



CTCMA

College of Traditional Chinese Medicine
Practitioners and Acupuncturists of British Columbia

Minutes of the Annual General Meeting 2008 on December 7th, 2008, at the SFU Fletcher Challenge Theatre, 515 West Hastings Street, Vancouver, BC.

Board Members Present:

Arden Henley (Board Chair), Michael Chung (Board Member), Jenny W. J. Hu (Board Member), William D. MacLeod (Board Member), Glenn Morezewich (Board Member), Philippe A. Souvestre (Board Member), Vivienne Stewart (Board Member), Ann Yuan (Board Member), Mary Watterson (Registrar).

Also Present:

5 staff of CTCMA, 2 interpreters, 59 registrants and 1 proxy

Apologies:

Chun Yung Tong

Meeting began at 2:08pm with Arden Henley in the Chair.

- 1) **Call to Order**
Chair Arden Henley confirmed the presence of the quorum and called the meeting to order at 2:08 pm.
- 2) **Confirm Quorum**
59 registrants in attendance and 1 proxy presented at the Annual General Meeting.
- 3) **Introduce Guests:**
Arden Henley, on behalf of the Board, welcomed everyone to the 2008 Annual General Meeting of the College and introduced the Board Members.
- 4) **Adoption of the Agenda:**
Agenda approved.
- 5) **Approval of the Minutes of 2007 AGM on December 7th, 2007:**
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:**

Good Health in Times of Uncertainty

At the outset I would like to express my gratitude for the opportunity to have served as the Chair for a third term over this past year. I would also like, at this time, to acknowledge the groundbreaking accomplishments of my predecessor as Chair, Mason Loh QC and the important contributions of all board members of the College, past and present. Without your efforts Traditional Chinese Medicine would not have the opportunity to serve the citizens of this province. I would also like to express my gratitude to all the founders and developers, known and unknown, named and unnamed from the homeland of Traditional Chinese Medicine and Acupuncture, China. Finally, my thanks to all practitioners of Traditional Chinese Medicine, here and elsewhere.

In Canada and around the world we face uncertain times. The challenges we face include fundamental changes in the global economy; limitations to our approach to the environment; the plight of the approximately one billion of our fellow human beings living in poverty; and our over reliance on war to resolve conflict.

As the practitioners of a 5,000 year old medicine and wisdom tradition you have a great deal to offer to the society during these troubling times. You are the purveyors of good health, perhaps the most precious gift of all in supporting the society in effecting the transformations that are now required.

In good health, members of the society, whether their tasks are seemingly large or small, important or insignificant, can respond with kindness, compassion and intelligence. In good health they can take responsibility for the part they have to play. As I understand it, as an outsider, Traditional Chinese Medicine teaches that balance, harmony and virtue have close relationships with one another. These qualities are of singular importance during transitional times. And Traditional Chinese Medicine, I am sure, has seen and made significant contributions during many transitional times.

The College of Traditional Chinese Medicine Practitioners and Acupuncturists of BC has continued to systematically and scientifically enhance the practice of regulation in service of the protection of the public. This year the College attracted federal funding to further extend and consolidate the competency profile for acupuncture, situate it clearly within the framework of the Mutual Recognition Agreement (MRA) and develop the required database to monitor development. It has further evolved its examination methods and streamlined Inquiry and Discipline procedures. Over the year the College has continued to vigorously defend the

profession's right to be recognized and regulated according to the rule of law and under the terms of the *Health Professions Act*.

During 2008 the government of BC enacted legislation entitled Bill 25, Health Professions (Regulatory Reform) Amendment Act. This Act has profound implications for all regulatory organizations in the province. The College has actively participated in consultations with other Health Regulatory Organizations (HROs) and is cooperating with the College of Psychologists of BC in preparing the appropriate policies, procedures and templates to comply with the requirements of this legislation.

As a sign of the increasing recognition of the profession in BC the College was an invited guest on the occasion of the official opening of Simon Fraser University's Faculty of Health Sciences' new building at the Burnaby campus. Along the same lines, the College has been contacted by the State Administration of Traditional Chinese Medicine (SATCM), People's Republic of China, the overarching regulatory body for the regulation of TCM in China, requesting an invitation to visit the CTCMA and continue the fruitful dialogue begun in September, 2007 and resulting in the development of a Memorandum of Understanding (MOU) between the SATCM and CTCMA. I look forward to the continued orderly development of the College and the scientific, harmonious and forward thinking progress of the profession in BC.

8) Financial Report:

Finance & Administration Committee

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

Respectfully submitted by Jenny Hu, R.TCM.P., Chair of Finance & Administration Committee

9) Committee Reports:

Quality Assurance Committee

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 met two times in 2007 with on-going business working on:

Reviewing and approving CE programs submitted by registrants/organizations
Reviewing and updating areas of unauthorized practices

Prevention of improper and exaggerated professional advertisement issues

Actions have been as follows:

1. Review the Quality of Continuing Education received by registrants for Registration renewal.
2. Renewal initiative: randomized checks on continuing education and practice proof as required under CTCMA Bylaw s.57.(1) (a,b)

The Committee always welcomes constructive suggestions to promote high standards of practice.

Respectfully submitted by Philippe Souvestre, R.Ac., Chair of Quality Assurance Committee

Discipline Committee

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

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

Actions:

Sixteen representatives of five HPA regulatory colleges attended the first Discipline Committee Workshop organized by CTCMA and COTBC. Lawyers Jerry Ziskrout and Gerald Fahey lead the participants through a thorough consideration of the underlying principles to be considered when conducting a disciplinary hearing. All participants viewed a simulated hearing video and received a 46 page resource manual.

Respectfully submitted by Glenn Morezewich, Dr. TCM, Chair of Discipline Committee

Examination Committee

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. Since this Committee should be the policy making body for examinations, the determination of passing grades in licensing examinations is logically transferred to this Committee from the Registration Committee

Actions:

The Examination Committee had three meetings in 2008.

The Committee has worked with the Registrar who is in charge of operating the Examination Development Team in the continuing development of examinations for the registrant categories. There were three written examinations offered this year with candidates for the Dr. TCM: 22 written/22 clinical; candidates for the Herbology: 105 written/115 clinical; and candidates for Acupuncture: 130 written/150 clinical.

Psychometric training sessions have been conducted for the Examination Development Teams. Last year's pilot project of candidate log-in is now in full operation. At the year-end work was in progress in the development of an objective standardized clinical examination for acupuncture.

Respectfully submitted by Michael Chung, Dr. TCM, Chair of Examination Committee

Registration Committee

The Registration Committee (RC) 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.

Actions:

Several briefings besides our meetings, approval of applications for appropriate licenses, approval of registration applications recommended by the Staff, review and decision regarding problem student registration application, transfer registration status and 2-year prerequisite status

The RC Working Committee was formed in order to develop a registration manual of policies and procedures. The work accomplished to date have resulted in increased efficiency. The Registration Committee had five full committee meeting and two subcommittee meeting during the year

(a) Registrations issued	217
(b) Student registrations issued during the year	194
(c) De-registration:	32
(d) <u>Registrants Breakdown (as of March 31, 2008)</u>	
Doctors of TCM	302
Registered TCM Practitioners	313
Registered Acupuncturists	700
Registered TCM Herbalists	58
Students	310

As of March 31, 2008 the total number of registrant was 1,683

Respectfully submitted by Philippe Souvestre, R. Ac., Chair of Registration Committee

Patient Relations Committee

This Committee mandate is to deal with complaints of professional misconduct of sexual nature by:

1. establishing and maintain procedures to deal with such complaints
2. developing and coordinating educational programs for professionals and the public
3. developing guidelines for professional conduct
4. providing information to the Public re 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.

Actions:

The Committee submitted recommendations to the Board for Standards of Practice in the three areas of Consent to Treatment, Sexual Misconduct, and Patient Draping. The recommendations were approved by Board and are now in the Policy and Procedures Manual.

Work continues on developing guidelines for professional conduct, and the boundaries and ethics of professional practices.

Respectfully submitted by Jenny Hu, R.TCM.P., Chair of Patient Relations Committee

Standards and Education Committee

The Education Committee is to advise the Board of the College in establishing Standards of academic achievement and the Qualifications required for registration a member of the College.

The Standards of Education Committee had four meetings in the period of June, 2007 to March 5, 2008.

On an ongoing basis and according to agreed upon criteria, the Standards of Education Committee evaluated the suitability of academic credentials submitted by applicants in meeting the two year university or equivalent requirement for student membership in the College.

Actions:

Over the past year the Standards of Education Committee:

- Provided oversight for the development and implementation of an online based Safety Course and Examination
- Provided oversight and support for implementation of the Acupuncture Competency Profile project funded by the B.C. Ministry of Economic development
- Enacted policy clarifying guidelines for clinical supervision of student registrants undertaking clinical instruction in jurisdictions other than B.C.
- Enacted policy clarifying Schedule E requirements of registrants applying for examinations to increase their scope of practice by obtaining a higher level of designation
- Sought legal advice and agreed to form a Point Injection Task Force at the request of the Inquiry Committee
- Evaluated current procedures and criteria for approving jurisdictions in relation to the issue of 'temporary registration' and, in conjunction with staff, designed a set of standard operating procedures in preparing information for the Board approval process

Respectfully submitted by Arden Henley, Ed.D., R.C.C., Chair of Standard and Education Committee

Inquiry Committee

The Inquiry Committee investigates written complaints made against registrants of the College 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. The Committee meets as necessary and reports its findings and recommendations to the Board. In the year April 1, 2007 to March 31, 2008 (“2007”), the Committee met seven (7) times.

The Committee has jurisdiction to consider complaints in regards to the following: contravention of the *Health Professions Act*, CTCMA Regulation and Bylaws, failure to comply with a limit or condition imposed on a registrant, professional misconduct, competence to practice TCM, herbology or acupuncture (“Approved Field”), physical and mental ailments and emotional disturbances or addictions to alcohol or drugs that impair a registrant or former registrant’s ability to practice his or her Approved Field. In 2007, the Committee investigated a variety of cases as set out below.

Under the *Health Professions Act*, a complainant may request the Board to review an Inquiry Committee decision to take no further action, if the complainant is dissatisfied with the decision. There was one (1) request for review to the Board in 2007.

The Committee wishes to thank its legal counsel, Ms. Angela R. Westmacott of Victoria for her assistance to the Committee.

The following summary provides an overview of the Committee’s activities in 2007:

Outstanding Complaints as of March 31, 2007	11	
- Under Investigation	3	
-requiring Follow-up	8	
Number of New Complaints received in 2007	14	
Nature of Complaints:		
Standards Infractions:		
-competency	7	
-advertising	7	
-consent to treat	1	
-confidentiality	0	
Professional Misconduct:		
-billing infractions	4	
-failure to comply with the Act, Regs, Bylaws	3	
-conduct	1	

<i>unbecoming</i>		
Number of Complaints closed in 2007	15	
-dismissed-no <i>jurisdiction</i>	11	
-closed –no <i>findings/breach</i>	5	
-closed-reprimand/ <i>Undertaking</i>	4	
-closed: -unauthorized use <i>of title (reg)</i>	5	
-referred to Discipline	0	
-request for Board review	1	
Outstanding Complaints as of March 31, 2008	22	
-under <i>investigation</i> (active cases)	14	
-complaints <i>to be closed</i>	8	

Respectfully submitted by Vivienne Stewart, LL.B., LL.M., Chair of Inquiry Committee

Governance Committee

The Governance Committee was established by the Board in 2005 pursuant to section 19(1)(t) of the *Health Professions Act*. It is responsible for reviewing and making recommendations to the Board regarding the requirements placed on the College and its registrants by the *Health Professions Act*, the *Traditional Chinese Medicine Practitioners and Acupuncturists Regulation*, and the College's Bylaws, and further recommending amendments to the Bylaws. The Governance Committee sits in three panels of three members each: the Regulatory Panel, the Scope of Practice Panel and the Practice and Ethics Panel.

There have been no meetings of the Committee or Panels in 2007. However, the Chair has met with the Registrar and Ms. Gail Storey, consultant, to put an action plan in place to deal with much-needed revisions to the Bylaws. New revisions to the *Health Professions Act* have recently been put forward by the Government, which have been given second reading, and have the potential to affect some of the proposed Bylaw revisions. Nevertheless, it is likely that there are some changes that can be made to the Bylaws as soon as the Committees affected and the Board approve of them. One example of this is the addition of a Bylaw proposed by the Registration Committee to address the issue of foreign practitioners coming to the 2010 Olympics who would like to be able to provide services to their own athletes or present educational seminars, among other things.

Further updates on the work of the Governance Committee will be provided to registrants throughout the upcoming year in the newsletter.

Respectfully submitted by Vivienne Stewart, LL.B., LL.M., Chair of Governance Committee

10) CTCMA Registrar's Report:

The College has had a busy and productive year 2007-2008.

The office was moved for the first time in seven years. Two people who had each been on staff for six years went on maternity leave. Two new staff joined the team. A restructuring of job tasks was undertaken, resulting in advancing the work flow for greater efficiency.

Examinations and courses continue to be one of the main focuses. As of 2007 the Mandatory Safety Courses are offered on-line. Three sets of examinations were administered in two languages. A revised clinical examination for entry-level practice in Acupuncture was developed.

Regulatory services encompassed a broad range of activities promoting safe and effective practice. The first Records Management workshop was held in March. The Inquiry Committee has instructed registrants on the consequences of using incorrect titles. Appropriate action has been taken for registrants who continue to use unauthorized titles.

In assuring continued competency the Inquiry Committee has cleared a back-log of complaint cases. The Quality Assurance Committee has instituted random checks on registrant fulfillment of continuing education and practice status. The Patient Relations committee has adopted Practice Standards to address Consent to Treatment, Sexual Misconduct and Patient Draping.

The College worked with the College of Occupational Therapy to produce a Discipline Hearing workshop. Future collaborations with regulators from other health professions are anticipated. There is much work to be done in responding to the demands of self-regulation. Much of the work is generic and can be accomplished with greater efficiency and effectiveness through interprofessional initiatives.

The College has taken a leading role in bringing together provinces across Canada. Regulators from British Columbia, Alberta, Ontario, Quebec and Newfoundland have come together for informal discussion and to identify common goals. Currently work is underway to develop competencies for our profession. Validation surveys conducted in the five provinces will result in competencies that can be used to establish province-wide standards. Guidelines for credential assessment, registration examinations, and educational programs will result.

Members of the Canadian Alliance will meet the requirements of full labour mobility under the Agreement for Internal Trade.

Legal services are a significant impact on expenses. The College has filed a Statement of Claim in the federal court in response to the Council of Natural Medicine College of Canada's (CNMCC) use of trademarks that can be confused with the restricted titles used by CTCMA registrants.

Other legal expenses include activities in Inquiry & Discipline, Freedom of Information requests, Human Rights issues, and challenges from registration applicants, reciprocity applicants, examination candidates and provincial training institutions.

In closing, I would like to recognize the CTCMA Team. The driving force behind the Team is Public protection and Public interest. The Team is made up of the Board of Directors, Staff, Committee members and all the other Volunteers.

The Board governs. It sets and guides the College's direction. It monitors activities including financial, risk management, statutory requirements, college programs and legal obligations. There is a proverb that says:

Diligence is the mother of good fortune

We are most fortunate to have such a diligent and dedicated Board.

The Staff members are all amazingly hard working and enthusiastic. Our full-time staffers along with the contracted part-time staffers bring the knowledge, experience, skills and abilities that ensure our operations are on-track and on-schedule and done in the public interest.

The members of our nine Committees and the many other Volunteers enable the College to accomplish the work that is done. Volunteers include Examination Development Teams, Competency Project Experts, Translators, and task force members. These people give so generously of their expertise, skills, energy and time away from their families. Without such support and participation the College could not function.

Thank you all for a successful year.

11) Questions & Answers:

Question was raised regarding budget for public education about TCM titles. CTCMA has been prioritizing funds. Most of the funds go to publicizing issues like trademark and the growth of Acupuncture Industry. Professional organizations also need to get together to respond and educate the public about the profession of their registrants. Advertisements are also made every year on YellowPages throughout the province.

A few questions were raised regarding quality of service and level of education of TCM practitioners and other professionals who practice acupuncture. There is overlap of the scope of practice of several professions. CTCMA does not have the authority to regulate other professionals due to Health Professions Act. The regulatory body of the different health care professionals is responsible of what their registrants do. Although the word "acupuncturist" is restricted only to CTCMA registrants, the word "acupuncture" is not. TCM practitioners should inform the public the credentials of their education and the quality of service they can offer.

Suggestion that the word "Acupuncture" should be controlled was raised. The word "Acupuncture" should also be restricted to CTCMA registrants in addition to the word "Acupuncturist".

Question was raised about insurance covers for TCM patients. Some patients have been told that insurance does not cover acupuncture practiced by TCM practitioners. Many BC insurance companies are based in Ontario. As soon as this area is regulated, it should be covered.

Question was raised regarding complaints being referred to different colleges. The regulatory body of the different health care professionals is responsible of what their registrants do. CTCMA does not have the authority to regulate other professionals due to Health Professions Act.

Comment that CTCMA should be treated as equal level as other colleges of different professions.

Question was raised about TCM practicing without CTCMA registration. CTCMA informed colleges of the restriction of titles used in BC. CTCMA deals with illegally used titles at the source. CTCMA does not actively locate such persons. The public/registrants should contact local health personnel.

Question was raised regarding Schedule I – the Safety of Herbal Practice. The Ministry of Health has informed CTCMA that we cannot propose Bylaw changes. This will be the first item to be discussed when CTCMA meet with the Ministry of Health.

The meeting adjourned at 3:47 pm.