

# Hyeokcheon (HC) Kwon, RMT

## Location:

Vancouver, BC

## Date of Action:

December 19, 2022

Pursuant to section 35(1)(a) of the *Health Professions Act* (the “Act”), a panel of the Inquiry Committee made an order to impose limits and conditions on Hyeokcheon Kwon’s registration with CMTBC in order to protect the public.

The limits and conditions on Mr. Kwon’s practice of massage therapy were that:

- when treating female patients, he may not treat, or otherwise touch, the area located on the front side of the body between the clavicles (collarbones) and the 9<sup>th</sup> ribs;
- he must immediately post a notice on his “biography” section of the website for each clinic at which he provides massage therapy treatment with a link to this public notice, and stating that he is prohibited from treating or otherwise touching the area located on the front side of the body between the clavicles (collarbones) and 9<sup>th</sup> ribs;
- he must also post the online notice referred to above on all online booking pages associated with him;
- he must also post in a prominent place in any treatment room where he provides massage therapy treatment a notice stating that he is prohibited from treating or otherwise touching the area located on the front side of the body between the clavicles (collarbones) and 9<sup>th</sup> ribs (the notice is only required to be posted in the treatment room when he is treating a patient).

**Reasons:** On October 16, 2022, CMTBC received a complaint from a female patient of Mr. Kwon (the “Patient”). In relation to this complaint, the Inquiry Committee panel found that there was a *prima facie* case of the allegations that, during the provision of massage therapy to the Patient, Mr. Kwon exposed two sensitive areas of the Patient’s body without the Patient’s consent, and that Mr. Kwon massaged the Patient’s chest area under the draping without the Patient’s consent.

The Inquiry Committee panel considered the allegations to be serious and found that there would be a risk of recurrence if an interim order were not made. Therefore, the panel determined that the public must be protected by an interim order during the investigation and pending any discipline hearing.

The panel considered what interim measures should be sufficient and proportionate in this case. Having weighed the different options and the circumstances of this case, and having considered the impact on Mr. Kwon, the Inquiry Committee panel concluded that the above-described limits and conditions are proportionate and sufficient to protect the public during the investigation or pending a discipline hearing.

**Important Note:** Limits, conditions and suspensions ordered by the Inquiry Committee under section 35(1) of the Act are made to protect the public during an investigation or pending a hearing of the Discipline Committee. Measures taken under section 35(1) of the Act pertain to allegations which are and remain unproven unless admitted by a registrant or determined by the Discipline Committee.