

UNDERTAKING, ACKNOWLEDGEMENT, AND CONSENT
("Undertaking")

of

MS. SHAHLA YEGANEH
("Ms Yeganeh")

to

COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO
(the "College")

A. PREAMBLE

- (1) I, **Ms. Yeganeh**, acknowledge that the College initiated an investigation into whether I am operating in contravention of the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18, as amended (*RHPA*) and the *Medicine Act, 1991*, S.O. 1991, c. 18 (*Medicine Act*).
- (2) I, **Ms. Yeganeh**, acknowledge that I am not a member of the College or of any other regulated health profession under the *RHPA*.
- (3) I, **Ms. Yeganeh**, acknowledge that on a prior occasion in 2012, the College advised me that I was operating in contravention of the *RHPA*. I further acknowledge that I confirmed to the College in writing my receipt of its correspondence in this regard.
- (4) I, **Ms. Yeganeh**, acknowledge that after receiving the correspondence from the College noted above at paragraph A(3), I used or allowed the terms "physician," "doctor," a variation, and/or an abbreviation to be used in describing me on the Hanh Wellness Spa and Salon website and premises, and in the course of providing or offering to provide health care to individuals. The College has provided me with a copy of the relevant provisions of the *Medicine Act* and, in particular, sections 9 and 11 of the *Medicine Act*, as well as the *RHPA*, and in particular section 33 of the *RHPA*. The College has advised me that I am acting in contravention of the *Medicine Act* and the *RHPA* and further advised me that violating certain provisions of the *Medicine Act* or the *RHPA* is an offence at law.
- (5) I, **Ms. Yeganeh**, acknowledge that administration of Botox and cosmetic fillers are controlled acts under section 4 of the *Medicine Act*, which I am not permitted to perform, in that, among other things, they involve performing a procedure on tissue below the dermis, administering a substance by injection, and/or dispensing or selling a drug.

- (6) I, **Ms. Yeganeh**, acknowledge that the College may in its discretion post this undertaking or information regarding this undertaking on its public website, and may provide this undertaking and/or any information relevant to the subject matter of this undertaking to the director, manager, or any individual who appears to be in control of premises where I have provided or am providing cosmetic services.

B. UNDERTAKING

- (7) I, **Ms. Yeganeh**, undertake to abide by the provisions of this Undertaking, effective immediately.

(8) *Restrictions*

- (a) I, **Ms. Yeganeh**, undertake that I will not administer Botox or cosmetic fillers, or perform any other controlled act, unless I have been delegated the authority to perform these acts by someone who has the required authority to perform these acts.
- (b) I, **Ms. Yeganeh**, undertake that if I am delegated the authority to administer Botox or cosmetic fillers, or to perform any other controlled act, I will inform the College in writing in advance of beginning to perform these procedures of (i) the identity of the individual who has delegated me the necessary authority to do so, and (ii) the location where I will be performing the controlled act(s).
- (c) I, **Ms. Yeganeh**, undertake that I will permanently refrain from using the title "doctor" and/or "physician" and/or any variation or abbreviation thereof, including M.D., in the course of providing health care services to any individual, and further undertake not to hold myself out as a physician.

(9) *Monitoring*

- (a) I, **Ms. Yeganeh**, undertake to inform the College of my permanent address and of every spa or salon or similar location where I provide services, within five days of executing this undertaking.
- (b) I, **Ms. Yeganeh**, advise that at the time I sign this undertaking, and unless advised otherwise in accordance with the terms of this Undertaking, I have provided services at the following locations:

*Hawk Spa, 7900 Hurontario St, Suite 8,
Brampton, Ont, L6Y 0P6*

(append separate sheet if necessary)

- (c) I, **Ms. Yeganeh**, acknowledge that the College will continue to inspect any locations where I provide or have provided services for the purposes of monitoring my compliance with the provisions of this Undertaking, and I undertake to cooperate with such inspections.

C. ACKNOWLEDGEMENT

- (10) I, **Ms Yeganeh**, acknowledge that I have read and understand the provisions of this Undertaking and that I have obtained independent legal counsel in reviewing and executing this Undertaking, or have waived my right to do so.
- (11) I, **Ms Yeganeh**, acknowledge that a breach by me of any provision of this Undertaking may result in the College taking legal action against me, including commencing an application in court for injunctive relief.

Dated at _____, this 14th day of May, 2017.

**ORIGINAL SIGNED BY
MS. SHAHLA YEGANEH**