



# College of Traditional Chinese Medicine Practitioners And Acupuncturists of British Columbia

2/F. 5050 Kingsway, Burnaby, British Columbia, Canada. V5H 4H2

**Minutes of the Annual General Meeting 2004 on November 28, 2004, in the Choi Hall at S.U.C.C.E.S.S., 28 West Pender Street, Vancouver, BC.**

## **Board Members Present:**

Mason Loh (Board Chair), Arthur Lee (Board member), Tahmineh Nikookar (Board Member), Philippe Souvestre (Board Member), Ting Ting Jiang (Board Member), Hoi Lam Kong (Board Member), Glenn Morezewich (Board Member), Sunny To Chi Lee (Board Member),

## **Also Present:**

John Noonan (Registered Parliamentarian),  
Patrick Mangan (Auditor),  
6 staff of CTCMA and 130 registrants

Meeting began at 2:35 p.m. with Mason Loh in the Chair

### **1. Call To Order**

Chair Mason Loh confirmed the presence of quorum and called the meeting to order at 2:35 pm.

### **2. Confirm Quorum**

135 registrants and 42 proxies presented to the Annual General Meeting.

### **3. Introduce Guests**

Mason Loh, on behalf of the Board, welcomed everyone to the 2004 Annual General Meeting of the College and introduced the Board Members, the Registered Parliamentarian, and the Auditor to those in attendance.

### **4. Adoption of Agenda:**

The Chair added "Vote of Appreciation" at the bottom of the Agenda and it was adopted with no other amendments.

### **5. Approval of the Minutes of the 2003 AGM minutes:**

Shelly Page moved to bring back the minutes for review, to correct the item of "Re-appointment" of auditor in 2003 AGM minutes according to the video tape recording, in which Les Moncrieff moved to "have the board to go out for tenders in respect of the auditors appointment issue]" was not recorded, and bring back next year for approval.

All in favour, no contrary

**6. Convention Standing Rules:**

9 convention standing rules were circulated when registrants came to the meeting. Louise Demorest moved to adopt the rules. Approved by the majority.

**7. Proposed Resolutions:**

The Chair reported that three resolutions coming from individual registrants were mailed out to all members before AGM as required by the Bylaws. The Chair suggested Mr. John Noonan, the Registered Parliamentarian, as an independent person, should preside over this particular agenda item. Mr. Noonan asked Mr. Arthur Lee, a Board Member of CTCMA, to speak, and he individually outlined the roles of the Board, the Directors and the registrants, and commented on these 3 particular resolutions. (Copies of a Memorandum were distributed to attendees.)

Mr. Arthur Lee read out the first two pages of the Memorandum and pointed out that the 3 resolutions suggested that the registrants can enact resolutions which are contrary to and beyond the statutory authority of registrants under the Health Professions Act. Moreover, the 3 proposed resolutions dealt with matters of the governance, control, and administration of the affairs of the College. The authority to do so falls under the jurisdiction of the CTCMA's Board of Directors, not with the registrants. Mr. Arthur Lee submitted that all 3 proposed Resolutions are ultra vires and therefore, out of order and incapable of enactment by the registrants at this or any AGM.

Mr. John Noonan supported Mr. Arthur Lee's outline that the authority to do these 3 proposed Resolutions fell under the Board of Directors but beyond the power of registrants. Mr. Noonan believed that all these 3 proposed resolutions are ultra vires and therefore, out of order and incapable of enactment by the registrants at this Annual General Meeting.

Tony Tsang moved to discuss items 2, 9, 10 & 11 under Resolution 1 but rescinded by Mr. John Noonan as they were all ultra vires. Mr. Noonan invited Mr. Mason Loh to resume the meeting.

**8. Chairman's Report:**

Mason Loh summarized that it was a very busy year for the Board. The Board had taken up very active work in every committee. Every Board Member was working diligently and responsibly as Board Members and committee chairs. From the management side, we went through 2-3 Interim Registrars until new Registrar, Mr. Stanley Nicol was hired in April, 2004. He thanked Dr. Tahmineh Nikookar, the Chair of Finance and Administration Committee, who supervised development of a new Financial Accounting System to ensure the proper control and monitoring of the College's financial operation. A new Accountant and Auditors were hired to help in bookkeeping and review the operation of the College.

According to the Bylaws, it is specifically allowed for the Board to pay each Board Member up to \$200 a day if the Board Member attended meetings over 4 hours. Due to the consideration of the financial situation of the College, the Board Members only claim 50% that is \$100 a month. During the transition period before the permanent Registrar was hire, two Board Members took their time after work to help the College to ensure the transition was smooth. The Board decided to pay \$30 per hour to compensate their working hours contributed to the College. This was openly discussed by the Board and no hidden expenses were incurred.

The different figures of the claim against the former registrar between November 2003 and September 2004 is because some computer hardware and software belonging to the College were returned by the former registrar after being demanded for several months.

The legal expense fees of the College in 2002 was \$20,000, \$26,000 in 2003 and \$108,000 in 2004, with most of it spent on Grandparenting license issues, not particularly on the law suit with our former registrar. When more registrants are registered with the College from time to time, legal fees are always a substantial budget item when we need more legal opinions to ensure we are acting appropriately.

Certain registrants are concerned about license approvals and there are some allegations of wrong doing without proof. It's difficult for the Board to deal with this. As a regulatory body, we are obligated to deal with complaints through proper channels such as the Inquiry Committee and Discipline Committee. It is inappropriate to deal with such issues through the media because to criticize the Board and the College openly could bring trouble to the College and the profession. We have a policy in place to deal with conflict of interest. Registrants should write to us if they have solid proof in any particular case. The Board will deal with such letters seriously.

We are happy to announce that we are able to reduce the renewal fee by 10% next year. We felt comfortable with the current healthy financial situation. We also made the decision that if we can afford to own our office space rather than renting our office on an ongoing basis, we can save more money and set up a good investment program in the long run. The Board decided to set aside \$50,000 a year, from our surplus, as reserve for the new office as a first step. The Board will seek the registrants' opinions before the final decision to acquire our own property.

We have quite a few projects in the future such as accreditation of TCM schools, the first Dr. of TCM examination in May, 2005, and to tackle some parts of the scope of practice. Even though the MSP issue is not the mandate of the College, it will be benefited if we are governing the professions well when the professions are lobbying the provincial government to include TCM in the MSP establishment.

Shelly Page and Tony Tsang suggested setting up another AGM before January 31, 2005 to finish all unaccomplished matters. Jack Zhang suggested to extend the meeting to 5 o'clock to finish all discussion to save time and this was accepted by the majority by consensus.

## **9. Committee Reports:**

### *(A) Bylaws Amendment Committee – Glenn Morezewich*

The Bylaws Amendment Ad Hoc Committee is mandated to recommend changes or amendments to the CTCMA bylaws, either as approved by the Ministry of Health of B.C., or as filed with the Minister, as required by the *Health Professions Act*. The Committee meets on regular basis. The Committee shall function and examine College business from time to time and shall make recommendations for amendments to the present Bylaws to implement the College's duty in protecting the Public safety.

The first phase of this committee's work has been an ongoing effort to analyze and research possible changes to the Bylaws to modify and update the current bylaws. The second phase of this process has been to implement and update changes to the bylaws required by extensive changes to the *Health Professions Act*, which to say the least is a very lengthy and extensive task and has been greatly enhanced with the presence of our new registrar, Mr. Stan Nicol, and the exceptional help of our new appointed Board member, Mr. Arthur Lee. The Bylaw committee as a whole has worked with suggestions and feedback from the present board, our current Registrar and the Provincial

Government to attempt prudent and proactive changes to our bylaws after discussions and detailed reviews.

This committee makes suggestions that both look proactively to the future of our field and at the same time attempt to build on the solid foundation from our past. The Committee will report our required changes and recommendations to the Board and seek amendments to the CTCMA Bylaws where necessary.

*(B) Discipline Committee – Philippe Souvestre*

The Discipline Committee is mandated to

1. Conduct formal Hearings when a citation is issued by the Inquiry Committee.
2. Take evidence under oath and ensure that a respondent has the right to be represented by legal counsel.
3. Determine the appropriate action following the Hearing, and do one or more of the following:
  - a. dismiss the matter
  - b. reprimand the respondent
  - c. impose limits or conditions on the practice of the respondent
  - 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

The Committee shall function in accordance with the relevant provisions set out in the Health Professions Act and the College Bylaws. The Committee meets on demand and shall report its findings and issue recommendations to the Board through the Chair or Registrar.

Discipline Committee has not met yet, thanks to the good work of the other Committees.

*(C) Examination Committee – Ting Ting Jiang*

The Education Committee is to advise 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 four meetings this year. The Committee has worked hard on several issues. The Committee, working with the Registrar, an appointed psychometrician, staff members and the chief examiner, organized two exams this year. 370 candidates participated in the exams. This total includes those registered for the two practical retake exams which will be held in December. One important issue the Committee has been working on is to make the exam process more transparent. The Committee has involved additional practitioners with strong traditional Chinese medicine background in preparation for the Doctor of Traditional Chinese Medicine exam. At present, the expert panel is working toward developing the first Doctor of Traditional Chinese Medicine examination which will be held in May 2005.

The Committee held meetings with provincial educators to consider suggestions and recommendations in developing the Doctor of Traditional Chinese Medicine examination. The committee is working on the policies and future examination development for the college and this profession. The idea is to make the doctor exam better. The Committee is also working on the policies and plans for the college and this profession.

*(D) Finance & Administration Committee – Tahmineh Nikookar*

The Finance Committee is mandated to manage the College's financial administration system and advise the board on the needs of the College in regard to financial administration, the financial implications of Board decisions, and the application of legislative and regulatory and other financial requirements to the College. It also develops, establishes and administers, for the approval of the Board, financial policies, systems and procedures essential to the financial administration of the College. It oversees the organization, staffing and training of financial staff of the College.

My colleagues in the committee and myself have worked hard together for a better financial system. Now we have an accountant who takes care of the college bookkeeping, a payroll company which takes care of college staff payroll, a Chartered Accountant who is responsible for the Audit. These are all separate individuals or companies.

There are still some issues that we are doing our best to fulfill to meet the recommendations of our Chartered Accountant for a better and tighter control of the financial affairs of the college.

*(E) Auditor's Report – Patrick Mangan*

Earlier this year the Registrants of the CTCMA were sent the audited financial statements for the College for the year ended March 31, 2004. These financial statements present the financial position of the College as at March 31, 2004 and the results of its operations for the year then ended. The financial statements presented are the responsibility of management to prepare. As auditors, it is our function to review management's financial statements and express an opinion on the financial statements as to whether they present fairly the financial position of the College as at March 31, 2004, and the results of the College's operations for the year. This presentation is to be in accordance with generally accepting accounting principles as set out by the Canadian Institute of Chartered Accountants. In order to express this opinion, we have to perform tests on the accounting records and the system of internal controls used by the College in the production of the financial statements, discuss matters pertaining to the records with management and obtain third party evidence to support amounts and assertions reflected in the financial statements. Before I discuss the 2004 results, I briefly wanted to review the business cycle of the College. The College derives its revenues from three sources. These are license and registration fees, course and examination fees, and interest and other income. License and registration fees are paid for the period from April 1 to March 31<sup>st</sup> of the following year. Course and examination fees are generated during the year from the provision of safety courses and the bi-annual examinations. Interest income is derived from the cash balances the College holds as a result of the one time spike in cash inflow each year at March 31<sup>st</sup>. The license and registration fees received on or before March 31<sup>st</sup> are for the following fiscal year. Therefore these funds are not recognized as revenue until the following year (the matching principal) so the amounts received are treated as deferred income at March 31<sup>st</sup>.

The College incurs operating costs included wages and benefits for full and part time employees, expenses for its board members (honorariums and expenses), general office costs (rent, telephone, technology costs), and examination and course development costs. The College also incurs professional fees for accounting and legal services provided to it during the year.

For the year ended March 31, 2004, the financial statement highlights are:

- An operating surplus of \$57,789 up from \$20,064 in 2003.
- Revenues of \$770,363 up from \$616,489 in 2003 (drawdown of deferred revenue)

- Operating expenses up to \$712,574 from \$596,425 in 2003 (professional fees).
- Continued strong cash and short term investments positions.
- Investment in property and equipment (computers and software) for better management reporting.
- Drawdown of deferred revenue (grandfathering cases being resolved).
- Increased net assets as a result of the operating surplus.

The College is continuing to work to improve the financial reporting process to the Board and in this way to allow the Board to better monitor and control the financial health and conditions of the College on a real-time basis.

(F) *Inquiry Committee – Tahmineh Nikookar*

The Inquiry Committee is mandated to investigate complaints against the College's registrants, complaints against a person applying to become a grandparented registrant of the College, and matters related to professional practice. The Committee meets on demand. The Committee shall function and conduct investigation 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 through the Registrar. Where necessary and appropriate, the Committee shall issue a citation to require a registrant to appear before a formal Hearing of the Discipline Committee.

The Inquiry Committee had 8 cases to deal with during the past year. The Committee processed 7 of the cases and is waiting for additional information on the last one. The Committee will review the last case upon the receipt of the information.

(G) *Patient Relations Committee – Tom Kong*

This Committee 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 public
3. developing guidelines for professional conduct
4. providing information to the Public re College's disciplinary process

The Committee meets on demand. The Committee shall function and conduct investigations 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 through the Registrar.

Patient Relations Committee has not had a reason to meet.

(H) *Herbal Committee – Tom Kong*

The Professional TCM Herbal Committee is a Technical Advisory Committee. Its mandate is to develop and maintain a professional TCM medicinal herbal schedule for the prescribed herbs used only in Traditional Medicine by a registered TCM Doctor, Practitioner or Herbalist, pursuant to the Reserved Acts [Section 5(b)] of the TCM Practitioners and Acupuncturists Regulation. It reports its findings and recommendations to the Board through the Registrar.

The Committee agreed that it would be best to develop an Herbal Consultation Group, with the cooperation of the various TCM Associations. The Consultation Group met 7 times from December 2003 to September 2004, and I am very happy to report that the job is done. The final report was presented to the Board of Directors on 15 October 2004 and will be added to the Bylaws as "Schedule I" shortly. I would like to thank the Consultation Group for its very hard work on behalf of the College and its Members:

|                        |                       |                       |
|------------------------|-----------------------|-----------------------|
| Mr. Namsup Jo          | Dr. Sunny Lee         | Dr. York Wong         |
| Dr. Walton Weidong Che | Dr. John Lee          | Mr. David Song        |
| Mr. Feng Ren           | Ms. Mary Jianhua Wang | Dr. Fan Franksan Wang |
| Dr. Wenpei Li          | Dr. Ting Ting Jiang   | Dr. Bill Hardman      |
| Dr. John Stan          | Dr. Jack Zhang        | Dr. Sky Willow        |
| Dr. Tom Kong           |                       |                       |

(I) Quality Assurance Committee – Sunny Lee

The Quality Assurance Committee is mandated to review the Standards of Practice and to enhance the Quality of Practice by reducing incompetent, impaired or unethical Practice among Registrants. The Committee shall establish and maintain a continuing Competency Program to promote high Standards of Practice among Registrants and it shall recommend and monitor Continuing Education regarding conditions of Registration renewal. The Committee shall meet on a regular basis. The Committee has investigated and examined the following:

1. Code of Ethics with regard to professionalism has been reviewed and further examined in the implementation. Ethical issues are vital in QA and the possible establishment of a new committee in Ethics was discussed.
2. Continuing Education Hours are discussed to review whether the present hours are adequate enough for registrants holding R.TCMP or DR.TCM licences.
3. The QA Committee is determined to clear out unauthorized practice in the province. Non-registrants of CTCMA practising TCM are even subject to criminal charges.
4. Advertisements that are exaggerating self-image or professionally inappropriate will be viewed as damaging the reputation of our profession, and the QA Committee will follow up with an investigation.
5. The QA Committee in September of this year opened a dialogue with B.C. Acupressure Therapists Association to investigate their intention of obtaining occupational title for Acupressure.

(J) Registration Committee – Mason Loh

The Registration Committee is mandated to review and approve the registration of a person as a member of the College. The Committee shall function in accordance with the relevant provisions set out in the *Health Professions Act* and the College Bylaws.

Registration Committee met 9 times during the past 12 months.

1. RC reviewed all the outstanding Grandparenting cases by early November (total 88 cases).  
Currently, 5 cases are pending final information to be provided by the applicants.  
41 cases are pending Dr. TCM assessment.  
3 cases are pending Inquiry Committee decision

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|---|-----|
| 2. Licences issued during the year:                               | 174 |
| 3. Student licences issued during the year:                       | 134 |
| 4. De-registration:   |     |
| (i) Cancelled Licences due to failure to renew at March 31, 2004: | 32  |
| (ii) Cancelled Licence due to personal reasons:                   | 1   |
| (iii) Suspended licence:  | 1   |
| 5. Registrants Breakdown  |     |
| Doctors of TCM  | 250 |
| Registered TCM Practitioners                                      | 196 |
| Registered Acupuncturists   | 546 |
| Registered TCM Herbalists   | 58  |
| Student registrants   | 491 |

Currently we have 1,541 registrants in total.

*(K) Scope of Practice – Glenn Morezewich*

The Scope of Practice Task Force Committee is mandated to warrant that TCM is practiced based on Reserved Actions under the current Traditional Chinese Medicine Practitioners and Acupuncturists Regulation in B.C. The Committee shall investigate and interact with other professions using Acupuncture since “Acupuncturist” is a Reserved Title in B.C., and the Committee shall warrant that TCM is used by CTCMA TCM Registrants. The Committee meets on demand.

The Committee is looking into changes to Scope of Practice by the Provincial Government and investigated pending cases such as

1. Physiotherapist using acupuncture,
2. Association attempts to reserve Acupressure title
3. Clarifying modalities of treatment.

The Committee will report findings and recommendations to the Board and we welcome any constructive suggestions to implement our operations.

*(L) Education Committee – Ting Ting Jiang*

The Standard of Education Committee had eleven meetings in 2004. In the past eleven months the Education Committee has worked hard on a number of projects:

- Under the Committee’s direction, the Registrar, working with the chief examiner and the expert panel, has completed the Doctor of Traditional Chinese Medicine Core Competences.
- The Committee has also worked on the School Approval Program. The Committee met with PPSEC and obtained information regarding its accreditation of TCM schools. The Committee reviewed accreditation systems from different professions, and from different jurisdictions, such as in the US, Australia, and UK. Through many committee discussions and holding meetings with schools, the TCM School Approval System for BC has been approved. The Committee has developed an Approval Program Handbook, and now has a budget, policies and a program in place for approval at the next meeting of the Board of Directors.
- The Committee also helps to enforce the Bylaws through emphasizing the education prerequisite for entering TCM schools. The Committee has set up the standard of education for schools to make



sure this profession has high standards in order to fulfill the College's mandate of protecting the public.

**10. Registrar's Report:**

The Registrar's role with the College began just 8 month ago. He first needed to learn about the professions that comprise this College. He felt confident that he has learned enough to sit with groups of TCM doctors who are recognized experts and discuss important matters. Without exception, the Registrar has found every registrant understanding and helpful throughout his crash-course in learning about Acupuncture, Herbology and the higher level topics handled by Doctors of TCM. The Registrar's second goal was to meet as many Registrants as he could, as quickly as he could, to build an understanding of how the Registrants interact with the College and its Board. The third goal was to quickly assess the status of the College, to complete project already underway, to plan for the new projects under consideration and generally keep the College on an even keel. Everyone in this College, Registrants, the Board, the Committees and staff are anxious to get everything done. There were old projects to complete and projects already started but only in a limited way, like the Doctor of TCM examination, the TCM school review & approval project, and the review and implementation of new Inquiry and Discipline policies and procedures. And there are so many other projects that it would take far too long today to discuss them. You had read and heard about the work of the committees, and their ideas and efforts certainly impact the work of College staff every day. Registrants, individually and collectively through the various associations, would be well advised to use their vital energy – Qi, in positive work; on projects that will truly help this profession. Registrants also need to have the right to raise issues of professional importance to them, and to have the opportunity to bring forward questions and ideas for consideration by the Board and the Registrar of the College, and even to government in some areas – such as Scope of Practice. It is the Choi Hall of Decorum & Harmony. Decorum & Harmony is the way that we can forge a solid working relationship between the College and the registrants' various Associations. The Registrar has a personal goal for next the year, and that involves working with the Associations to seek ways that we can move to strengthen the way they work, in a way that will be most helpful to the Registrants, and which will assure better avenues of communication and cooperation with his office. The Registrar knows that there are important, positive goals that can be worked on together, which will benefit all Registrants. The Registrar is willing to provide some of his Qi – vital energy – to get this project underway early in 2005 and he knows that there are people in the meeting room that are willing, anxious really, to help.

**11. Questions & Answers:**

There were some discussions and answers involving topics of Registrants' liability insurance, College investment and scope of practice.

**12. Vote for Appreciation:**

The Chair presented four Certificates of Appreciation to Ting Ting Jiang, Tom Kong, Sunny Lee and Angus Yuen, the four outgoing Board Members, for their contribution in the past.

The meeting adjourned at 5:20 pm.