



College of Massage Therapists of Ontario

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Discipline Hearing Summary

Jing Xu, RMT (Richmond Hill, ON), October 1, 2018

Decision

On October 1, 2018, the Discipline Committee found that Ms. Xu, a Registered Massage Therapist (RMT), committed acts of professional misconduct in that she:

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;
2. failed to keep records as required;
3. signed or issued, in her professional capacity, a document that she knew contained a false or misleading statement;
4. submitted an account or charge for services that she knew was false or misleading;
5. 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

The Discipline Committee's order included the following:

1. Ms. Xu 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 Ms. Xu's Certificate of Registration for a period of five (5) months commencing on the date of the Discipline Committee's order.
3. The Registrar is directed to impose the following terms, conditions or limitations on the Ms. Xu's Certificate of Registration:

- a. Within six (6) months of the date of the Discipline Hearing, Ms. Xu must provide proof, acceptable to the Registrar, of successful completion of the College's Professionalism Workshop, which is to be taken at her own expense; and
 - b. Within six (6) months of the date of the Discipline Hearing, Ms. Xu must provide proof, acceptable to the Registrar, of successful completion of the College's Record-Keeping E-Workshop, which is to be taken at her own expense.
 - c. Within twelve (12) months after the completion of the Registrant's suspension, the Registrant must participate in a chart audit conducted by a College-appointed auditor, at the Registrant's own expense, to the satisfaction of the Registrar. The chart audit shall consist of a review of at least ten (10) and no more than twenty (20) charts selected by the auditor relating to clients treated by Ms. Xu, together with the corresponding appointment records and financial records for those clients. The auditor shall report the results of the audit in writing to the Registrar. The cost of the audit shall not exceed \$275.00.
4. The terms, conditions or limitations in paragraph three (3) above shall be removed from the register when, in the opinion of the Registrar, they have been satisfied.
 5. Ms. Xu is required to pay to the College costs in the amount of \$2,000.00 within twenty-four (24) months of the date of the Discipline Committee's order.

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

Reprimand Delivered to Ms. Xu:

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

Ms. Xu, thank you for your attendance here today and your cooperation throughout the process. That being said, the Panel finds your conduct simply is unacceptable for a regulated health professional.

You knowingly signed and issued receipts for treatments that you did not provide. Actions such as yours undermine the public confidence in the profession and jeopardize your relationship with insurance and other stakeholders. Your deliberate failure to keep records demonstrates an abysmal lack of professionalism and puts the public at risk. The Panel would like to remind you and the profession that being a Registered Massage Therapist is a privilege and not a right.

It is our expectation that you will learn from this experience and from your ordered course work, and when you return to practice you will recommit yourself to upholding the highest ethical standards.