate of Registration for a period of five months, to commence on the date of the Discipline Committee's order.
3. The Registrar is directed to impose the following specified terms, conditions and limitations on the Registrant's certificate of registration, all to be completed at his own expense:
 - a. The Registrant shall successfully complete the College's jurisprudence course (Chapter 2: Record Keeping, Confidentiality and Privacy) prior to his return to practice;
 - b. The Registrant shall complete, to the satisfaction of the Registrar, a Registrar-approved ethics course prior to his return to practice; and
 - c. The Registrant shall successfully complete, to the satisfaction of the Registrar, up to three practice inspections by an inspector pre-approved by the Registrar within six months following his return to practice, not to exceed \$500.00 per inspection and payable immediately upon completion of each inspection.
4. The Registrant is required to pay the College costs in the amount of \$5,000.00 within 30 days of the date of the Discipline Committee's Order.
5. By this document, the Registrant states that:

- a. he understands that any agreement between him and the College with respect to the penalty and costs does not bind the Discipline Committee; and
- b. he understands and acknowledges that he is executing this document voluntarily, unequivocally, free of duress, free of inducement or bribe, and that he has been advised of his right to seek legal advice and that he has had the opportunity to receive such advice.

Decision and Analysis

The panel accepted the joint submission on penalty and costs and made an order consistent with the joint submission at the end of the hearing.

The panel was satisfied that the proposed penalty was in the public interest and if ordered, would not bring the administration of this process into disrepute. We are satisfied that the penalty is in line with the penalties imposed by this Discipline Committee for similar conduct and that it fairly considers the mitigating circumstances in this case. The Registrant cooperated throughout the process, obviating the need for a full hearing.

We are satisfied that the penalty is fair and reasonable considering the misconduct that the Registrant acknowledges as having occurred.

At the end of the hearing, upon being advised that the Registrant had signed a waiver of appeal (Exhibit #4), the panel delivered its Reprimand to the Registrant. A copy of the Reprimand is attached here at Schedule "A".

I, **David Milne**, sign this Decision and Reasons for the decision as Chairperson of this Discipline panel and on behalf of the members of the Discipline panel as listed below:



David Milne, Panel Chair

Date: August 14, 2025

Alicia Munian
Kevin Cloutier
Parminder Kalsi
Carlo Sicoli

Schedule "A"

COLLEGE OF OPTICIANS OF ONTARIO v. MURTAZA AHMED JANMOHAMED

As you know, Mr. Janmohamed, as part of its penalty order this Discipline panel has ordered that you be given an oral reprimand. You agreed to this term of order as part of your joint submission on penalty filed during the course of the hearing.

The fact that you have received this reprimand will be part of the public portion of the Register and, as such, part of your record with the College.

The panel has found that you have engaged in professional misconduct in different ways, including:

- Contravening the standards of the professions, more specifically, Standard 2: Professional Conduct; and Standard 5: Record Keeping
- Falsifying a record relating to the member's practice
- Signing or issuing, in your professional capacity, a document that you knew or ought to have known contains false or misleading statements
- Submitting an account or charge for services that you knew or ought to have known was false or misleading; and
- You engaged in conduct, the course of practicing opticianry, that having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional

The result of your misconduct is that you have let down the public, the profession, and yourself.

We need to make it clear to you that your conduct is unacceptable.

Of special concern to us is the fact that the professional misconduct in which you engaged in has involved overt falsification of information submitted to insurers presumably for your financial benefit.

Consequently, it is necessary for us to take steps to impress upon you the seriousness of the misconduct in which you have engaged.

We also want to make it clear to you that while the penalty that this panel has imposed upon you is a fair penalty, a more significant penalty will be imposed by another Discipline panel in the event that you are ever found to have engaged in professional misconduct again.

This concludes the hearing, we are adjourned.
