



College of Massage Therapists of Ontario

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Discipline Hearing Summary

Bin Zhao, RMT (Maple, ON)

May 11-13, 2016; March 28-29, 2017 and January 28, 2019

Decision

On June 15, 2018, the Discipline Committee found that Mr. Bin Zhao, a Registered Massage Therapist (RMT), committed acts of professional misconduct in that he:

1. contravened a Standard of Practice of the profession or a published standard of the College, or failed to maintain the Standard of Practice of the profession; and
2. engaged in conduct or performed an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by registrants as disgraceful, dishonourable or unprofessional.

Penalty Order and Cost Award

At the penalty phase of the hearing on January 28, 2019, the Discipline Committee ordered the following penalty:

1. Mr. Zhao 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 immediately Mr. Zhao's Certificate of Registration for a period of one (1) month.
3. The Registrar is directed to impose the following terms, conditions or limitations on Mr. Zhao's Certificate of Registration:
 - a. Within three (3) months of the date of the Discipline Hearing, or such other time period as the Registrar deems acceptable, Mr. Zhao must provide proof, acceptable to the Registrar, of successful completion of the College's Professionalism Workshop, which is to be taken at his own expense; and

- b. Within thirty (30) days of the date of the Discipline Hearing, Mr. Zhao must complete to the satisfaction of the Registrar, a reflective essay on the Standard of Practice in the area of obtaining proper consent before treating sensitive areas, which will include how Mr. Zhao's actions affect the client, the public and the profession.
4. Mr. Zhao is required to pay to the College costs in the amount of \$1,500.00 payable over ten (10) months in equal monthly payments of \$150.00, commencing on the first day of the first month after the date of the Discipline Committee's order and continuing every month until paid in full.

Reprimand Delivered to Mr. Zhao:

The following reprimand was delivered by a Panel of the Discipline Committee:

Mr. Zhao, the Panel would like to acknowledge your cooperation in this matter and feels that you have demonstrated insight regarding your conduct.

The Panel finds that your actions have constituted a serious breach of the Standards of Practice of this profession. Obtaining and maintaining informed consent is vital to the safety of your clients. Failing to uphold this standard at every treatment can lead, as it has in this case, to the risk of a client misunderstanding the purpose of your touch and feeling violated.

The Panel is concerned that you did not maintain proper draping. The draping standard clearly states that RMTs must maintain appropriate and secure draping at all times to ensure client privacy. Our clients depend on us to keep them safe. The Panel is assured that you have taken responsibility for this oversight and that in the future you will communicate better with your clients so that they are in full control of their treatment.

Your failure to adhere to the College's Standards of Practice impacts the public's confidence in the profession and jeopardizes the relationship between Massage Therapists and the public. The Panel would like to remind you that being a Registered Massage Therapist is a privilege and not a right. The Panel is satisfied that by completing the coursework and remediation you will be able to remain in the profession while practising safely within the province of Ontario.

The complete Decisions and Reasons are available online on the Canadian Legal Information Institute (CanLII) [website](#).