

**DISCIPLINE COMMITTEE OF THE
COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS
AND ACUPUNCTURISTS OF ONTARIO**

Richard Guo Qing Dong, Chair)	WEDNESDAY,
Deborah Sinnatamby)	THE 15 th DAY OF
Pixing Zhang)	JANUARY, 2020

B E T W E E N :

COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS
AND ACUPUNCTURISTS OF ONTARIO

- and -

DAVID MOON

ORDER

THIS HEARING was held on January 15, 2020 in Thornhill, Ontario.

ON READING the Notice of Hearing, the Agreed Statement of Facts and Admission of Professional Misconduct, the Joint Submission as to Penalty and Costs, and on hearing the submissions of counsel for the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (“College”) and the submissions of David Moon (the “Registrant”) on his own behalf:

A. THE DISCIPLINE COMMITTEE FINDS that the Registrant has committed professional misconduct pursuant to clause 51(1)(c) of the Health Professions Procedural Code, being Schedule 2 to the *Regulated Health Professions Act, 1991* and as defined in the following paragraphs of section 1 of Ontario Regulation 318/12 made under the *Traditional Chinese Medicine Act, 2006*:

- a. **Paragraph 1:** Contravening, by act or omission, a standard of practice of the profession or failing to maintain the standard of practice of the profession (in particular, Standard of Practice (4) – Communication and Standard of Practice (5) - Record Keeping); and

- b. **Paragraph 19:** Submitting an account or charge for services that the member knows or ought to know is false or misleading; and
- c. **Paragraph 25:** Failing to keep records in accordance with the standards of the profession; and
- d. **Paragraph 26:** Signing or issuing, in his or her professional capacity, a document that the member knows or ought to know contains a false or misleading statement; and
- e. **Paragraph 27:** Falsifying a record relating to the member's practice; and
- f. **Paragraph 39:** Contravening, by act or omission, a provision of the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts (in particular, section 76(3) of the Code); and
- g. **Paragraph 48:** Engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by the profession as disgraceful, dishonourable or unprofessional.

B. THE DISCIPLINE COMMITTEE ORDERS THE FOLLOWING PENALTY AND COSTS:

1. The Registrant is required to appear before a panel of the Discipline Committee immediately following the hearing of this matter to be reprimanded, with the fact of the reprimand and a summary of the reprimand to appear on the public register of the College.
2. The Registrar is directed to immediately suspend the Registrant's Certificate of Registration for a period of nine (9) months, to commence immediately following the hearing.
3. The Registrar is directed to immediately impose the following specified terms, conditions and limitations on the Registrant's Certificate of Registration:
 - a. Requiring that the Registrant successfully complete the PROBE ethics course, at his own expense, within nine (9) months of the date of this Order of the Discipline Committee.
 - b. Requiring that the Registrant successfully complete the College's Record Keeping E-Workshop, at his own expense, within nine (9) months of the date of this Order of the Discipline Committee.

- c. Requiring that the Registrant participate in up to three (3) practice inspections, at his own expense, within two (2) years of his return to practice.
4. The Registrant is required to pay to the College costs in the amount of \$10,000.00 within two (2) months of the date of this Order of the Discipline Committee.

Date: Jan 15, 2020

Richard G. Dong

Richard Guo Qing Dong, Chair