



## College of Massage Therapists of Ontario

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### Discipline Hearing Summary

#### Yu-Zhen Ma, RMT (Milton, ON), March 7, 2019

##### Decision

On March 7, 2019, the Discipline Committee found that Ms. Ma, 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. discontinued professional services that were needed without the client requesting discontinuation; without the client being given a reasonable opportunity to arrange alternative services; and without alternative services being arranged;
3. failed to keep records as required;
4. falsified a record relating to her practice;
5. signed or issued, in her professional capacity, a document that she knew contained a false or misleading statement;
6. submitted an account or charge for services that she knew were false or misleading; and
7. engaged in conduct or performed an act relevant to the practice of the profession that, having regard to all the circumstance, 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. Ma 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 the text of the reprimand to appear on the public register of the College.
2. The Registrar is directed to suspend Ms. Ma's Certificate of Registration for a period of six (6) months, effective immediately.

3. The Registrar is directed to impose the following terms, conditions or limitations on Ms. Ma's Certificate of Registration:
  - a. Within six (6) months of the date of the Discipline Hearing, Ms. Ma must provide proof, acceptable to the Registrar, of successful completion of the College's Recordkeeping Workshop, which is to be taken at her own expense;
  - b. Within six (6) months of the date of the Discipline Hearing, Ms. Ma must provide proof, acceptable to the Registrar, of successful completion of the College's Standards and Regulations Workshop, which is to be taken at her own expense; and
  - c. Within two (2) years of Ms. Ma's return to practice, she must participate in up to three (3) practice inspections conducted by a College appointed inspector, at her own expense. The cost of each inspection shall not exceed \$500.00.
4. Ms. Ma is required to pay the College costs in the amount of \$3,500.00 within one (1) month of the date of the Discipline Hearing.

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

**Reprimand Delivered to Ms. Ma:**

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

The Panel would like to acknowledge the respect you have shown for the process and for your presence at the hearing today. The Panel found your conduct unprofessional and dishonourable. You failed to meet your professional obligations by agreeing to enter into a fraudulent arrangement with a client. The Panel would like to remind you that regardless of who has initiated the fraudulent agreement, it was your responsibility not to engage in the arrangement.

As a regulated health professional, and especially as a clinic owner, you ought to have demonstrated a more professional level of conduct. The Panel would like to remind you that being a Registered Massage Therapist is a privilege and not a right. We echo the comments referred to earlier that we are increasingly concerned with the volume of cases of this nature. Fraudulent activity erodes the insurance industry's and the public's trust and confidence in the profession.

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