

Discipline Hearing Summary

Chan Woong Yoon (Richmond Hill, ON)

January 11, 2024

Decision

On January 11, 2024, the Discipline Committee found that Mr. Yoon committed acts of professional misconduct after he admitted to:

1. contravening a standard of practice of the profession or a published standard of the College, of failing to maintain the standard of practice of the profession, in particular *Communication/Public Health Standard 14: Client Health Record*;
2. using a name other than his name as set out in the register in the course of providing or offering to provide services within the scope of practice of Massage Therapy;
3. failing to keep records;
4. falsifying a record relating to his practice;
5. signing or issuing, in his professional capacity, a document that he knew contained a false or misleading statement; and
6. engaging in conduct or performing 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.

Mr. Yoon admitted that from approximately 2017 to 2021, he issued, or permitted others to issue, false receipts and insurance reimbursement claims that identified him as the service provider when in fact those services were either not provided at all or were provided on other dates.

In 2021, after treating an insurance company's undercover investigator, Mr. Yoon also offered to backdate receipts so that the investigator could access unused insurance coverage from the previous year and apply those funds as credits for future treatments at Mr. Yoon's clinic. Shortly thereafter, Mr. Yoon issued the backdated receipt to the investigator.

Mr. Yoon also failed to complete treatment records following each treatment.

Finally, Mr. Yoon did not report to the College a name he commonly used in his Massage Therapy practice, which the College requires registrants to provide so that it can be included in the College's public register.

Penalty Order and Costs Award

The Discipline Committee's order included the following:

1. Mr. Yoon must appear before a panel of the Discipline Committee to be reprimanded immediately after the hearing in this matter, 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. Yoon's Certificate of Registration for a period of six months, starting on January 11, 2024.
3. The Registrar is directed to impose the following terms, conditions and limitations on Mr. Yoon's Certificate of Registration, all to be completed at Mr. Yoon's own expense:
 - a) Mr. Yoon must provide proof, acceptable to the Registrar, of successful completion of an individualized ethics course, pre-approved by the Registrar, relating to the findings in this case, within six months of January 11, 2024;
 - b) Mr. Yoon must successfully complete the College's recordkeeping workshop, within six months of January 11, 2024;
 - c) Mr. Yoon must complete the College's professionalism workshop, within six months of January 11, 2024;
 - d) Within two years of his return to practice, Mr. Yoon must participate in up to three compliance audits conducted by a College-appointed auditor, with the cost of each audit not exceeding \$500.
4. Mr. Yoon must pay the College costs of \$5,852 within one month of January 11, 2024.

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

Reprimand Delivered to Mr. Yoon

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

Mr. Yoon, the panel would like to acknowledge your cooperation in arriving at a joint submission on penalty, which assisted in the process and lessened the burden of time and resources upon the College and the profession. We also appreciate your presence here today. The panel would also acknowledge your proactive efforts at ethics remediation and your participation in the process.

Having said that, the panel finds that your conduct was totally unacceptable for a Registered Massage Therapist, and a regulated health professional. Registered Massage Therapists are expected to abide by and maintain a commitment to Standards of Practice and ethical requirements. The panel is extremely concerned by your lack of professional judgement.

The panel would like to remind you that being a Registered Massage Therapist and a member of this profession is a privilege and not a right. Actions such as yours put the public at risk and undermine the public's confidence in this profession and its ability to deliver safe, quality health care.