

IN THE MATTER OF A HEARING BY THE DISCIPLINE COMMITTEE OF THE
COLLEGE OF COMPLEMENTARY HEALTH PROFESSIONALS OF BRITISH
COLUMBIA PURSUANT TO THE *HEALTH PROFESSIONS ACT* RSBC 1996, c.183

BETWEEN:

The College of Complementary Health Professionals of British Columbia

(the “College”)

AND:

Yin-Jen Hsu, R. Ac.

(the “Respondent”)

PENALTY AND COSTS DECISION

Dates of Hearing:

In writing with party submissions
closing on July 10, 2026 and
Panel questions ending August 4,
2026

Panel of the Discipline Committee (the “Panel”)

Roland Mitchell, Chair
Dorothy Barkley
Jacqueline Chan, Dr. TCM

Counsel for the College:

Allan Doolittle
Katrina Labun

For the Respondent:

Yin-Jen Hsu, R. Ac.

Counsel for the Panel:

Susan Precious

A. Introduction

1. On January 9, 2026, the College issued a citation (the “Citation”) pursuant to section 37 of the *Health Professions Act*, RSBC 1996, c.183 (the “HPA” or “Act”) naming Yin-Jen Hsu as Respondent.
2. This panel of the Discipline Committee (the “Panel”) of the College of Complementary Health Professionals of British Columbia (the “College” or “CCHPBC”) was appointed to conduct a discipline hearing that took place from February 25 to 27, 2026 (the “Discipline Hearing”).
3. The Panel released its conduct decision on May 21, 2026 (the “Conduct Decision”). The Panel found that all of the allegations in a citation issued by the College (the “Citation”) against the Respondent were proven to the requisite standard and that the Respondent’s conduct constituted professional misconduct. The Panel found that:
 - a. The Respondent failed to take reasonable steps to ensure his employees were not engaging in sex work;
 - b. The Respondent issued receipts for acupuncture services to patients who received massage services but did not receive acupuncture services in violation of the College of Traditional Chinese Medicine Practitioners and Acupuncturists (“CTCMA”) Jurisprudence Course Handbook;
 - c. The Respondent failed to keep adequate patient health records and patient consent to treatment forms in violation of section 2.2 of CTCMA’s Practice Standard on Clinical Record-Keeping;
 - d. The Respondent failed to keep a daily appointment log in violation of section 1 of CTCMA’s Practice Standard on Clinical Record-Keeping; and
 - e. The Respondent failed to properly store and dispose of acupuncture needles in violation of section 6 (a) (i) of the CTCMA Code of Ethics (Schedule A to the CTCMA Bylaws).
4. The Panel set a schedule for written submissions on penalty and costs which closed on July 10, 2026. The Panel has considered both parties submissions in arriving at its decision.
5. The College submits that the conduct was serious, took place over multiple years and involved multiple areas of the Respondent’s practice. The College seeks the following orders:

- a. The Respondent is reprimanded pursuant to section 39(2)(a) of the HPA;
 - b. The Respondent's registration is suspended for 18 months pursuant to section 39(2)(c) of the HPA, effective immediately;
 - c. As a condition of the reinstatement of his registration, the Respondent is required to successfully complete a course on professional ethics and record-keeping approved by the College, at the Respondent's expense, pursuant to section 39(8)(a) and (b)(ii) of the HPA;
 - d. After the suspension is lifted, the Respondent is required to submit to up to three practice inspections in two years at the Respondent's expense, pursuant to section 39(8)(c) of the HPA; and
 - e. The Respondent is required to pay costs of \$17,500 pursuant to section 39(5) of the HPA, which costs must be paid within 18 months of the date of the Panel's order and prior to reinstatement of the Respondent's registration.
6. The Respondent submits that the College's proposed sanctions are an excessive form of punishment that would exceed what is necessary to protect the public. He submits that the following would be more appropriate penalties:
- a. Reprimand;
 - b. Professional training requirements;
 - c. Short-term supervision;
 - d. Fine;
 - e. 6 or 12 month suspension.

B. Legal Framework

7. The Panel's authority to impose penalties and costs following a discipline hearing is found in section 39 of the HPA which provides:
- 39 (2) If a determination is made under subsection (1), the discipline committee may, by order, do one or more of the following:
- (a) reprimand the respondent;
 - (b) impose limits or conditions on the respondent's practice of the designated health profession;
 - (c) suspend the respondent's registration;
 - (d) subject to the bylaws, impose limits or conditions on the management of the respondent's practice during the suspension;

(e) cancel the respondent's registration;

(f) fine the respondent in an amount not exceeding the maximum fine established under section 19 (1) (w).

(5) If the discipline committee acts under subsection (2), it may award costs to the college against the respondent, based on the tariff of costs established under section 19 (1) (w.1).

...

(7) Costs awarded under subsection (5) must not exceed, in total, 50% of the actual costs to the college for legal representation for the purposes of the hearing.

(8) If the registration of the respondent is suspended or cancelled under subsection (2), the discipline committee may (a) impose conditions on the lifting of the suspension or the eligibility to apply for reinstatement of registration,

(b) direct that the lifting of the suspension or the eligibility to apply for reinstatement of registration will occur on

(i) a date specified in the order, or

(ii) the date the discipline committee or the board determines that the respondent has complied with the conditions imposed under paragraph (a),
and

(c) impose conditions on the respondent's practice of the designated health profession that apply after the lifting of the suspension or the reinstatement of registration.

8. The leading cases on the factors to be applied in determining the appropriate penalty in a professional discipline proceeding are *Law Society of British Columbia v. Ogilvie*, [1999] LSBC 172 ("Ogilvie") and *Law Society of BC v. Dent*, 2016 LSBC 05 ("Dent").

9. The *Ogilvie* case outlined the following factors to consider:

- a. the nature and gravity of the conduct proven;
- b. the age and experience of the member;
- c. the previous character of the member, including details of prior discipline;
- d. the impact upon the victim;
- e. the advantage gained, or to be gained, by the member;
- f. the number of times the offending conduct occurred;

- g. whether the member has acknowledged the misconduct and taken steps to disclose and redress the wrong, and the presence or absence of other mitigating circumstances;
 - h. the possibility of remediating or rehabilitating the member;
 - i. the impact on the member of criminal or other sanctions or penalties;
 - j. the impact of the proposed penalty on the respondent;
 - k. the need for specific and general deterrence;
 - l. the need to ensure the public's confidence in the integrity of the profession; and
 - m. the range of penalties imposed in similar cases
10. The *Dent* case consolidated the factors as following:
- a. The nature, gravity and consequences of the conduct;
 - b. The character and professional conduct record of the respondent;
 - c. Any acknowledgement of the misconduct and remedial action; and
 - d. Public confidence in the legal profession including public confidence in the disciplinary process.
11. Not all factors will apply in every case.

C. Analysis

12. The Respondent addressed matters relevant to several of the *Ogilvie / Dent* factors, which the Panel analyses below. At a general level, the Respondent submits that there are no aggravating factors and that there are mitigating circumstances relevant to penalty. Specifically, he notes that:
- a. He has practiced for many years and has no disciplinary record;
 - b. He fully cooperated with the investigation and provided required documents;
 - c. He has gained a deeper understanding of professional standards;
 - d. He has made substantial corrective actions, including reviewing receipt and record-keeping procedures, establishing a more rigorous document

management and invoicing system, and strengthening compliance awareness; and

- e. He has deeply reflected on the impact of his conduct on the profession and says he does not pose a continuing risk to the public.

The nature, gravity and consequences of the conduct

13. The College submits that the Respondent's misconduct was serious and occurred over an extended period. The College points to the Respondent's failure to take reasonable steps to prevent sex work from occurring at the clinic despite the Panel's finding that he "suspected and indeed knew" it was happening from at least 2017 to 2022; his provision of false acupuncture receipts to customers for a higher fee, knowing they intended to use the receipts to obtain insurance benefits to which they were not entitled; his falsification of patient records by recording acupuncture services where only massage had been provided; and his persistent failure to maintain adequate clinical records, which the Panel found put the public at risk and could undermine confidence in the profession.
14. The College submits that these concerns were not isolated. Rather, they involved several areas of the Respondent's practice and continued for a number of years.
15. The College further submits that the Respondent derived an economic benefit from customers who received false receipts and submits that he also benefited from customers who received sexual services at the clinic.
16. The College submits that, even though there was no individual complainant, the misconduct had consequences and created risks of harm to staff, patients, and the Respondent.
17. With respect to the false receipts, the College submits that this conduct amounted to insurance fraud and caused public harm. It relies on the September 23, 2025 Consent Resolution of Guo Ai Xin, R.Ac., in which the Inquiry Committee described false billing as a fundamental breach of trust between a health professional and the public, noting that insurance systems depend on accurate and honest billing and that falsified documentation can misuse resources intended for patient care and harm both patients and the profession.
18. The College also submits that the Respondent's failure to take reasonable steps to prevent sex work at the clinic contributed to both individual and societal harms. It relies on Government of Canada statements describing sex work as a form of sexual exploitation that disproportionately affects women and girls, creates risks of violence and psychological harm, and undermines human dignity.
19. Finally, the College submits that the unsafe disposal and storage of used needles created a risk of injury and infection to the Respondent, staff, and patients. Because the Respondent kept used needles at his home for up to a year, the College says the risk extended to his family and others in the home.

20. The College submits that this factor calls for a significant penalty.
21. The Respondent acknowledges shortcomings in clinic management but submits that the employee sex work was an isolated incident. He says there were no prior complaints, warning signs, or reasonable cause to believe such conduct would occur. He also says the clinic had a zero-tolerance policy prohibiting sexual services or other unprofessional conduct, and that he terminated the employee and reiterated the policy when he learned of the misconduct.
22. The Respondent acknowledges that some receipts did not accurately reflect the services provided and that this was inappropriate. However, he submits that the issue arose from administrative errors and misjudgments, not from a lack of integrity or deliberate financial gain. He says there is no evidence that he intended to deceive patients or insurers, no evidence of systematic or organized fraud, and no evidence that anyone improperly benefited.
23. The Respondent submits that the case does not involve patient complaints, financial losses, coercion or exploitation of patients, ignored complaints, concealment of evidence, continuous or systemic violations, or a real risk to public safety.
24. The Panel finds that the Respondent's proven conduct was serious. There were multiple different forms of that conduct over an extended period of time which also makes the conduct more serious.
25. The Panel is not persuaded by the Respondent's submission that the conduct was isolated and not serious. That submission is inconsistent with the Panel's findings in the Conduct Decision. The Panel found that the employee sex work was not an isolated incident, that the Respondent had ongoing reason to know that sexual services were occurring at the clinic, that the clinic did not maintain a zero-tolerance policy in practice, and that the Respondent failed to take timely and reasonable steps to prevent the activity. The Panel also found that the Respondent regularly issued false receipts over an extended period, that this conduct was dishonest, that the Respondent derived an economic benefit from customers who received false receipts, and that the Respondent's patient records falsely recorded acupuncture services where only massage had been provided.
26. The Panel also rejects the Respondent's submission that there was no concealment or covering up. In the Conduct Decision, the Panel found that the Respondent dishonestly created the AI Records and the February 20 Records and provided them to the College after being served with the Citation. The Respondent's misconduct spanned years and involved different types of infractions, including clinic management, false billing, inadequate record-keeping, and unsafe needle storage and disposal. The Panel further found that the Respondent's conduct created risks to the public, including risks arising from inadequate patient records and continuity of care, and that the unsafe handling of needles exposed those in the treatment room to the risk of infection and puncture injury and contributed to an unsafe clinical environment.

27. The Panel finds that this factor calls for a significant penalty.

The character and professional conduct record of the respondent

28. The College submits that the Respondent has no professional conduct record. He is, at present, an experienced member of the profession having been registered in 2014. The Respondent's misconduct began when he was a relatively junior member of the profession but continued for five years until he was investigated by the College.
29. The College submits that the Respondent's lack of professional conduct record is a mitigating factor in this case.
30. The Respondent submits that he has practiced for many years and has no disciplinary record.
31. The Panel finds that the Respondent has been registered since 2014. The Panel finds that the Respondent's absence of a professional disciplinary record is a mitigating factor in his favour.
32. However, the Panel also considers that mitigating factor in context. The misconduct found in the Conduct Decision continued over a number of years, including much of the period during which the Respondent had no prior disciplinary record. The Respondent's length of service can be viewed in two ways. While he practiced for a lengthy period without prior discipline, this was not an isolated mistake by an inexperienced member of the profession. As an experienced registrant, the Respondent ought to have known better.
33. The Panel finds that this factor has mixed qualities.

Any acknowledgement of the misconduct and remedial action

34. The College accepts that the Respondent made some acknowledgements during the discipline hearing but submits that those acknowledgements were limited and did not amount to meaningful acceptance of responsibility. The College submits that the Respondent did not complete any remedial action.
35. The College submits that the Respondent did not admit the misconduct before the hearing. Although he ultimately admitted many of the facts alleged in the Citation, he did so only during the hearing, after the College had incurred the expense of preparing for and conducting the proceeding.
36. The College notes that, in his opening statement, the Respondent said he had made errors, was concerned about them, would be vigilant in future, and wished to learn from the discipline process.
37. The College also acknowledges that, in his testimony, the Respondent admitted many of the underlying facts, although in some instances only after being confronted

with his interview statements. He also testified that he had taken steps to bring his practice into compliance, including stopping the false receipt practice and increasing supervision of employees to prevent sex work at the clinic.

38. However, the College submits that these acknowledgements were undermined by other parts of the Respondent's evidence and argument, in which he minimized the seriousness of the misconduct, offered explanations for non-compliance, or denied responsibility. The College points to the Respondent's positions that there was no pattern of sexual misconduct by employees, that he responded appropriately when he became aware of misconduct, that he issued an acupuncture receipt to the undercover investigator because it was demanded, that he did not intend to defraud insurers despite knowing the receipts would be used to obtain insurance benefits, and that his record-keeping failures resulted from insufficient understanding rather than intentional or neglectful non-compliance.
39. The College further relies on the Respondent's production of the AI Records and the February 20 Records shortly before the hearing. The Panel found in the Conduct Decision that those records were not the Respondent's true records from the material times that he acted dishonestly by creating and providing them to the College after being served with the Citation.
40. The Respondent submits that he respects the Panel's Conduct Decision and acknowledges shortcomings in clinic management and in the handling of receipts and discarded needles. He says that he does not shirk responsibility or downplay the seriousness of the issues. He submits that, after realizing the problems with receipts and record-keeping, he immediately ceased the relevant practices, reviewed his receipt and record-keeping procedures, established a more rigorous document management and invoicing system, and strengthened compliance awareness. The Respondent also submits that he fully cooperated with the investigation, provided required documents, gained a deeper understanding of professional standards, made substantial corrective actions, deeply reflected on his conduct, and rectified the systemic deficiencies such that he does not pose a continuing risk to the public.
41. The Panel finds that the Respondent's submissions on this factor do not amount to meaningful acknowledgement of the misconduct found in the Conduct Decision or meaningful remedial action. The Panel found that the Respondent created and submitted false records to the College after being served with the Citation. That conduct is inconsistent with the Respondent's submission that he fully cooperated and provided required documents. The Panel also finds that the Respondent's submissions continue to minimize the seriousness of the misconduct by characterizing the false receipts and record-keeping issues as administrative errors and by maintaining positions that are inconsistent with the Conduct Decision, including that there was no intentional fraud, no systematic or continuous misconduct, no concealment, no public safety risk, and no personal involvement in misconduct. The Panel therefore finds that the Respondent has not demonstrated meaningful insight into, or responsibility for, the misconduct found by the Panel.

42. The Panel is also not satisfied that there is any evidence of meaningful remediation steps taken by the Respondent.
43. The Panel finds that there are no mitigating aspects for the Respondent under this factor.

Public confidence in the profession including public confidence in the disciplinary process

44. The College submits that public confidence in the profession and in the disciplinary process requires a serious penalty in this case. It relies on the College's statutory duty to serve and protect the public and to exercise its powers in the public interest. The College submits that the imposition of a serious penalty for serious misconduct is necessary both to protect the public and to maintain public confidence in the profession.
45. The College relies on the Panel's findings that the Respondent conducted his practice in a way that would tend to undermine public confidence in the profession, including by allowing sex work to take place at the clinic, routinely engaging in fraudulent billing activities, and failing to keep the required records. The College submits that a significant penalty is required to maintain confidence in the profession and in the discipline process.
46. The College submits that the range of penalties imposed in similar cases indicates that a significant suspension, remedial education, and practice inspections or audits are appropriate in this case. The College relies on the following authorities.
 - a. In *Ontario (College of Traditional Chinese Medicine Practitioners & Acupuncturists of Ontario) v Xiao*, 2022 ONCTCMPAO 16, the registrant frequently issued receipts for acupuncture services to persons who had not received acupuncture services, including customers who had actually received massage services or sexual services, and for services and dates that did not accurately reflect the services rendered or the dates on which they were rendered. The registrant also permitted and knowingly facilitated the sale of sexual services to clients from his clinics and failed to maintain certain classes of required records. He admitted the allegations. The penalty included a 24-month suspension, a reprimand, remedial education and a 2,000-word reflective essay, three unannounced inspections of his practice within two years at his expense, and costs of \$10,000.
 - b. In a consent order entered into with Yuan Ann Yuan dated January 12, 2024, the Inquiry Committee of CTCMA set out concerns about inappropriate billing, including providing receipts in advance of treatment; failure to meet the Practice Standards on Clinical Record Keeping and "Communicable Diseases: Preventing Practitioner-to-Patient Transmission"; misuse of title; performing a restricted activity; failing to comply with marketing requirements; and failing to obtain a valid business

licence. The penalty included a 12-month suspension, completion of remedial education, up to three compliance audits for two years at the College's discretion, a reprimand, undertakings, and a fine of \$11,426.

- c. In *Ontario (College of Traditional Chinese Medicine Practitioners & Acupuncturists of Ontario) v Xiao Chun Xu*, 2018 ONCTCMPAO 26, the registrant issued invoices for acupuncture treatment that she had not provided to facilitate improper insurance claims. She also falsified treatment notes by indicating that treatments had taken place when they had not. The registrant admitted the conduct. The penalty included a 12-month suspension, completion of remedial education, a reprimand, and costs of \$3,000.
- d. In *Ontario (College of Traditional Chinese Medicine Practitioners & Acupuncturists of Ontario) v David Moon*, 2020 ONCTCMPAO 9, the registrant submitted more than 200 claims to an insurer for treatments that he had not actually rendered or that were unsupported by his records. He also failed to maintain treatment notes and accurate billing records, and he lost and altered records. The registrant admitted the allegations. He also attempted to bribe the College investigator in exchange for omitting evidence from his report. The penalty included a 9-month suspension, completion of remedial education, participation in up to three practice inspections at his own expense within two years of his return to practice, and costs of \$10,000.
- e. In *Ontario (College of Traditional Chinese Medicine Practitioners & Acupuncturists of Ontario) v Tang*, 2017 ONCTCMPAO 9, the registrant issued a receipt for RMT massage using her son's name when she was not an RMT, failed to keep adequate records, and disposed of used needles in an inappropriate and unsanitary storage container. The registrant admitted the misconduct. The penalty included an 8-month suspension, with the opportunity to remit four months if she satisfied certain requirements, completion of a practice assessment at her expense, a reprimand, and costs of \$2,500.
- f. In a Consent Resolution with Guo Ai Xin, R.Ac. dated September 23, 2025, the Inquiry Committee of CCHPBC set out concerns that the registrant signed a receipt for acupuncture treatment using her name and registration number when she had not provided any service to the patient. She also failed to protect her registration number, which allowed clinic staff to bill for treatment when she had not provided any service. The penalty included a 3-month suspension, a reprimand, an undertaking not to repeat the conduct, completion of extensive remedial education on professional ethics and record-keeping, cooperation with random audits of her billing and clinic records, and costs of \$350.

47. The College submits that the most comparable case is *Xiao*. The respondent in that case engaged in similar conduct with respect to false receipts, inadequate record-keeping, and the provision of sexual services at his clinic, although his conduct was more serious because he was found to have actively facilitated the sale of sexual services. The penalty in *Xiao* included a 24-month suspension.
48. The College submits that the most comparable case involving the College and its predecessor, CTCMA, is the *Yuan* consent order. The respondent in that case also engaged in a range of misconduct involving multiple areas of her practice, including inappropriate billing. The penalty included a 12-month suspension.
49. The College submits that a more serious penalty is warranted here than in *Yuan* because the misconduct in this case is more serious. The Respondent's failure to take reasonable steps to prevent the sale of sexual services at his clinic was a grave matter that he admitted would tend to damage the profession of acupuncture. The College submits that this feature brings the case closer to *Xiao*, while recognizing that the 18-month suspension sought by the College is less than the 24-month suspension ordered in that case.
50. The College submits that an 18-month suspension is appropriate on the facts of this case. It says a lengthy suspension will serve as a specific deterrent to the Respondent and as a general deterrent to the profession. It also submits that the order should send a strong message that false billing practices and sex work in clinics will not be tolerated.
51. The College further submits that remedial education and a series of practice inspections or audits are important components of the appropriate penalty. These orders would promote public confidence in the discipline process by helping to ensure that the Respondent practises in accordance with the expected standards following his suspension.
52. The Respondent submits that disciplinary action should protect the public, maintain professional confidence, and provide appropriate deterrence, but should not be simply punitive. He submits that revocation or lengthy suspension is generally reserved for cases involving intentional fraud, serious exploitation, continuous violations, or a continuing risk to the public. He says those features are not present here because the systemic deficiencies have been rectified and the risk has been significantly reduced.
53. The Respondent argues that an excessive penalty would go beyond what is necessary to protect the public. He submits that a reprimand, professional training requirements, short-term supervision, a fine, and/or a 6- or 12-month suspension would be sufficient. He relies on the College's book of authorities, including the case summaries referred to by the College, to support the proposition that a lesser suspension than the 18 months sought by the College could still meet the regulatory objectives.

54. The Panel accepts the College's submissions on this factor. The Panel finds specific and general deterrence, and public confidence in the profession and in the disciplinary process, require a significant penalty in light of the seriousness, duration, and breadth of the professional misconduct found in the Conduct Decision.
55. The Panel again finds that many of the Respondent's submissions are inconsistent with the Panel's findings in the Conduct Decision. The Panel found that the Respondent's misconduct included false billing, inadequate and false records, failure to take reasonable steps to prevent sexual services at the clinic, and unsafe storage and disposal of used needles. The Panel also found that the misconduct occurred over a period of years, created risks to the public, and was committed personally by the Respondent.
56. The Panel accepts the College's submission that the comparable cases support a significant suspension with remedial education and practice inspections. The Panel finds that *Xiao* is the closest decision because it involved both false billing and the provision of sexual services in a clinic setting. The Panel recognizes that other cases in the range with less serious conduct resulted in shorter suspensions. The Panel also notes that the cases relied upon by the Respondent were consent resolution or agreed facts, which the Respondent has not done here. The Panel agrees that the 18-month suspension sought by the College is appropriate in this case.
57. The Panel finds that this factor calls for a significant penalty.
58. The Panel finds that an 18-month suspension; a reprimand; remedial education in professional ethics and record-keeping as well as in patient and clinic safety; and post-suspension practice inspections; are necessary to protect the public, provide specific and general deterrence, and maintain public confidence in the profession and the disciplinary process.
59. For clarity, the Panel's order regarding practice inspections is a post-suspension condition imposed under section 39(8) of the HPA. It does not limit, replace, or affect the College's separate inspection, investigation, or enforcement powers, which are not post-suspension conditions and may be exercised independently of this order.

Costs

60. Pursuant to section 39(5) of the Act, the Discipline Committee may award costs to the College against the Respondent based on the tariff of costs established by bylaw. Section 39(7) of the HPA provides that the costs awarded must not exceed, in total, 50% of the actual costs to the College for legal representation for the purposes of the hearing.
61. The College's Bylaws provide the following with respect to costs:

Costs

11.38 The tariff of costs set out in Schedule 17 to partially indemnify parties for their expenses incurred in the preparation for and conduct of hearings under section 38 of the Act is established pursuant to section 19(1)(v.1) of the Act.

11.39 Any costs awarded by the Inquiry Committee under section 33(7) of the Act or in accordance with a proposal under section 37.1 of the Act, or by the Discipline Committee under section 39(4) or (5) of the Act, must be assessed by the applicable Committee with reference to Schedules 16 and 17 and the applicable tariff of costs set out therein.

62. Section 11.40 of the Bylaws provides that a costs award by the Discipline Committee under section 39(5) of the HPA is considered a debt to the College. Section 11.44(i) of the Bylaws requires a suspended registrant to pay any "Fees", which is defined to include debts, to the College when due in order to remain a registrant.

63. Schedule 17 to the Bylaws provides:

1.1 The total costs that may be ordered or awarded under sections 37.1(1)(d), 37.1(5), 39(4) or 39(5) of the Act consist of:

1.1.1 costs as provided for in the chart at paragraph 2.4;

1.1.2 all reasonable and necessary disbursements at their actual cost; and

1.1.3 any photocopying costs incurred at the rate of \$0.35 per page.

2.1 The value of a unit under this tariff is \$150.00.

2.2 Where this tariff provides for a range of allowable units for an item, the Inquiry Committee or Discipline Committee, as applicable, may assess any number within that range, and, in deciding on the appropriate number of units to assess:

2.2.1 must take into account the concept that the minimum number of units is meant for matters which are quicker and less complex, and the maximum number of units is meant for matters which are lengthier and more complex; and

2.2.2 may consider any impact that a party's conduct had on lengthening or shortening the proceeding, including the timing and content of any admissions or agreements.

2.3 Where this tariff provides a number of units per day, but the time spent during a day is three hours or less, only half the number of units per day may be allowed for that day.

64. Section 2.4 of the Tariff sets out the number of units allowable.

65. The College relies upon the version of the Bylaws that was in effect at the date of the hearing, which has since been superseded in accordance with the coming into force of the HPOA.
66. The College provided a Bill of Costs as part of its penalty and costs submissions. The College assessed that its costs pursuant to the Tariff chart are \$13,950.
67. The number of hearing days is three. Where a range of units may be claimed pursuant to the Tariff, the College has generally selected amounts in the mid-range to reflect its position that this matter was of moderate complexity.
68. The College states that its reasonable and necessary disbursements at their actual cost are \$14,314.29 and consists of the following:
 - a. Counsel's disbursements totaling \$2,356.71 (including \$1061.70 in photocopying at \$0.30 per page);
 - b. The booking of hearing facilities totaling \$6,645.30;
 - c. Transcription totaling \$2,029.78;
 - d. Interpretation at the hearing totaling \$2,677.50;
 - e. Translation totaling \$73.50; and
 - f. Undercover investigation costs totaling \$531.50. 5
Affidavit of Janis Forest, Exhibits C to H
69. The College notes that this does not include the cost of the investigation performed by Ms. Shuster in December 2022.
70. The College is seeking costs in total of \$17,500, which is less than 50% of the actual costs to the College for legal representation for the purposes of the hearing.
71. The Respondent did not make any submissions regarding costs or disbursements and did not take any position on the specific amounts claimed by the College in its submissions.
72. The Panel considers that the College's claims for costs and disbursements were reasonable and necessary and have been assessed in accordance with the statutory provisions. The Panel grants the College's requested order for costs and disbursements in the amount of \$17,500.

D. Order

73. Pursuant to section 39(2) of the HPA, the Panel makes the following orders:
 - a. The Respondent is reprimanded pursuant to section 39(2)(a) of the HPA;
 - b. The Respondent's registration is suspended for 18 months pursuant to section 39(2)(c) of the HPA, effective immediately;

- c. As a condition of the reinstatement of his registration, the Respondent is required to successfully complete a course on professional ethics and record-keeping, and a course on patient and clinic safety practices, both to be approved by the College, at the Respondent's expense, pursuant to section 39(8)(a) and (b)(ii) of the HPA;
- d. After the suspension is lifted, the Respondent is required to submit to up to three practice inspections in two years at the Respondent's expense, pursuant to section 39(8)(c) of the HPA; and
- e. The Respondent is required to pay costs of \$17,500 pursuant to section 39(5) of the HPA, which costs must be paid within 18 months of the date of the Panel's order and prior to reinstatement of the Respondent's registration.

Notice of Right to Appeal

74. The Respondent is advised that, under section 40(1) of the Act, a respondent who is aggrieved or adversely affected by an order of the Discipline Committee under section 39 may appeal that order to the Supreme Court. Under section 40(2), the appeal must be commenced within 30 days after the date this order is delivered.

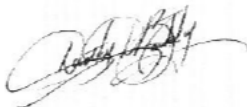
Delivery and Public Notification

75. The Panel reminds the College of the requirements in section 39(3)(c) of the HPA.
76. The Panel directs that pursuant to sections 39.3(1)(e) of the Act, the Registrar notify the public of the determination made herein.

Dated: August 12, 2026



Roland Mitchell, Chair



Dorothy Barclay



Jacqueline Chan, Dr. TCM