

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

Deborah Sinnatamby (Chair))	MONDAY,
Ming C. Cha)	THE 23 rd DAY OF
Pixing Zhang)	AUGUST, 2021

B E T W E E N :

COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS AND ACUPUNCTURISTS
OF ONTARIO

- and -

ESTHER YU KWAN CHENG

ORDER

THIS HEARING was held on August 23, 2021 in Toronto, 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 counsel for Esther Yu Kwan Cheng (the "Member"):

A. THE DISCIPLINE COMMITTEE FINDS that the Member 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*:

1. **Paragraph 19:** Submitting an account or charge for services that the member knows or ought to know is false or misleading;
2. **Paragraph 25:** Failing to keep records in accordance with the standards of the profession;
3. **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

4. **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 Member 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 Member's Certificate of Registration for a period of three (3) months, to commence immediately following the hearing.
3. The Registrar is directed to immediately impose the following specified terms, conditions or limitations on the Member's Certificate of Registration:
 - a. Requiring that the Member successfully complete an ethics course, pre-approved by the Registrar, at her own expense, within six (6) months of the date of the Order of the Discipline Committee;
 - b. Requiring that the Member successfully complete the College's Record Keeping course, at her own expense, within six (6) months of the date of the Order of the Discipline Committee;
 - c. Requiring that the Member successfully complete, to the satisfaction of the Registrar, a 1000-word reflective essay, within six (6) months of the date of the Order of the Discipline Committee;
 - d. Requiring that the Member participate in up to three (3) practice assessments, at her own expense, within two (2) years of her return to practice following the suspension. The cost of each assessment shall not exceed \$600.00.
4. The Member is required to pay to the College, in equal monthly payments, or at such earlier times as she may determine at her discretion, costs in the amount of \$3,500.00 within ten (10) months of the Order of the Discipline Committee.

Date: Monday August 23, 2021


Deborah Sinnatamby, Chair

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ORDER

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