

Executive Summary – Lirong Liu, RMT March 20, 2014

Summary of the Discipline hearing before a Panel of the Discipline Committee of the College of Massage Therapists of Ontario held on March 20, 2014.

Allegations of Professional Misconduct and Plea

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

- falsifying a record;
- signing or issuing, a document that the member knew contained a false or misleading statement; and
- disgraceful, dishonourable or unprofessional.

The Facts and Findings of the Panel

The facts of the case were established by way of an Agreed Statement of Facts which set out the following:

From February 2012 to March 2014, Ms. Liu listed her primary practice location at a facility located in Richmond Hill, Ontario.

On July 20, 2012, E.C. attended at the practice location for a massage treatment after reviewing a Groupon advertisement. Although another individual provided a massage treatment to E.C. on that date, E.C. received a receipt signed by Ms. Liu.

On August 15, 2012, an Investigator from the College attended the practice location and received a one hour massage treatment. Immediately following the treatment, Ms. Liu prepared and signed a receipt for a massage therapy treatment, which she provided along with a business card to the College investigator after receiving payment, even though she did not provide massage therapy treatment to the College investigator.

On August 27, 2012, a different College investigator attended the practice location and retrieved, among other things, several blank pre-signed stamped receipts bearing Ms. Liu's name and signature.

Decision of the Panel and Penalty and Cost Award Imposed

On the basis of the Agreed Statement of Facts, and Ms. Liu's guilty plea, the Panel found Ms. Liu guilty of professional misconduct in relation to the allegations set out above.

The Discipline Panel accepted the Joint Penalty Submission of the College and Ms. Liu and imposed the following penalty:

1. Ms. Liu shall receive a public and recorded reprimand;

2. Ms. Liu's Certificate of Registration shall be suspended for a period of six (6) consecutive months, commencing on April 14, 2014, with the ability to remit three (3) months of that suspension if Ms. Liu complied with the terms, conditions and limitations imposed on her Certificate of Registration as provided below;
3. The following terms, conditions and limitations shall be imposed upon Ms. Liu's Certificate of Registration:
 - a. Ms. Liu must enroll in and complete a Registrar approved Record Keeping Course, at her own expense, within three (3) months of the commencement of the suspension, being, July 14, 2014 and she is required to provide satisfactory evidence of her completion to the College;
 - b. The College is entitled to contact the facilitators of the above-listed course and request a report to the Registrar outlining Ms. Liu's participation in the course which, if unsatisfactory, would constitute a breach of term as outlined above;
4. Ms. Liu shall contribute to the investigation and prosecution costs of the College in the amount of \$1,200, to be paid in full by June 2, 2014; and
5. The decision shall be published in the usual course.

Panel's Reasons for Decision

The Panel noted that knowingly signing or issuing a false receipt and/or other documents in a Registrant's professional role is a serious offence. Further, it was stated that such conduct is particularly egregious when the Registrant is just entering the profession. For this reason, the Panel was of the opinion that a suspension of Ms. Liu's Certificate of Registration was warranted. Additionally, the Panel noted the required course work and public and recorded reprimand were appropriate in the circumstances of this case as they addressed the principles of penalty, which includes public protection as well as specific and general deterrence.

The Panel considered as a mitigating factor Ms. Liu's remorse for her actions and her co-operation with the College during its investigation and hearing process.