

Executive Summary – Li Wang, RMT February 1, 2013

Summary of the Discipline hearing before a Panel of the Discipline Committee of the College of Massage Therapists of Ontario held on February 1, 2013

Allegations of Professional Misconduct and Plea

Ms. Wang entered a guilty plea in relation to the following allegations:

- contravened a standard of practice of the profession
- failed to keep records as required;
- falsified a record;
- signed or issued false documents;
- submitted false account or charge for services; and
- engaged in disgraceful, dishonourable or unprofessional conduct.

The Facts

The College and Ms. Wang entered an Agreed Statement of Facts, which set out the following facts.

The College received information via email that a non-registered individual provided massage therapy at a clinic located in Toronto, but that receipts were issued in the name of a registered massage therapist.

Following receipt of this information a College investigator attended the facility and obtained a massage. After paying \$80, the investigator was given a receipt bearing the name and registration number of Ms. Wang. The person who provided the massage was not Ms. Wang.

An investigation was commenced into the practice of Ms. Wang and during a meeting with a second College investigator Ms. Wang advised that she had no appointment book of treatments provided at the Facility. Ms. Wang produced an accordion folder, which she said contained client files and receipts for every client she had ever treated at the Facility. A review of that information demonstrated record keeping deficiencies as well as blank, pre-signed, pre-stamped receipts.

In further meetings with the College investigator it was revealed that receipts were issued on dates and times when Ms. Wang was practising at another practice location as well as dates when Ms. Wang stated she was on vacation.

Ms. Wang admitted that she permitted the Facility to use her name and registration number to issue receipts for massages performed by non-registered individuals.

Decision of the Panel, Penalty and Cost Award Imposed

The Panel accepted Ms. Wang's plea and found her guilty of professional misconduct in relation to each allegation.

The Panel accepted a Joint Penalty Submission by the College and Ms. Wang and imposed the following penalty:

1. Ms. Wang's Certificate of Registration shall be suspended for a period of six (6) months and the suspension will commence as of February 18, 2013;
2. Three (3) months of the suspension shall be remitted if Ms. Wang complies with the terms, conditions and limitations imposed on her Certificate of Registration, as set out in paragraph 3 below, within three (3) months of the date of the Discipline Committee's Decision;
3. The following terms, conditions and limitations will be imposed on Ms. Wang's Certificate of Registration and shall continue until she complies with the terms, conditions and limitations:
 - a. Ms Wang shall enroll in and successfully complete, at her own expense, the College's Record Keeping Course and shall provide satisfactory evidence within 30 days of completing the same;
 - b. Ms Wang shall enroll in and successfully complete, at her own expense, the College's Professionalism Workshop and shall provide satisfactory evidence within 30 days of completing the same;
4. Ms Wang shall complete the courses referred to in paragraph 3, above, within one year of the date of the Discipline Committee's Decision;
5. Ms Wang shall submit to one (1) inspection of her practice, at her own expense, within approximately 6 months of completing Terms 3(a) and (b) set out above. The Cost of the inspection shall not exceed \$500.00;
6. Ms Wang shall receive a public and recorded reprimand;
7. Costs in the amount of \$1,000 in reimburse of a portion of the investigation and prosecution costs to be paid by February 1, 2014; and
8. The publication of this decision in the usual course, which includes publication in the Annual Report of the College, an Executive Summary posted on the College's website, as well as a summary of findings, also accessible through the College website. Additionally, the College may publish, at the discretion of the Registrar, details of the Member's failure to comply with any terms of the penalty imposed.

Panel's Reasons for Decision

The Panel noted that Ms. Wang falsified records by signing receipts for services provided by non-registered individuals and failed to maintain proper records which are considered serious offences. For this reason, it was deemed appropriate that Ms. Wang serve a significant period of suspension. A portion of the suspension ordered is to be remitted, only if, Ms. Wang completes the appropriate remediation that will address the deficiencies within her practice. The Panel noted that both the suspension and the imposition of terms and conditions will convey to Registrants, the public and other stakeholders like the insurance industry that such, "sub standards in the practice of the profession will involve significant action against Registrants". The Panel was of the opinion that the decision and penalty imposed affirmed the seriousness of the allegations and how such unprofessional behaviour erodes the profile of the profession in the minds of the public and other health care professionals.