



College of Massage Therapists of Ontario

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Discipline Hearing Summary

Jun Hua Liu (Scarborough, ON)

August 9, 2019

Decision

On August 9, 2019, the Discipline Committee found that Mr. Liu, a Registered Massage Therapist (RMT), committed acts of professional misconduct in that he:

1. advertised or permitted advertising with respect to his practice in contravention of the regulations under the *Massage Therapy Act*, the *Regulated Health Professions Act, 1991*, specifically, section 6(2)(a) of Ontario Regulation 544/94;
2. 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;
3. falsified a record relating to his practice;
4. signed or issued, in his professional capacity, a document that he knew contained a false or misleading statement;
5. submitted an account or charge for services that he knew were false or misleading;
6. charged a fee in excess of the posted fees, without the prior informed consent of the client;
7. charged a fee less than the posted fees, without noting the reduction and the reasons for it in the client's financial record;
8. contravened the *Massage Therapy Act*, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts, specifically section 76(3.1) of the Health Professions Procedural Code, by failing to co-operate fully with an investigator; and
9. 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. Mr. Liu 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 Mr. Liu'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 the Mr. Liu's Certificate of Registration:
 - a. Within six (6) months of the date of this Order, Mr. Liu must provide proof, acceptable to the Registrar, of successful completion of the College's Recordkeeping workshop, which is to be taken at his own expense;
 - b. Within six (6) months of the date of this Order, Mr. Liu 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,
 - c. Within two (2) years following Mr. Liu's return to practice after the suspension described in paragraph 2 above, he must undergo three (3) compliance audits relating to his recordkeeping, billing and advertising practices conducted by a College-appointed auditor of any clinic where he works, where he will cover the costs of the audits up to a maximum of \$500.00 per audit.
4. Mr. Liu is required to pay the College costs in the amount of \$2,000.00 within six (6) months of the date of this Order, payable in monthly payments of \$350.00 commencing on the date of this Order, with the exception of the sixth and last payment, which will be in the amount of \$250.00.

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

Reprimand Delivered to Mr. Liu:

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

Mr. Liu, we would like to acknowledge the cooperation you've demonstrated with the College counsel and for your presence here today. The Panel finds your behaviour to be disgraceful, dishonourable and unprofessional, and is certainly unbecoming of a Massage Therapist.

The Panel wants to remind you that being a Massage Therapist is a privilege and not a right. The Panel expresses concern over your previous conduct and with your failure to

be forthright during the College's initial investigation. The complete disregard for professional obligations that led to the allegations that brought you before the Discipline Panel is of concern.

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