

Minutes of the 2012 Annual General Meeting held on January 13, 2013, at the Radisson Hotel Vancouver Airport, 8181 Cambie Road, Richmond, BC, V6X 3X9.

Board Members Present:

John BLAŽEVIĆ (Chair), Ben Bao Qi CAO (Board Member), Paul Chang-Jen CHEN (Board Member), Paul Sit Cheong HO (Board Member), Todd HOWARD (Board Member), William D. MACLEOD (Board Member), Vivienne STEWART (Board Member), Mary WATTERSON (Registrar).

Also Present:

5 CTCMA management/staff, 3 casual staff, 1 interpreter, and 93 registrants.

Meeting began at 2:00 p.m. with John Blažević in the Chair.

**1) Call to Order**

Chair John Blažević confirmed the presence of the quorum and called the meeting to order at 2:00 p.m.

**2) Confirm Quorum**

93 registrants in attendance presented at the Annual General Meeting.

**3) Introduce Guests & New 2012 Registrants**

John Blažević, on behalf of the Board, welcomed everyone to the 2012 Annual General Meeting of the College. The Chair introduced the new Board Members Paul Chang-Jen Chen and Paul Sit Cheong Ho, followed by introducing the other Board Members and the Registrar.

The recent registrants were welcomed and introduced by video listing.

**4) Adoption of the Agenda**

Agenda approved.

**5) Approval of the Minutes of the 2011 Annual General Meeting held on January 15, 2012**

Minutes adopted.

All in favour, no contrary.

**6) Convention Standing Rules**

Convention standing rules were circulated when registrants came to the meeting. Approved by majority.

**7) Chairman's Report**

Welcome everyone and thank you for attending. The past year has been very exciting and has had many ups and downs with the College having seen many changes. The best we can do is adjust to the changes that occur and make the best of the situation.

From my point of view, two issues are having a strong effect on the College.

One is regulation and the other is the code of conduct of our registrants. Regarding regulation, our registrants necessarily must realize that we are a regulated medical profession in British Columbia. This will not change. Ontario is now facing their growing pains. BC has some highest standards and most

progressive rules in the world. But because of this, I emphasize the fact that we must **not** become over-regulated so as to restrict the practice of our registrants. Our mandate to protect the public is an important one and I still feel very strongly that the best way to do this is to practice TCM and Acupuncture according to those original principles. That being said, I realize there are registrants who would like to practice all sorts of modalities and techniques and have these incorporated into our scope of practice. This requires amendments to by-laws and is an intensive process that requires efforts also of the registrants in consultation. I am fine with this approach, but let's not forget what it is that we do best. We heal the patients by making them healthier, tonifying against deficiencies, and improving the circulation of Qi and Blood. No other health profession does this. That is a fact. So let's be sure to remember this and not get too far off our path. Unnecessarily restrictive and over-regulation makes it increasingly difficult to practice our medicine.

The second issue is the conduct of our registrants. Frankly, it should be much better than it is. The College's amount of work for Inquiry and Discipline has been increasing significantly, so I have a few recommendations for registrants:

- 1) Make sure you provide *informed* consent to the patients.
- 2) Keep good clinical records--by the way, the College provides an excellent work-shop on how to do this.
- 3) Keep your clinic clean--dirt increases bad Qi!
- 4) Don't focus on money. Focus on helping people. If you don't have this idea, please watch the superb TCM Korean drama about Heo Jun (허준, 1537/1539–1615), about a real and famous historical TCM doctor in Korea. You can find all episodes on the net, subtitled in most languages and called Hur Jun (허준, Chinese title: 醫道, also known as "The Way of Medicine: The Epic Doctor Hur Jun" in Taiwan, and "The Way of Medicine" in Hong Kong).
- 5) Hold your heads up high and be proud of this medicine. This is the only medical system working on benefiting a patient's health, yet many practitioners feel as though we are Western Medicine's ugly retarded younger brother. As far as I am concerned, TCM is the highest level of medicine. Have some self-esteem and be proud of what we do.
- 6) Familiarize yourself with our code of Ethics, CTCMA Bylaws, Health Professions Act, MSP billing polices, etc. Have them in your clinic, know where they are located, and read them.
- 7) Keep studying and learning. This is a life-long endeavour in our profession.
- 8) Learn to work together to benefit society and your profession.
- 9) Most importantly, cultivate your Upright Qi (正氣). This is what my Master calls it. Without this you will stray off the path and become diseased. Every human has a dark side, or shadow (as Jung calls it); but religion, philosophy, and Upright Qi keep us in the light. Remember that doing the wrong things, and not following the rules damages your Upright Qi. This first happens when we do things for the wrong reasons, or in a grey area that is not really wrong, but not really right. Bit by bit you will go to the dark side and damage your Upright Qi.

Both of the issues I have mentioned are costly to the CTCMA and our registrants. This puts a financial burden on the College and therefore our registrants. We need to work together to alleviate this problem, especially in this day and economy.

Due to the challenges of the year, it has been very busy for the College, board, registrar and staff. Again we have seen some board resourcing issues, which I hope **not** to see this year. I do see things improving in the coming years for the Profession in BC and in Canada. This is good for us and good for the public health, especially so patients will have a choice other than Western Medication. Please remember, although things may not be perfect, we are still travelling through uncharted territory, for example, by having a national exam, so we will fine-tune it over time.

Thank you to the efforts of the Board Members, Registrar and College Staff. Welcome to the new board members. It will be a pleasure to serve together this year. Thank you also to the temporary appointed board members who left us. Thank you all.

## 8) **Financial Report**

Finance Committee – John Blažević, Chair

The Registrar presented a summary of the financial report to the AGM.

## 9) **Committee Chairs Introduction**

The Chair introduced the Committee Chairs present at the AGM

- **Examination Committee:** Chair Ben Bao Qi Cao
- **Discipline Committee:** Chair Bill MacLeod
- **Finance Committee:** Chair John Blažević
- **Inquiry Committee:** Chair Vivienne Stewart
- **Patient Relations Committee:** Chair John Blažević

Discipline Committee – Bill Macleod

The Discipline Committee is mandated to:

1. Deal with matters related to the Professional Medical Code of Ethics and Code of Conduct
2. Conduct evaluation of investigation results handed over by the Inquiry Committee, and
3. Issue citation for and conduct hearing session(s)
4. Consider and take action if necessary as follows:
  - a) dismiss the matter
  - b) reprimand the respondent
  - c) impose limits or conditions
  - d) suspend respondent's registration
  - e) cancel respondent's registration
  - f) fine the respondent
  - g) assess costs (or part of them) of the hearing against the respondent

Discipline Hearing penalty statement of Don Young Kim, R.TCM.P. was made on April 11, 2011. Penalties imposed by the Discipline Committee panel included a reprimand under s. 39(2)(a) of the Act for failure to obtain and document informed consent; a two (2) day suspension on the Registrant's registration to take effect within 30 days of the date of the panel's order on two consecutive business days under s. 39(2)(c) of the Act; payment of hearing costs and disbursements in the amount of \$11,000 to the CTCMA within 60 days of the date of the panel's order under s. 39(5) of the Act; and payment of \$100 to the CTCMA within 30 days of the date of the panel's order under s. 39(10) of the Act as partial reimbursement of fees paid by the Complainant for the treatments.

Discipline Hearing of Eun Jeong Jeong was held in Vancouver March 29, 2011.

Ms. Jeong did not attend. Ms. Jeong was formerly a CTCMA R.Ac. In a decision dated May 20, 2011 the Discipline Committee panel held that the former Registrant had engaged in professional misconduct and contravened s.5.4 of the Standards of Practice by making false representations concerning her educational studies and by making false representations during the College's investigation either deliberately or recklessly without regard to the truth. The panel held that maintaining registration on the basis of misrepresentations also constitutes professional misconduct. The penalty imposed by the panel was a reprimand and a fine in the amount of \$10,000. The panel ordered that the former Registrant pay to the College costs of \$4,000 for the tariff items and \$1,028.32 for disbursements.

Discipline Hearing of John Hong Hou ZHANG, R.Ac. was held February 7-8, 2012 with adjournment to a third day (date to be decided).

Discipline Hearing of Zhi LI, R.Ac. was held August 24, 2011.

The verdict of the Discipline Panel was that Mr. Li's conduct with the complainant in his clinic contravened the Sexual Misconduct, Practice Standards of the College and that by definition this also amounts to professional misconduct. The Panel was unanimous in finding that Mr. Li breached the Revised Consent Order (1) when he failed to ensure that the required notice was posted both in English and Chinese (2) when he failed to ensure that Ms. Zhao was present during his examination of the female patient on January 25, 2011. February 8, 2012 Reasons for Penalty called for the respondent to be reprimanded, registration cancelled with no permission to reapply for registration at any time prior to January 2013. The respondent was required to pay costs of \$4,500 in tariff items and \$2,910 in disbursement fees.

#### Examination Committee – Ben Bao Qi Cao

The Examination Committee consists of three Members appointed by the Board.

The Examination Committee is responsible for advising the Registrar with regard to registration examinations, and acts as a consulting body to the Registrar in the appropriate testing of applicants' knowledge and skills.

The Examination Committee had three meetings in 2011 (June 9, October 20 and December 8).

Dr.TCM Written Examination was held on May 29, 2011. The clinical examination was held on June 18, 2011.

The Herbology Written Examination was held on September 24, 2011 and the Herbology Clinical Examination was held on November 19, 2011.

The Acupuncture Written Examination was held on October 1, 2011 and the Acupuncture Clinical Examination was held on November 12-13, 2011.

#### Inquiry Committee – Vivienne Stewart

The Inquiry Committee investigates written complaints made regarding the practice of a College registrant and matters related to professional practice under the *Health Professions Act*. It also investigates matters involving unauthorized practice by non-registrants and can also initiate an investigation on its own motion.

Actions in 2011-2012:

1. Sixteen meetings were held: March 8, April 5 and 19, May 31, June 21 and 23, July 5, 19 and 25, August 16, September 1, 19 and 29, October 4, November 1, December 19, January 24, 2012 and February 2 and 6, 2012.
2. As of end of March 2011, there were 25 cases on file and 2 cases of unauthorized title. There were 6 suspensions remaining in effect. Failure to comply with criminal record checks resulted in 5 suspensions.

#### Patient Relations Committee – John Blažević

The Committee's mandate is to deal with complaints of professional misconduct of a sexual nature by:

1. establishing and maintaining procedures to deal with such complaints,
2. developing and coordinating educational programs for professionals and the public,

3. developing guidelines for professional conduct, and
4. providing information to the Public re the College's complaint and disciplinary process

The Committee shall function in accordance with the relevant provisions set out in the *Health Professions Act* and the College Bylaws, and shall report its findings and recommendations to the Board.

The Committee will continue to examine tools for registrant education. The Committee will also be following the HRO Subgroup on professional boundaries and the potential for collaborative work.

#### Quality Assurance Committee – Weijia Tan

The Quality Assurance Committee consists of four professional members and two public members appointed by the Board. It is mandated to review the standards of practice and to enhance the quality of practice and to reduce incompetent, impaired or unethical practice among registrants; to establish and maintain a continuing competency program to promote high standards of practice among registrants; and to recommend criteria to the Board for continuing education requirements.

#### Registration Committee – Bar-Chya Lee

The Registration Committee consists of six Members appointed by the Board.

The Registration Committee is responsible for reviewing and approving the registration of a person as a member of the College under authority delegated by the Health Professions Act of BC.

The Registration Committee had eight meetings in 2011/2012 (March 16, April 27, August 31, October 26 & November 30, 2011 and February 8, February 29 & March 21, 2012).

The annual full registration renewal rate in 2012 was 96% compared to the rate of 95% in 2011.

As of March 31, 2012, the register consisted of: 815 R.Ac., 46 R.TCM.H., 430 R.TCM.P., and 308 Dr.TCM.

The Registration Committee has approved applications for examination candidacy in 2012 including applications for Dr.TCM examination and AH examinations.

As of March 31, 2012, 2 cases were under review by Health Professions Review Board (HPRB).

#### Standards and Education Committee - Tan Shen

The Standards of Education Committee consists of six members appointed by the Board. The Committee is responsible for establishing, implementing, enforcing and evaluating the standards of education for the approval of training programs and for reviewing and making recommendations to the Board regarding education programs.

The Standards of Education Committee focused on the Training Program Review Project in the past year. Training Program Review Project (TPR) is developed for schools offering TCM/A training programs within BC to ensure students who successfully graduate from those programs are able to meet the minimum education program requirements as listed in Schedule E and demonstrate proficiency in the occupational competencies.

As of March 31, 2012, 5 TCM schools completed the TPR and 2 schools were still under review.

## 10) CTCMA Registrar Report

Registrar's Report: AGM January 13, 2013

It has been a busy and productive year. Rather than reporting on a long list of activities today we will focus in some depth on three major activities. These three activities were reported as future projects during the AGM held two years ago. These three projects have involved literally dozens of registrants and public Board and Committee members. Our profession is so well supported by dedicated volunteers.

The Safety Program Handbook has now been completed and was produced in partnership with the Transitional Council of Traditional Chinese Medicine of Ontario. The Handbook was developed over a period of two years and drew extensively from earlier courses produced by British Columbia and Alberta. The project involved more than a dozen subject matter practitioners from both provinces. The work included a review of current courses, identifying gaps, researching of resource material, development of updated content, validation surveys, analysis of feedback, revisions, and pre-testing/validating of testing tools. As you use the Handbook the College will look to you for feedback. In producing the Handbook, the process is only the beginning. The document will require updating to ensure current standards are being met and to also ensure that the information provided will be what registrants need to practice safely and with access to current knowledge. The Handbook use is mainly three-fold. In continuing competency it will act as a reference manual for clinics, set standards and guidelines and will be used as a remedial tool for registrants not meeting accepted standards. It will be used as a mandatory entry-level course, continuing competency, and as a guideline for professional standards expected of our registrants. In the role of setting professional standards and guidelines it will be a reference for public health authorities, municipal bylaw officers and a source of information to the general public. The document is made up of four sections: Infection prevention and control, Risk management of TCM practice, Safe Procedures and Processes for Acupuncture, and Safe Procedures and Processes for TCM Herbology. Over the next few months the document will be translated into Chinese, posted on the website for downloading and available in hard copy.

The second major project is the establishment of Pan-Canadian entry-level examinations. The Canadian Alliance of Regulatory Bodies for TCM (CARB-TCMPA) has been working towards national examinations since first meeting in 2008. CARB gratefully acknowledges the funding provided by both Provincial and Federal Governments. As with all our projects, it is the work of many people who have made this a reality. The collaboration on practitioners across Canada have produced the Steering Committee, Examination Development Teams, Competency Working Groups, Survey Validation participants, Blueprint Committees, Examination Committee, Item writers, Pre-testers and Examiners. It is important too to remember the examination development teams who have worked to produce the earlier provincial examinations. Their work in developing item banks is being reviewed and used in the development of national examinations. There will be three examinations offered for registration as Registered Acupuncturist, Registered TCM Herbalist, and Registered TCM Practitioner. The content will be based on the Entry-level Occupational Competencies for the Practice of TCM in Canada (2010). National examinations will evaluate Canadian and foreign-trained graduates with consistent standards and processes; it will ensure safe, effective ethical practice and consistent standards as practitioners cross provincial/territorial borders.

The third project is the amendment of the TCMPA Regulation. The Regulation remains unchanged since 2000 and has not been retrofitted to incorporate the new model of the BC Ministry of Health – the Shared Scope of Practice. The legislative hierarchy has a ground floor with Policies, climbs up to Bylaws and Schedules, third floor is Regulation, leading up to Statutes such as the Health Professions Act and then at the top the Constitution. Only the Human Rights Code and Freedom of Information and



Protection of Privacy Act have precedence over all statutes. Regulations, the document that is under amendment, includes a list of *Restricted Activities*. This is a master list of invasive, high risk activities that are restricted for use by health professionals authorized under Regulation. Only registrants meeting education and competency requirements are authorized to perform these activities. The same restricted activity may be granted to more than one profession. Work is now well under way to retrofit our Regulation to the new model. Incorporating the new model had been a process for the thirteen regulatory colleges that have now incorporated the new model by identifying the restricted activities that practitioners use in order to practice – and that the activities are generally accepted by the majority of practitioners as being part of the practice of TCM. A critical step for the next year will be registrant consultation to ensure that registrants are adequately informed, that they are given opportunity to voice opinions and that the process is one of transparency in revising the draft document based on feedback. The consultation process will involve registrant surveys, group consultations, revisions, consultation with other stakeholders including other health regulatory organizations, and finally submission to Government. The final decision on Regulation Amendment is for the Government.

All of these projects have been made possible by the continued dedication and hard work of so many people who have volunteered their time, knowledge and energy. People are the College's number one resource.

Thank you for another successful year.

- 11) **A brief Questions & Answers period followed.**
- 12) **Adjournment**

The meeting adjourned at 3:40 p.m.