

# Chen-Yueh (Ruth) WANG (04526)

Date of action: August 14, 2015

## Description of action taken

On March 19, 2015, the CTCMA initiated an investigation under s.33 of the Health Professions Act, R.S.B.C. 1996, c. 183 (the "Act") in response to an anonymous complaint against Chen-Yueh (Ruth) Wang (the "Registrant") and her husband Cheng-Yi (Bruce) Tsai (a former student registrant) alleging that:

1. the Registrant's husband inserted an acupuncture needle through the complainant's wife's clothing and into her skin without first cleansing the insertion site; and
2. following the acupuncture treatment the complainant's wife developed a mild infection at the needle site.

The complainant was concerned that the Registrant's husband may not be registered with the College and may be practicing without licensure. The Inquiry Committee appointed an inspector. The investigation revealed that:

1. Cheng-Yi (Bruce) Tsai was providing acupuncture treatment without registration;
2. the Registrant was promoting the services of her husband and had direct knowledge of his unauthorized practice of acupuncture;
3. the Registrant was allowing her husband to practice acupuncture and engage in conduct involving cracking bones at her clinic despite his lack of registration;
4. the Registrant provided the inspector with a receipt for acupuncture treatment that she did not provide for submission to an insurance provider; and
5. the Registrant indicated to the inspector that both she and her husband were acupuncturists but she only used her College registration number on the receipt.

There was no evidence that Cheng-Yi (Bruce) Tsai was inserting acupuncture needles through clothing. The Inquiry Committee determined under s.33(6)(c) of the Act to seek a consent order under s.36 of the Act with terms that would ensure that the Registrant did not repeat the conduct.

## Reasons for action taken

The Inquiry Committee determined that this was an appropriate case to seek a consent order because the Registrant:

1. contravened ss. 2, 3 and 5 of the Standards of Practice for Registrants and Code of Ethics for Registrants and engaged in professional misconduct by knowingly promoting and permitting an unauthorized individual, Cheng-Yi (Bruce) Tsai, to practice in her clinic without CTCMA registration and intentionally providing fraudulent receipts for

- submission to an insurance provider containing her name and registration number for acupuncture treatments that she did not provide; and
2. posed a risk to the public by permitting an unauthorized individual to practice acupuncture at her clinic.

### **Action taken**

The Inquiry Committee requested, and the Registrant agreed to provide, an undertaking and consent under s. 33(6) of the Act to:

1. not repeat the conduct of permitting an unauthorized individual to provide acupuncture at her clinic without mandatory CTCMA registration;
2. not repeat the conduct of issuing fraudulent receipts for acupuncture treatments that she did not provide;
3. not repeat the conduct of permitting an unauthorized individual from engaging in conduct involving cracking bones outside the proper scope of reflexology in her clinic;
4. pay a fine for her professional misconduct as it relates to knowingly permitting Cheng-Yi (Bruce) Tsai to provide acupuncture treatments in her clinic without mandatory CTCMA registration;
5. a 3 month suspension of her clinical practice for her professional misconduct as it relates to knowingly permitting Cheng-Yi (Bruce) Tsai to provide acupuncture treatments in her clinic without mandatory CTCMA registration and providing fraudulent receipts for submission to an insurance provider containing her name and registration number for acupuncture treatments she did not provide;
6. provide the Inquiry Committee with an essay, written in Chinese but translated at her cost into English, consisting of not less than 1,500 words outlining the responsibilities of registrants to conduct themselves in an ethical and professional manner and to follow regulatory requirements and guidelines in relation to their practices with reference to the Act, the Traditional Chinese Medicine and Acupuncturists Regulation, the College bylaws and standards of practice, within 60 days of the date of the consent order and to make such changes to the essay on the terms directed by the Inquiry Committee if it is not acceptable;
7. attend and successfully complete courses on professional responsibility, professional ethics, and clinical record-keeping at her cost within six (6) months of the date of the consent order;
8. cooperate with random chart audits by an inspector appointed by the Inquiry Committee for a period of one year commencing the completion of her suspension; and
9. pay investigation costs of as calculated in accordance with the tariff under the College's bylaws.