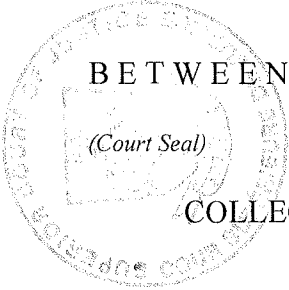


**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
JUSTICE Archibell)

....., THE #2 DAW
DAY OF October, 2017



BETWEEN:

COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS AND
ACUPUNCTURISTS OF ONTARIO

Applicant

and

LINGLI WANG

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”), for declarations that the
Respondent has violated the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18 (the
“RHPA”) and the *Traditional Chinese Medicine Act, 2006*, S.O. 2006, c. 27 (the “TCMA”) and for
a permanent injunction against the Respondent was heard on this day at the Court House, 393
University Avenue, Toronto, Ontario, M5G 1E6.

ON READING the Application Record of the Applicant and the Book of Authorities of the Applicant, and on hearing the submissions of counsel for the Applicant, and on reading the Consent of the Parties;

1. **THIS COURT DECLARES** that the Respondent has violated sections 3 and 4 of the *TCMA* and section 27 of the *RPHA* by performing controlled acts limited to members of the College;

2. **THIS COURT DECLARES** that the Respondent has violated section 8(2) of the *TCMA* by holding herself out as person qualified to practice in Ontario as a traditional Chinese medicine practitioner and acupuncturist or in a specialty of traditional Chinese medicine despite not being a member of the College;

3. **THIS COURT DECLARES** that the Respondent has breached section 30(1) of the *RHPA* by treating or advising persons with respect to their health in circumstances in which it was reasonably foreseeable that serious bodily harm may result from the treatment or advice or from an omission from them; and

4. **THIS COURT ORDERS** that the Respondent be and hereby is prohibited and enjoined, and must immediately cease and desist, from:

(a) 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*, specifically:

(i) performing a procedure on tissue below the dermis and below the surface of a mucous membrane for the purpose of performing acupuncture; and

- (ii) communicating a traditional Chinese medicine diagnosis identifying a body system disorder as the cause of a person's symptoms using traditional Chinese medicine techniques;
- (b) holding herself out as a person who is qualified to practice in Ontario as a traditional Chinese medicine practitioner or acupuncturist or in a speciality of traditional Chinese medicine, in contravention of section 8(2) of the *TCMA*;
- (c) treating and advising persons with respect to their health in circumstances in which it is reasonably foreseeable that serious harm may result from treatment or advice or from an omission from them, in contravention of section 30(1) of the *RHPA*;

5. **THIS COURT FURTHER ORDERS** that the terms outlined in paragraphs 1-4 of the within Order do not prohibit the Respondent from submitting an Application to the College for membership. In the event that the College, upon review of said Application, deems that the Respondent has satisfied the requirements for the issuance of a certificate of registration under sections 4 and 9 of Ontario Regulation 27/13 and issues a certificate of registration, the Respondent may practice traditional Chinese medicine and/or acupuncture pursuant to the terms of the issued certificate of registration; and

6. **THIS COURT FURTHER ORDERS** that the Respondent shall pay costs to the College in the sum of \$6,000.00, inclusive of disbursements and HST, which amount is due and payable within thirty days of the date of this Order.



(Signature of Judge)

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.

OCT 03 2017

PER / PAR:



COLLEGE OF TRADITIONAL CHINESE MEDICINE
PRACTITIONERS AND ACUPUNCTURISTS OF ONTARIO
Applicant

-and- LINGLI WANG
Respondent

Court File No. 17-574411

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

ORDER

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