

# Su Lan (Mary) LEE (01615)

**Effective date:** May 15, 2023

**Name of registrant:** Su Lan (Mary) Lee, R.Ac.

**Location of practice:** Sechelt, BC

On November 17, 2022, pursuant to s. 39(1)(c) of the *Health Professions Act*, RSBC 1996, c. 183 (the “HPA”), the Discipline Committee Panel determined that Ms. Su Lan (Mary) Lee (the “Respondent”) engaged in professional misconduct by:

- a) Breaching a consent order she executed on or about February 27, 2012 (the “2012 Consent Order”) by continuing to provide blood-letting to two patients after having undertaken not to repeat the conduct of blood-letting in her practice at paragraph 3 of the 2012 Consent Order;
- b) Contravening Standard 2.8 of the College’s Standards of Practice for Registrants and the Clinical Record Keeping Practice Standard by failing to keep proper clinical records for two patients; and
- c) Contravening an order imposed by the College’s Inquiry Committee on November 4, 2021, pursuant to section 35 of the HPA, by engaging in the unauthorized practice of traditional Chinese medicine and/or acupuncture while her registration was suspended.

Subsequently, after considering submissions from the Respondent and from the College regarding action to be taken under s. 39 of the HPA, the Panel issued an order and reasons on penalty and costs dated May 15, 2023.

## **Reason for Action:**

The Panel determined that the Respondent committed professional misconduct by breaching the 2012 Consent Order, contravening the College’s standards of practice for record keeping, and contravening the Section 35 Order by engaging in unauthorized practice while her registration was suspended.

The Panel concluded that the Respondent’s repeated non-compliance with the College’s orders indicated that she did not accept the regulatory role of the College and considers herself able to breach orders made regarding her practice when it is in her interest to do so. The Panel observed that the Respondent did not identify any health or other issues to explain her conduct, nor did she meaningfully acknowledge this conduct or take steps to remediate.

The Panel concluded that the Respondent is ungovernable, and that further orders or conditions on her registration would not be effective. The Panel was satisfied that the Respondent's conduct constituted serious misconduct that required the cancellation of her registration. The Panel also considered it appropriate to require the Respondent to complete remediation before being eligible for reinstatement, given concerns regarding her record-keeping and her failure to comply with the College's standards.

**Penalty:**

Following the penalty hearing, the Panel imposed the following penalties under s. 39(2) of the HPA:

- a) The Respondent's registration is cancelled as of the date of the Panel's order;
- b) The Respondent is not eligible to apply for reinstatement of her registration until May 15, 2028;
- c) The Respondent is not eligible to apply for reinstatement of her registration until she has successfully completed the following:
  - I "Medical Record Keeping Seminar", presented by the Center for Personalized Education for Professionals and "Clinical Record Keeping for TCM Professionals", presented by Eastern Currents; or
  - II Alternative course or courses related to medical record-keeping that are approved in advance by the Registrar of the College; and
- d) The Respondent must pay costs to the College in the amount of \$13,847.07.

For greater certainty, the Panel made clear that the conditions on the Respondent's eligibility for reinstatement, as set out in paragraph (b) and (c) above, were in addition to all requirements set out in the College Bylaws, and the Respondent's eligibility for reinstatement remains at the discretion of the Registration Committee in accordance with section 20 of the HPA or equivalent sections in the *Health Professions and Occupations Act* (or other successor legislation) at the time the application is made.