

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

Kim Bishop, Chair, Public Member)
Terry Hui, Professional Member)
Iftikhar Choudry, Public Member)
FRIDAY, THE 22ND
DAY OF NOVEMBER 2024)
)

B E T W E E N :

COLLEGE OF TRADITIONAL CHINESE MEDICINE
PRACTITIONERS AND ACUPUNCTURISTS OF ONTARIO

- and -

DELON DIK-LUNG CHENG

ORDER

THIS HEARING was held on November 22, 2024, electronically by way of videoconference.

ON READING the Notice of Hearing re File No 4-0116 dated December 5, 2023, the allegations in the Notice of Hearing re File No 5-0149 having been withdrawn; the Agreed Statement of Facts and Admission of Professional Misconduct; the Joint Submission on Penalty and Costs, and on hearing the submissions of counsel for the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (the “College”) and counsel for the member, Delon Dik-Lung Cheng (the “Member”):

A. THE DISCIPLINE COMMITTEE FINDS that the Member has committed professional misconduct pursuant to the following:

1. Clause 51(1)(b.1) of the Health Professions Procedural Code (the “Code”), being Schedule 2 to the *Regulated Health Professions Act, 1991* (the “RHPA”) (the member has sexually abused a patient, more specifically, behaviour or remarks of a sexual nature by the member towards the patient).
2. Clause 51(1)(c) of the Code and as set out in the following paragraphs of section 1 of Ontario Regulation 318/12 made under the *Traditional Chinese Medicine Act, 2006* (the “Act”):

- 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 (more particularly Standard for Communication);
- b. **Paragraph 18:** Acting in a professional capacity while in a conflict of interest;
- c. **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; and
- d. **Paragraph 49:** Engaging in conduct that would reasonably be regarded by the profession as conduct unbecoming a practitioner of traditional Chinese medicine or acupuncture.

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 suspend the Member's Certificate of Registration commencing December 23, 2024, at 12:01 a.m. and continuing for a period of four (4) months or until the requirements in paragraph 3(a) are satisfied, whichever is longer. One (1) month of the suspension will be remitted if the Member satisfies the terms, conditions and limitations in paragraph 3(a) below within three (3) months of the date of the Order.
3. The Registrar is directed to immediately impose the following specified terms, conditions and limitations on the Member's Certificate of Registration:
 - a. Requiring that the Member successfully complete an ethics course, pre-approved by the Registrar, at his own expense, within three (3) months of the date of the Order of the Discipline Committee.
4. The Member is required to reimburse the College for funding provided to the Patient for therapy and counselling provided under the program established under section 85.7 of the Health Professions Procedural Code, being Schedule 2 of the Regulated Health Professions Act, 1991, up to the maximum allowable amount of \$17,370.00.
5. The Member is required to pay to the College costs in the amount of \$6,000.00, with \$3,000 of the costs being payable on the date of the Order of the Discipline Committee and the remaining balance being payable within three (3) months of the date of the Order of the Discipline Committee.

Date: November 22, 2024

Signed by:
Kimberley Bishop
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Kim Bishop, Chair

COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS
AND ACUPUNCTURISTS OF ONTARIO

- and -

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COLLEGE OF TRADITIONAL CHINESE
MEDICINE PRACTITIONERS
AND ACUPUNCTURISTS OF ONTARIO

ORDER

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