

**DISCIPLINE COMMITTEE OF THE
COLLEGE OF OPTOMETRISTS OF ONTARIO**

B E T W E E N:

THE COLLEGE OF OPTOMETRISTS OF ONTARIO

-AND-

DR. GREGORY N. MILLER

NOTICE OF HEARING

THE INQUIRIES, COMPLAINTS, AND REPORTS COMMITTEE OF THE COLLEGE OF OPTOMETRISTS OF ONTARIO has referred the following allegations about you to the Discipline Committee:

You committed an act or acts of professional misconduct as provided by paragraph 51(1)(b.1) of the Health Professions Procedural Code which is Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991 c. 18, as amended, in that, you sexually abused your patient as set out in the particulars to this Notice of Hearing which are attached as Schedule "A".

TAKE NOTICE THAT THE DISCIPLINE COMMITTEE WILL HOLD A HEARING pursuant to the provisions of the Health Professions Procedural Code (the "Code") which is Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991 c. 18, as amended and the Discipline Committee's Rules of Procedure for the purpose of deciding whether you committed an act or acts of professional misconduct.

AND FURTHER TAKE NOTICE THAT a hearing will be held before a panel of the Discipline Committee of the College of Optometrists of Ontario on a date to be set at the Pre-Hearing Conference which will be held on February 22, 2022, by videoconference (instructions and a link to the videoconference will be provided to you).

AND FURTHER TAKE NOTICE THAT at the hearing a panel of the Discipline Committee will do the following:

1. Consider the allegations of professional misconduct;
2. Make its findings based exclusively on evidence admitted before it; and
3. Determine whether in respect of the allegations you have committed an act or acts of professional misconduct.

AND FURTHER TAKE NOTICE THAT pursuant to subsection 51(2) of the Code, if the Panel finds you committed an act or acts of 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 to the Minister of Finance.
6. Requiring you to reimburse the College for funding provided for a program of therapy and counselling for a person if the act of professional misconduct was the sexual abuse of that person.
7. Requiring you to post security acceptable to the College to guarantee the payment of any amounts you may be required to reimburse the College for a program of therapy and counselling for a person who you sexually abused.

AND FURTHER TAKE NOTICE THAT pursuant to section 53.1 of the Code, if the Panel finds you committed an act or acts of professional misconduct the Panel may make an Order requiring you to pay all or part of the College's legal costs and costs and expenses incurred in investigating this matter and conducting the hearing.

AND FURTHER TAKE NOTICE THAT you are entitled to be represented by counsel at the said Hearing and to call witnesses and to adduce evidence in answer to the allegations set out in this Notice of Hearing.

AND FURTHER TAKE NOTICE THAT a member whose conduct is being investigated in proceedings before the Discipline Committee is entitled to certain disclosure of evidence pursuant to section 42 of the Code. To facilitate that process, you or your lawyer may contact directly the lawyer for the College of Optometrists of Ontario. The College's lawyer in this matter is:

Julia J. Martin
Barrister and Solicitor

AND FURTHER TAKE NOTICE THAT if you do not attend at the Pre-Hearing Conference on the date above, or on any subsequent date fixed by the Discipline Committee, the panel of the Discipline Committee may proceed in your absence and you will not be entitled to any further notice.

DATED at Toronto, Ontario this tenth day of January, 2022.

**COLLEGE OF OPTOMETRISTS
OF ONTARIO**

65 St. Clair Avenue East
Suite 900
Toronto, ON
M4T 2Y3



Joe Jamieson, M.Ed, OCT
Registrar and Chief Executive
Officer

TO: Dr. Gregory N. Miller

Schedule "A"

1. Dr. Gregory N. Miller is an optometrist who has practised in Ontario since or about June 17, 1968.
2. On or about November 30, 2006, Patient X attended at Dr. Miller's office for an eye examination.
3. During that appointment, Dr. Miller sexually abused Patient X by taking her hand and placing it on his genital area on top of his pants.
4. Patient X removed her hand from Dr. Miller's genital area.
5. Dr. Miller again sexually abused Patient X when he shortly thereafter took her hand and placed it on his genital area on top of his pants.