

Balance



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Fall 2009

CTCMA Newsletter

A New Look for Balance

The newsletter format has been redesigned and the paper upgraded for reader friendliness. The index is printed on the cover page to improve access to topics of interest.

Balance is mailed to every registrant. CTCMA decisions on standards, policies and guidelines are published in this newsletter. It is assumed that each registrant reads the newsletter and is aware of these matters.

The *Education Page* highlights standards, policies and guidelines related to education. This will be a useful reference source, for student registrants, and registrants who are continuing further education as well as current registrants in their roles as practitioners, educators, academics and examiners.

加拿大卑詩省中醫針灸管理局季刊由本期開始轉新裝，希望能為讀者帶來更方便的閱讀方式。

每期的 **Balance** 季刊都會郵寄給各位，希望能給大家帶來重要訊息。

首篇的“教育專欄”，強調與教育有關的標準，政策與指引。希望不止對學生有用，也許對有興趣繼續學習或是執業，從事教育，學術研究和擔任考官的註冊成員，有所裨益。

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Balance is the official publication of The College of Traditional Chinese Medicine Practitioners & Acupuncturists of British Columbia, Canada.

Balance 是加拿大卑詩省中醫針灸管理局的官式刊物。 www.ctcma.bc.ca

Chair's Report

Arden Henley, Ed.D., R.C.C.

Cause and Effect

At the Summer Solstice the sun reached the zenith of its journey to the north and turned to begin its trek to the south. The three peak yang days of the lunar calendar have now passed. Although the hot days of August are still before us the conditions creating first fall and, then winter, are in evidence. The grand oak tree outside my house, veteran of many cycles of the seasons, 'knows' fall is on its way. It whispers it in the cool summer breeze after the rain and shows it by turning a few leaves from the green of summer to the yellow of fall. From the patterns of nature we can learn a great deal about the process of life. The conditions we create in the present shape the future we will experience as if it lay in wait for our arrival.

In this spirit I would like to welcome new members of the profession who may be reading *Balance* for the first time and to congratulate existing registrants who have upgraded their credentials. You have created the conditions for an enhanced capacity to contribute to others and to the society. As I observed the activities of the TCM community during the intensely active periods of spring and early summer I was heartened by the continual learning that was taking place. Highly esteemed TCM practitioners from afar were welcomed by BC practitioners in seminars, workshops and in collegial conversations over dinner. Surely lifelong learning enhances the quality of

professional practice and personal development, as it makes an anti-aging contribution to all involved. I am deeply grateful to have the opportunity to share in this endeavour in some small way.

Cause and effect in nature illustrates a pragmatic principle and the basis of ethics. Along with the greater forces of the universe and the imperatives of nature we play a role in what the future holds for us individually and collectively, now and in the days in the future that we will experience and those which we will not experience, but nevertheless have had a role in shaping. The people of BC are the beneficiaries of a tradition of medicine with a long history and deep cultural roots in China. It is the future created by the masters and teachers of the past and present, known and unknown, named and unnamed and by countless practitioners over centuries. Our good work in the present can be an expression of gratitude, as well as a means of assuring the availability of this great tradition of medicine and wisdom for the days and years ahead.

因果

際此艷陽高照的夏至日，太陽從北轉向南，雖說爭秋奪暑的日子仍在眼前，惟三伏天已過，隨來的秋冬季節，還會遠嗎？大門外見證了多個寒暑的老橡樹，倦夏知秋，在盛暑的微風細雨後，它的葉片悄悄地換上微黃的秋裝。從老天爺那裡，我們學懂了生命的流程：眼前的努力，確為未來扎下了穩實的根基。

本著這一精神，在此我歡迎所有新的註冊成員，您們可能是首次閱讀這份季刊，也祝賀努力以赴，不斷提昇個人資歷的註冊成員。從中，大家創造了條件，增強能力，幫助他人和社會。我留意到中醫業界在春夏之間，熱情洋溢地投入和參予多起緊湊的延續學習系列活動，我為這種孜孜不倦的求進精神，感到欣慰。多位聲譽卓著，遠道而來的中醫專業人士，他們所參予的研討會、講習班和交流晚餐，都廣受本省業者的歡迎。顯然，終身學習不只提昇了專業質量和個人的發展，因為參予其中的，也許會感受到返老還童的意外收穫。我非常感激能夠有機會分享這些努力的成果。

因果關係說明了一個務實的原則和道德的基礎。隨著宇宙的無窮力量，以及自然界的定律，我們應該各自發揮天賦的角色，為未來遇到的或不會遇到的經驗，早作準備。今天，卑詩省民受惠於具有悠久歷史和深厚文化的傳統中國醫學，那是經過歷代無數海內外業界精英的努力，前人種樹，後人乘涼。大家目前的努力，除了表達對前人的感謝，也確保這一偉大的傳統醫學和智慧，得以流芳百世。

Education Page

In the first six months of 2009 CTCMA hosted two meetings with the TCM/A schools. Instructors and students may access Memos on standards, policies and guidelines sent to the schools throughout the year. The following is in response to FAQs from schools, instructors, student registrants and those applying for student registration. Questions received are answered directly and frequently asked questions are published in the Newsletter.

Q: Is it permissible to take training through distance education?

A: Distance learning is not acceptable for core courses listed in Schedule E. CTCMA requires all course work to be completed in a classroom, not by distance education. Such programs are not accepted in any of the regulated Canadian jurisdictions. However, distance learning is acceptable for meeting 2-year prerequisite providing that it is university transferable.

Q: If I graduate from an Alberta training program, am I eligible to take the CTCMA registration examinations?

A: No, examination applicants who have completed their training in a program located in another regulated Canadian jurisdiction are required to successfully pass the examination in that jurisdiction before being eligible for CTCMA registration. Such an applicant will not be eligible

for the CTCMA examination.

Q: As a student registrant attending a BC school, if I transfer to another BC school do I need to notify CTCMA?

A: Yes, you must notify us if you transfer to another school. You will then be issued a new ID card. There is no charge for the transfer.

Q: Is there a limit to the length of time in which I must complete my training program?

A: Yes, effective September 2009 the basic education or training program for registration as an acupuncturist or for registration as a traditional Chinese herbalist must be completed within five consecutive years. The ruling is the result of the need for currency and to ensure there are not significant gaps in basic education.

Q: Are credits from one training programs transferrable to another program?

A: Yes, under certain conditions. If from an out-of-province program, transfer credits must be from a training institution that is approved by the authority in the jurisdiction in which the training institution is located. The transfer credits must meet the CTCMA requirements. Transfer credits must be clearly identified in the transcript and require validation verifying the transferring institution. A copy of the original transcript from the transferring institution is required.

管理局在上半年跟中醫學校進行了兩次會議，教師和學生可以參考管理局跟校方聯絡，有關標準，政策和指引的備忘錄。以下的「問與答」是回應學校，教師，學生以及學生註冊申請的常見問題。

問：遙距課程(Distance Education)會被接受嗎？

答：根據管理局附例之附錄 E，遙距課程不被接受為核心學科的訓練。管理局要求所有學科，皆必須在課堂內完成。遙距課程亦不被加拿大其他實施中醫規管的地區所接受。但假如遙距課程是大學認可轉移學分的科目，則可被接受為「兩年大學程度」的入讀中醫先決條件。

問：假如申請人在阿省(Alberta)完成中醫課程，可以參加 CTCMA 的入職專業考試嗎？

答：不行。申請人必須先完成當地專業考試，才有資格申請 CTCMA 註冊。

問：學生在卑詩省內轉校，需要通知 CTCMA 嗎？

答：要的，轉校生必須通知 CTCMA，手續免費。我們會另發學生證給轉校生。

問：中醫訓練課程有沒期限？

答：從 2009 年 9 月開始，所有計劃投考針灸師或草藥師牌照人士，都必須在連續五年內完成有關課程。目的是確保有關訓練是適時，沒有脫節的。

問：訓練學分可以轉移嗎？

答：當滿足了某些條件後，訓練學分基本上是可以轉移的。假如是自省外的，則該省外學校必須被當地規管機構承認。申請轉移的學分也需符合 CTCMA 的要求，並列在核準機構所簽發的成績單上。同時需要提供成績單副本。

Inquiry & Discipline Report

The following summaries represent Inquiry investigations conducted in the first six months of this year.

Tariff fines may be applied to CTCMA registrants pursuant to Inquiry and Discipline activities. The tariffs are established under section 19(1)(v.1) of the Health Professions Act.

Professional Misconduct/ Sexual Misconduct

The College received notification from the Criminal Justice Branch of the Ministry of Attorney General that the R.Ac. was charged with three counts of sexual assault. The Inquiry committee commenced an investigation. Based on previous Inquiry investigation and on the information received, the committee decided that in order to protect the public, under section 35(1)(b) of the *HPA* it was necessary to suspend the registrant during its investigation.

Professional Misconduct/Sexual Misconduct

The College received information from Crown Counsel and the investigating police officer that four sexual assault charges were being considered against the R.TCM.P. The Inquiry committee commenced an investigation. The four alleged victims submitted statements to the College. Based on information received, the committee decided that in order to protect the public, under section 35(1)(b) of the *HPA* it was necessary to suspend the registrant during the investigation.

Professional Misconduct/ Sexual Misconduct

The College received a complaint alleging a Dr.TCM had failed to observe professional boundaries by having a sexual relationship with a patient. Following an investigation and issuance of a citation, the Inquiry Committee accepted a consent proposal from the registrant under section 37.1(13) of the *HPA*. Under the terms of the consent order, the registrant received a reprimand from the College; a six week suspension; and a fine of \$5,000. He agreed to attend counseling sessions with a psychologist designated by the College and at his cost.

Professional Misconduct/ Sexual Misconduct

The College received a report from Crown Counsel that a charge of sexual assault was laid against the R.Ac. The Inquiry Committee commenced an investigation. Based on information received, the committee decided that in order to protect the public, under section 35(1)(b) of the *HPA* it was necessary to suspend the registrant during its investigation.

Unauthorized Title

Twelve Registrants were reported, investigated and found to be using unauthorized titles, (CTCMA Bylaws section 4). The cases were resolved by way of Undertakings not to repeat the behavior, under *HPA* section 36.

Unauthorized Practice

Three Registrants were reported, investigated and found to be practicing Herbology when not registered to do so(CTCMA bylaws section 4). The cases were resolved by way of Undertakings not to repeat the behavior, under *HPA* section 36.

Code of Ethics

The College received a complaint alleging a Dr. TCM treated him disrespectfully during the course of his treatment.

Following an investigation, the Inquiry Committee determined to act under section 33 (6) (c) of the *HPA* to act under s. 36(1)(a) and s. 36(1)(d) to request that the Registrant consent to a reprimand; and to not repeat the behavior. The Inquiry Committee determined that the Registrant contravened the *CTCMA Bylaws* as it relates to conduct of a Registrant of the CTCMA, *Schedule A, Code of Ethics for Registrants Sec. 3 (a) (i) Responsibility to the client: Registrants are sensitive to and respectful of the client's needs, values, dignity, and choices.* The Registrant signed an "Undertaking" promising not to repeat the behavior. The file was closed.

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Improper Conduct

The College received a complaint alleging that the R.Ac. improperly touched the complainant during treatment in a manner that made the patient feel uncomfortable. The complainant further alleged that the R.Ac. commented in a derogatory manner about her body; and that she was not provided with or informed about appropriate draping. Following an investigation and based on the complainant's clinical record and the Registrant's response to the complaint, the Inquiry Committee determined to act under section 33 (6)(c) of the *HPA* to act under s. 36(1)(a) and s. 36(1)(d) to request that the Registrant consent to a reprimand; to refrain from engaging in any inappropriate comments during treatment of patients; to provide a written letter of apology to the complainant; to provide

appropriate draping material to all patients prior to treatment; to ensure that appropriate draping techniques are followed for all treatments; and to ensure that patient treatments are authorized by informed consent. The file was closed.

Section 33 (6) (a) of the Health Professions Act

The College received a written complaint against a number of registrants employed as clinical instructors at an educational institution. The complainant cited improper treatment and inappropriate behavior during the course of her treatments. Following an investigation and based on the complainant's clinical records and the Registrants' responses to the complaint, the Inquiry Committee determined under section 33 (6) (a) of the *HPA*, that there was no reason to take action against the Registrants

for allegedly breaching the College Bylaws, Standards of Practice sections. With the complainant's permission, a copy of the complaint was provided to the institution. The institution introduced a patient feedback form as a tool for clinical quality control. The file was closed.

以上有關"聆訊和紀律委員會"的簡報，闡述了兩委員會在過去半年內，所採取的多起調查行動。牽涉其中的註冊成員，個案經調查成立後，有可能被徵收懲罰性款項。(請參閱 *Health Professions Act—section 19(1) (v.1)*)

FAQ

For the following questions

1. Do I have to charge GST?
2. Do I have to charge PST?
3. How do I set up my business? build my clinic facilities?
4. What Health Department Guidelines do I have to follow?

There are requirements imposed by municipal, provincial and federal authorities – if you are setting up and running a private business/clinic. CTCMA cannot provide information on:

- municipal business licences

- municipal health and safety requirements
- provincial health requirements (Guidelines for Personal Service Establishments)
- GST on health services and supplies
- PST on supplies and services

For answers to these questions, we suggest you consult your

- Lawyer
- Accountant
- Colleagues

- professional associations
- Canada Revenue Agency
- BC Ministry of Finance

As a CTCMA registrant, you must practice in a competent and ethical manner. From time to time the CTCMA publishes Practice Standards (i.e. Draping, Consent to Treatment) for your guidance. CTCMA will provide answers to questions on **practice issues only**.

Canada Report

Agreement on Internal Trade

In 1994 the federal, provincial and territorial governments signed the Agreement on Internal Trade (AIT) to remove barriers to the free movement of persons, goods, services and investment in Canada. Chapter 7, the Labour Mobility Chapter, requires all regulatory bodies who have been delegated authority by governments to voluntarily reach mutual recognition to facilitate the mobility of qualified workers across Canada. The Labour Mobility Chapter was amended in 2009 and became effective April 1st. The governments agreed that workers registered in one province are able to obtain registration in another without additional material training, experience, examinations or assessment. Any exceptions must be justified as necessary to achieve a legitimate objective.

Under the rules of AIT a college is allowed to require an out-of-province applicant to: (1) demonstrate proficiency in English or in French if proficiency in the language was not a requirement for the applicant's out-of-province registration; (2) undertake, obtain or undergo additional material training, experience, examinations or assessment if he/she has not been practicing the profession within a period of time specified by the college, and (3) demonstrate knowledge in matters applicable to the practice of the professions such as local knowledge, jurisprudence and ethics.

Canadian Alliance of Regulatory Bodies

The College has taken a leadership role in establishing national standards. With financial support from the Government of British Columbia, and from Human Resources and Social Development Canada, CTCMA initiated meetings with Canadian TCM/A regulatory organizations. The Canadian Alliance of Regulatory Bodies for TCM Practitioners and Acupuncturists (CARB) was formed in 2008 with the stated mission to promote quality practice and labour mobility through collaborative activity. The mission statement responds to the Agreement for Internal Trade (see AIT article in this newsletter). CARB membership includes regulators from B.C., Alberta, Ontario, and Quebec. Newfoundland has joined the Alliance in anticipation of legislated regulation.

CARB has developed and nationally validated the entry-level Occupational Competencies for Acupuncturists in Canada (OCA). Earlier this year the boards of the CARB members approved the document. CARB has now drafted entry-level Occupational Competencies for TCM Herbolology in Canada (OCTCMH). A nationwide validation survey is currently being conducted.

CTCMA participation in both surveys has been excellent as registrants exercise their vital role in assessing the draft document.

Competencies identify the job tasks in which entry-level practitioners should be proficient in order to provide safe, effective and ethical practice. The Competencies form the framework for educational programs, examination/assessment and continued competency of the practitioner.

加拿大國內互換協定

加拿大的 Labour Mobility Chapter (勞動力流動法) 在 2009 年 4 月 1 日作出修訂：已經在某省份註冊的專業職工，應該可以在無需經過考試，從新訓練或接受評估下，在其他省份執業。根據 Agreement on Internal Trade AIT (加拿大國內互換協定) 的規則，各省的監管機構，可要求來自外省的申請人：證明他們有良好的英語或法語條件；假如停止執業一段時間，需再受訓練、執業經驗、考核或評估；同時還需要證明申請人明白該省的法例和道德標準。

加拿大監管機構聯盟

在聯邦和省政府的財政資助下，CTCMA 領導其他省份 (卑詩、阿省、安省、魁省和紐芬蘭省) 的中醫針灸監管機構，確立了全國性的統一標準，並於 2008 年成立了 CARB (加拿大監管機構聯盟)。聯盟於今年初確認了本國針灸師的入門專業職能，接著處理的是草擬草藥師的部份，並正進行全國性的問卷調查。入門專業職能確定業者遵守安全、有效和符合道德的執業，也為業者提供教育、考核/評估的框架。

How do I set up my new office

CTCMA office receives frequent calls from registrants who plan to set up a private practice. The registrants want to know WHAT guidelines they must follow in terms of public health guidelines, physical space setup etc. Please refer to the information on the website of BC's Ministry of Health Living and Sport – and download a copy of Guideline for Personal Service Establishments (PSEs) <http://www.health.gov.bc.ca/library/publications/year/2000/pse.pdf>

The Environmental Health Program within each Health Authority engages in regular inspections of businesses providing personal services - such as beauty salons, barbers, tanning salons and tattoo and body piercing establishments – to ensure that public health standards are being met. Public Health Inspectors also follow-up on health complaints associated with these

types of establishments. Personal services establishments are regulated by the “Personal Service Establishments Regulation”) under the Health *Profession Act*. More information can be found by doing a search on your Health Authority website or through information in the resources and publications (http://www.hls.gov.bc.ca/protect/ehp_pse.html#SE_RP) section.

管理局經常接到註冊成員有關設立私人診所的查詢。大家都想知道應該遵循那些公共衛生指引和如何佈置私人診所等等。

請大家參閱卑詩省健康生部和運動廳的網站，從中(<http://www.health.gov.bc.ca/library/publications/year/2000/pse.pdf>) 可以下載有關的指引。

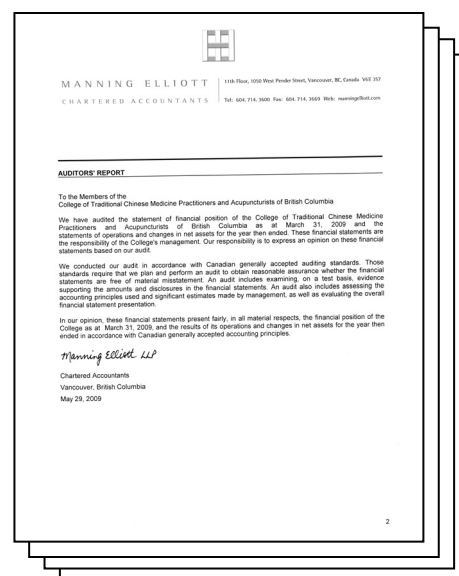
每一地區衛生局轄下的環境衛生計劃，對每一所提供個人護理服務的機構，例如美容院，理髮廳，太陽燈皮膚護理院，紋身和穿環等服務，都會進行定期檢查，以確保他們遵循公眾衛生標準。公共衛生督察並會跟進有關衛生事務的投訴。個人護理服務機構是受到專業衛生法(Health Professions Act)下的個人護理服務機構條例的監管。

詳情可以查詢您所在地區的衛生局網站 (<http://www.health.gov.bc.ca/socsec/index.html>) 或(http://www.hls.gov.bc.ca/protect/ehp_pse.html#PSE_RP#PSE_RP)

Audited Financial Statement 2008-2009

The 2008-2009 audit was conducted by Manning Elliott Chartered Accountants and received by the Board. Please download a copy of 08-09 Financial Statement from CTCMA web site (<http://www.ctcma.bc.ca/news.asp>) for details.

2008-2009 年度財務報告已由專業核數師完成核查，並經理事會確認，歡迎到管理局網站(<http://www.ctcma.bc.ca/news.asp>) 下載。



Student Registration

Over the past year CTCMA has been renewing student registrants in stages, gradually bringing the term of current registrants into line with provisions in the CTCMA bylaws. CTCMA bylaws state a student registration expires on the earlier of:

- March 31 of the following year or
- Six months after the student is no longer enrolled in an approved training program.

Thank you to all our patient student registrants who have waded through this adjustment process with us.

REMINDER: students must notify CTCMA when transferring schools. We will send you a new id tag – this transfer is **free**.

在過去的一年裡，管理局分階段更新了學生資歷的登記，逐步把目前註冊成員的登記年期更新，以符合管理局附例。有關學生註冊登記屆滿的規定如下：

- 來年的 3 月 31 日；或
- 當該學生有超過 6 個月的時間，不再就讀於經批准的培訓計劃；

謝謝您們的耐心，讓我們大家可以安然過渡這一調整期。

請注意：學生在轉換學校時，必須盡快通知管理局，以便管理局向您們提供新的免費名牌。

AGM 2009 Notice

The 2009 Annual General Meeting will be held on December 06, 2009 (Sunday) at Simon Fraser University Downtown Campus. (515 West Hastings Street Vancouver, BC) from 2pm to 4pm. The morning session from 9am to 1pm is free Continuing Education Session. Followed by the annual community dinner at Golden Great Wall Restaurant, Vancouver. Detailed information is coming soon. Please mark on your calendar.

December 06, 2009 (Sunday)

SFU Downtown Campus
515 West Hastings Street, Vancouver
09:00 ~ 13:00 Free CE seminars

14:00 ~ 16:00 AGM
(proxy form available on wed site)
Golden Great Wall Restaurant
705 West Boradway, Vancouver
18:30 ~ 21:30

2009年註冊成員大會

2009年註冊成員大會將於2009年12月6日(星期日)，下午二時至四時於西門菲莎大學市中心分校 (515 West Hastings Street, Vancouver, BC)。

當天上午(9時至下午1時)會安排免費延續教育課程，晚上則在長城飯莊舉辦周年聚餐晚會。詳情將稍後公告，請密切

留意2009年12月6日當天不容錯過的精彩活動。

2009年12月6日(星期日)

西門菲莎大學市中心分校
515 West Hastings Street, Vancouver
09:00 ~ 13:00
免費延續教育課程
14:00 ~ 16:00
註冊成員大會
(授權書可在CTCMA網站下載)

長城飯莊
705 West Boradway, Vancouver
18:30 ~ 21:30
周年聚餐晚會

CTCMA Board Members

Professional Members

Ann Yuan
David Huanwei Chen
Fang Liu
Harvey Hu
John Blazevic
Michael Chung

Public Members

Arden Henley
Bill MacLeod
Vivienne Stewart

Newsletter Editorial Board

Arden Henley
Mary Watterson
Angus Yuen

“Balance” and other publications circulated by CTCMA are the primary information for our registrants in British Columbia. Registrants are responsible for reading these publications to ensure they are aware of latest information, current standards, policies and guidelines.

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