



## College of Massage Therapists of Ontario

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### **Discipline Hearing Summary**

#### **Xing Huo Chen (Mississauga, ON)**

**October 8, 2021**

#### **Decision**

On October 8, 2021, the Discipline Committee found that Mr. Xing Huo Chen 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;
2. falsified a record relating to his practice;
3. signed or issued, in his professional capacity, a document that he knew contained a false or misleading statement; and
4. 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.

The misconduct in this case included falsification of several treatment records, a failure to conduct assessments, and a failure to safekeep pre-signed receipts that were then issued by a clinic for treatments that Mr. Chen did not provide.

#### **Penalty Order and Cost Award**

The Discipline Committee's order included the following:

1. Mr. Chen is to appear before a panel of the Discipline Committee immediately following the hearing to be reprimanded, with the fact of the reprimand and the text of the reprimand to appear on the College's public register.
2. The Registrar is directed to suspend Mr. Chen's Certificate of Registration for eight (8) months, commencing on October 8, 2021.
3. The Registrar is directed to impose the following specified terms, conditions and limitations on Mr. Chen's Certificate of Registration:

- a) Within six (6) months of the date of this order, Mr. Chen must provide proof, acceptable to the Registrar, of successful completion of the Medical Record-Keeping Course at the University of Toronto at his own expense;
  - b) Within six (6) months of the date of this order, Mr. Chen 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;
  - c) Within six (6) months of the date of this order, Mr. Chen must provide proof, acceptable to the Registrar, of successful completion of the College's Standards and Regulation E-Workshop at his own expense;
  - d) Within two (2) years of returning to practice, Mr. Chen must participate in up to three (3) compliance audits conducted by a College-appointed auditor, with the cost of each audit not exceeding \$500, and completed at his own expense.
4. Mr. Chen must pay the College costs in the amount of \$3,475.00, payable in 24 monthly payments [one (1) initial payment of \$163.00 and 23 monthly payments of \$144.00], starting one (1) month after the date of the Order and continuing every month until paid in full.

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

### **Reprimand Delivered to Mr. Chen**

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

Mr. Chen, the panel would like to acknowledge the respect you've shown for the process and for your presence here today. The panel finds your behaviour to be unacceptable. You were reckless in not safeguarding your receipts, thereby allowing your clinic to issue false receipts in your name. In addition, you falsified treatment records for multiple clients and did not complete appropriate client assessments. Fraudulent activities such as these put the public at risk and erode both the insurance industry and public's trust and confidence in this profession.

This panel would like to remind you that being a Registered Massage Therapist is a privilege and not a right. The panel expects that once you've completed the course work and served your suspension, you'll return to the practice with a renewed sense of commitment to uphold the Standards of Practice, and to protect the public interest.