

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

IN THE MATTER OF

**the *Regulated Health Professions Act, 1991, S.O. 1991, c.
18, and the *Traditional Chinese Medicine Act, S.O. 2006,
c.27****

Decision Date: January 11, 2023

Indexed as: Ontario (College of Traditional Chinese Medicine
Practitioners & Acupuncturists of Ontario) v Witz, 2023
ONCTCMPAO 20

Panel:	Judy Cohen	Chairperson
	Kim Bishop	Public Member
	Meiying Chen	Professional Member

BETWEEN:

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

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(Anastasia-Maria Hountalas for the
(College

-and-

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Peter Witz

(Josh Koziebrocki for the Member

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(Fredrick Schumann
(Independent Legal Counsel

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(Date of Hearing: January 11, 2023

DECISION AND REASONS FOR DECISION

[1] This matter came on for hearing before a panel of the Discipline Committee (the “Panel”) of the College of Traditional Chinese Medicine Practitioners and Acupuncturists (the “College”), on January 11, 2023, via videoconference. The matter was in respect of the allegations in a Notice of Hearing dated January 3, 2022.

[2] Both parties asked that we adjourn the matter indefinitely in recognition of the Member’s signed Acknowledgement and Undertaking to Resign and Never Reapply (the “Undertaking”). The member signed the Undertaking, with the benefit of legal advice, on November 29, 2022.

[3] In the Undertaking, the member agreed to resign his membership in and certificate of registration with the College. The resignation is effective immediately upon the signing of the Undertaking. The member also agreed never to reapply for membership, registration, licensure or similar status as a Traditional Chinese Medicine practitioner or acupuncturist with the College or any other Traditional Chinese Medicine or acupuncture regulatory body in Canada.

[4] The Undertaking provides that, if the member ever does apply for membership in the College or a corresponding body in another jurisdiction in Canada, the College will be entitled to reinstitute this matter, and to prosecute him for a breach of his undertaking. The College will have jurisdiction over the Member even though he has resigned, under s. 14 of the Health Professions Procedural Code, being Schedule 2 of the *Regulated Health Professions Act, 1991*.

[5] In the Undertaking, the member also agreed to reimburse the College for certain funding provided to a complainant.

[6] At the hearing, we decided to accept the parties’ proposal, and to adjourn the hearing indefinitely. In our view, the resolution of the matter as set out in the Undertaking would protect the public and represent an effective use of the College’s resources. We regarded the proposed disposition as consistent with the public interest, and so granted the order sought.

[7] Accordingly, the matter represented by the Notice of Hearing dated January 3, 2022, is indefinitely stayed.

I, Judy Cohen, sign this decision as chairperson of the Panel and on behalf of the Panel members listed below.

Date: January 11, 2023

Signed: Judy Cohen
Meiying Chen
Kim Bishop
Judy Cohen