

# Aydin Nozhat, RMT

**Location:**

Surrey, BC

**Date of Action:**

July 21, 2022

**Date Action ended:**

April 24, 2024

**Nature of Action:** Pursuant to section 35(1)(a) of the *Health Professions Act* (the "Act"), a panel of the Inquiry Committee made an order to impose limits/conditions on Aydin Nozhat's registration with CMTBC in order to protect the public.

The limits/conditions on Mr. Nozhat's practice of massage therapy were that he:

- could not treat female patients;
- had to post in a prominent place in the reception area of any clinic where he provided massage therapy treatment a notice stating that he was prohibited from treating female patients pending an investigation and containing a link to this public notice;
- had to post a notice on his practice website, containing a link to this public notice and stating that he was prohibited from treating female patients pending an investigation;
- had to bi-weekly provide the College with, or electronic access to, his calendar, including the name and contact information for each patient he treated in the preceding two weeks;
- was subject to random on-site audits of his practice by a College-appointed inspector to ensure compliance with the orders of the Inquiry Committee;
- was required to notify the College of any orders made by the Court in a related criminal law proceeding including but not limited to any orders varying or rescinding the judicial interim release order; and
- was required to notify the College at least 14 days before bringing an application to vary the judicial interim release order in the criminal law proceeding.

**Reasons:** On May 31, 2022, CMTBC received a complaint from a female patient of the registrant (the “Patient”). In relation to this complaint, the Inquiry Committee panel found that there was a *prima facie* case of allegations that, during the provision of massage therapy to the Patient, Mr. Nozhat engaged in sexual misconduct by engaging in non-therapeutic touching of sensitive areas of the Patient’s body.

The Inquiry Committee panel considered the allegations serious and found that there is a risk of recurrence if an interim order was not made. Therefore, the panel determined that the public must be protected by an interim order during the investigation and pending any discipline hearing.

The panel considered what interim measures would be sufficient and proportionate in this case. Having weighed the different options and the circumstances of this case, and having considered the impact on the registrant, the Inquiry Committee panel concluded that the above-described limits/conditions were proportionate and sufficient to protect the public during the investigation or pending a discipline hearing.

This order took effect on July 21, 2022, and ceased to be in effect on April 24, 2024.

**Important Note:** Limits, conditions and suspensions ordered by the Inquiry Committee under section 35(1) of the Act are made to protect the public during an investigation or pending a hearing of the Discipline Committee. Measures taken under section 35(1) of the Act pertain to allegations which are and remain unproven unless admitted by a registrant or determined by the Discipline Committee.