

# Cheng-Yi (Bruce) TSAI (04101)

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 Cheng-Yi (Bruce) Tsai, who is a former student registrant, and his wife Chen-Yueh (Ruth) Wang alleging that:

1. he 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 also expressed concerns that Mr. Tsai may not be a registrant of the College and may be practicing without licensure. The Inquiry Committee appointed an inspector. The investigation revealed that:

1. Mr. Tsai was providing acupuncture treatment without registration;
2. Mr. Tsai was engaging in practices involving the 'cracking' of bones and that he was purporting to do so as a registered reflexologist.

There was no evidence that Mr. 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 Mr. Tsai 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 Mr. Tsai:

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 providing acupuncture treatment without CTCMA registration;
2. posed a risk to the public by engaging in the unauthorized practice of acupuncture; and
3. engaged in conduct that does not constitute proper reflexology practices.

## Action taken

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

1. not repeat the conduct of engaging in the unauthorized practice of acupuncture and/or traditional Chinese medicine without mandatory CTCMA registration;
2. not repeat the conduct of engaging in conduct involving cracking bones outside the proper scope of reflexology;
3. pay a fine for his professional misconduct as it relates to providing acupuncture and/or traditional Chinese medicine treatments without mandatory CTCMA registration;
4. to consents to a three (3) month suspension of his clinical practice in the event that he successfully completes the College clinical examination and obtains full registration for his unprofessional conduct as it relates to engaging in unauthorized practice of acupuncture which suspension will commence upon being granted full registration;
5. provide the Inquiry Committee with an essay, written in Chinese but translated at his 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;
6. attend and successfully complete courses on professional responsibility, professional ethics, and clinical record-keeping at his cost within six (6) months of the date of the consent order;
7. cooperate with random chart audits by an inspector appointed by the Inquiry Committee for a period of one year commencing the completion of his suspension; and
8. pay investigation costs of as calculated in accordance with the tariff under the College's bylaws.