

Discipline Hearing Summary

An Ni Che (Oakville, ON)

November 15, 2023

Decision

On November 15, 2023, the Discipline Committee held a second hearing into allegations of professional misconduct against Ms. Che and found that Ms. Che engaged in the following acts of professional misconduct:

1. failed to permit entry at a reasonable time or to cooperate with an authorized representative of the College conducting an inspection or examination of the registrant's office, records, equipment or practice;
2. falsified a record relating to her practice;
3. signed or issued, in her professional capacity, a document that she 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.

Ms. Che was given notice of the hearing, but she did not participate, and the hearing proceeded in her absence.

The conduct in this case dates back to 2020, when Ms. Che issued, or allowed the clinic where she worked to issue, receipts for Massage Therapy and acupuncture treatments that she did not provide. On one occasion, an insurance company's undercover investigator received Massage Therapy at Ms. Che's place of work and received a receipt identifying Ms. Che as the service provider, when in fact the service was provided by someone else. On a second occasion, the same investigator received aesthetic services at the clinic and was given two receipts for acupuncture services that identified Ms. Che as the service provider, when she had not provided those treatments.

When asked by the insurance company to provide documentation in support of the purported treatments, Ms. Che created false treatment notes and submitted them to the insurer.

Finally, Ms. Che provided incorrect information in her early interactions with the College investigator by first denying that she had been involved in inappropriate billing practices, later admitting to the investigator that she had both issued and pre-signed receipts for treatments not provided by her.

Penalty Order and Costs Award

The Discipline Committee's order included the following:

1. Ms. Che must appear before a panel of the Discipline Committee within 30 days of November 15, 2023, 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 immediately revoke Ms. Che's Certificate of Registration.
3. Ms. Che must pay the College costs of \$8,778 within 30 days of November 15, 2023.

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