

Cheng Ku (Steven) HUANG (02470)

Nature of Action:

Following the issuance of a citation giving notice of a discipline hearing, Cheng Ku Huang (the “Respondent”) made a proposal under section 37.1 of the *Health Professions Act*, RSBC 1996, c 183 (the “Act”) to enter a consent order with the Inquiry Committee of the College of Traditional Chinese Medicine and Practitioners of British Columbia (the “College”).

The Inquiry Committee accepted the section 37.1 proposal in resolution of the matter. As such, the Committee directed the Registrar to cancel the citation and a discipline hearing will not proceed.

Effective date: January 25, 2024

Name of registrant: Cheng Ku (Steven) Huang, R. TCM. P

Location of practice: Chilliwack, BC

Reasons for action taken:

On August 14, 2020, the Respondent entered into a consent agreement with the College in accordance with sections 33(6)(c) and 36 of the Act (the “2020 Consent Order”). The 2020 Consent Order required the Respondent to, among other things:

1. have an approved chaperone present for all visits with female patients for a minimum period of one (1) year up to a maximum of five (5) years from the date of the order, extensions beyond one (1) year at the discretion of the Inquiry Committee of the College (the “Inquiry Committee”);
2. document the name of the chaperone present for each visit in the female patient’s clinical record; and
3. provide a weekly report to the College listing each treatment of a female patient, the patient’s contact information, and noting the name of the chaperone who was present during each visit.

On July 19, 2023, the Inquiry Committee directed that an inspection be carried out at the Respondent’s clinic to inquire into his compliance with the 2020 Consent Order.

The College reviewed a subset of the Respondent’s clinical records and interviewed a number of the Respondent’s female patients. Upon inspection of the Respondent’s clinical records, the College inspectors observed that none of the selected patients’ clinical records contained the name of the approved chaperone who attended during the female patient’s

treatment. During their interviews, nine of the Respondent's patients did not recall a chaperone being present during their treatment at the clinic. The College inspectors reviewed the Respondent's weekly reports to the College and observed that the female patients were recorded on the weekly reports but that according to the reports, a chaperone was present for each of the female patients' visits. The Respondent was provided an opportunity to respond to the College's findings and acknowledged that he did not comply with all the terms of the 2020 Consent Order.

The Inquiry Committee considered the information gathered during the investigation and the Respondent's written response. On balance, the Inquiry Committee was concerned the Respondent breached the terms of the 2020 Consent Order by: (1) failing to record the name of the chaperone who was present at each visit with a female patient in their respective clinical record; (2) failing to ensure the presence of an approved chaperone for each visit with a female patient during the entirety of the visit or at all; and (3) providing information to the College in his weekly reports that appeared to be incorrect or misleading in light of the reports provided by the female patients contacted by the College.

Action taken:

The Inquiry Committee considered the Respondent's proposal under section 37.1 of the Act and determined that it contained adequate terms to protect the public and to ensure specific and general deterrence to the profession. The Consent Order included the following terms:

- The Respondent admitted the allegations set out in the Citation and undertook not to repeat any of the conduct identified by the investigation.
- The Respondent consented to a three (3) week suspension of his practice of traditional Chinese medicine and acupuncture.
- The Respondent cannot treat female patients unless a chaperone approved by the College is present during the entirety of each treatment performed by the Respondent until November 3, 2024, or such later date as the Inquiry Committee sets in accordance with the terms of the 2020 Consent Order.
- The Respondent must post notices that are 8^{1/2} x 11" in size, in English and Chinese, on or near the entrance of every treatment room in his clinic indicating that female patients must have a chaperone present for treatment at all times.
- Prior to treating a female patient, the Respondent must verbally advise the patient of the chaperone requirement and seek her consent to having the chaperone in the room during treatment. If the patient does not consent, the Respondent may not treat the patient.
- The Respondent must request his female patients to review and sign a document confirming the attendance of a chaperone during their treatment.

- The Respondent must successfully complete a remedial ethics course within 12 months of the date of the Order.
- The Respondent must pay the College's investigative costs.
- The Respondent acknowledges that the Order is considered to be an order of the Discipline Committee made under section 39 of the Act.