

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
)
JUSTICE SPENCE)

TUESDAY..., THE ...20TH
DAY OF JANUARY 2015

BETWEEN:

(Court Seal)

COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS AND
ACUPUNCTURISTS OF ONTARIO

Applicant

and

SOON RYOL YANG

Respondent

APPLICATION UNDER Section 87 of the *Health Professions Procedural Code*, being Schedule
2 to the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18

ORDER

THIS APPLICATION, made by the Applicant, the College of Traditional Chinese
Medicine Practitioners and Acupuncturists of Ontario (the “College”), was heard this day at the
Court House, 393 University Avenue, Toronto, Ontario, M5G 1E6.

ON READING the Applicant’s Application Record, Factum and Brief of Authorities and
the Consent executed by all parties filed, and on hearing the submissions of counsel for the
College, ~~in the presence of the Respondent, Soon Ryol Yang (“Ms. Yang”) and a translator,~~

1. **THIS COURT DECLARES** that the Ms. Yang has violated sections 3, 4 and 8 of the *Traditional Chinese Medicine Act, 2006*, S.O. 2006, c. 27 (the “*TCMA*”) by performing a controlled act despite not being a member of the College;

2. **THIS COURT FURTHER DECLARES** that the Respondent has breached sections 27 and 33 of the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18 (the “*RHPA*”) by using the title “Doctor” in the course of providing or offering to provide, in Ontario, health care to individuals;

3. **THIS COURT ORDERS** that Ms. Yang shall:

- (a) immediately cease and desist from using the title “doctor”, or any abbreviation thereto, contrary to section 33(1) of the *RHPA*;
- (b) immediately cease and desist using the titles “traditional Chinese medicine practitioner” or “acupuncturist”, a variation or abbreviation or an equivalent in another language, in contravention of section 8(1) of the *TCMA*;
- (c) immediately cease and desist from holding herself out as a person who is qualified to practice in Ontario as a traditional Chinese medicine practitioner or acupuncturist or in a specialty of traditional Chinese medicine, in contravention of section 8(2) of the *TCMA*; and
- (d) immediately cease and desist from performing controlled acts limited to members of the College, in contravention of sections 3 and 4 of the *TCMA* and section 27 of the *RHPA*.

4. **THIS COURT ORDERS** that Ms. Yang shall pay costs to the College in the sum of \$1,750.00, inclusive of disbursements and HST, which amount is due and payable within thirty days of the date of this Order.

" SPENCE, J "

(Signature of Judge) *U*

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PRACTITIONERS AND ACUPUNCTURISTS OF ONTARIO
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-and- SOON RYOL YANG

Respondent

Court File No. CV-14-516109

ONTARIO

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PROCEEDING COMMENCED AT TORONTO

ORDER

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