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TRANSITIONAL COUNCIL

President	Cedric K.T. Cheung
Vice President	Lynn Bowering
Members	Ian Eng James Fu Joanne Pritchard-Sobhani

President's Message

Two decades ago, Ontario's traditional Chinese medicine community saw the need to promote and establish the practice of traditional Chinese medicine (TCM) as a regulated health profession. The TCM professionals asked to be regulated along with more than 75 other health professions. They participated in the Health Professions Legislation Review, which resulted in 23 health professions being granted self-regulation under the *Regulated Health Professions Act, 1991* (RHPA). TCM was not included.

We have come a long way since then.

In December 2005, the Ontario government introduced the "Traditional Chinese Medicine Act, 2006" (TCM Act) with the goal of ensuring public safety through effective regulation of the profession of TCM, establishing the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (CTCMPAO). The profession has been welcomed into the RHPA and the Transitional Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario becomes a member of the Federation of Health Regulatory Colleges of Ontario.

The TCM Act permitted the Lieutenant Governor in Council to appoint a Transitional Council and a Registrar with the authority to do what is necessary or advisable for the implementation of the TCM Act and anything the regular Council and Registrar could do.

In its first two years of existence, the Transitional Council accomplished a lot under the guidance of the Ministry of Health and Long-Term Care, the advice from our legal counsel, R. Steinecke, External Chair, Jim Dunsdon and support from our Registrar, Emily Cheung and her staff. We were able to work within the highly complex RHPA system to develop entry-to-practice standards - the "Entry-level Occupational Competencies for the Practice of Chinese Medicine in Canada", draft regulations on Registration and Professional Misconduct, CTCMPAO by-laws and policies for operation.

Yet Ontario's TCM community is often confused, almost schizophrenic, as it struggles to understand what regulation means to their practice under the RHPA system and in the context of government legislation. While it is clear that the TCM community wants to enjoy the privilege of self-regulation and recognition under the RHPA, it appears unwilling to accept change - which often brings benefits, along with challenges. Adding to the uneasiness is the intent of some interest groups that purposely created fear and resistance by spreading misinformation among the TCM practitioners and the public.

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過渡委員會主席張金達(Cedric Cheung)引言:

二十年前, 安省中醫界認為如要在安省促進和建立中醫業, 就必須讓中醫成為受雇規管的醫療專業。那時, 中醫業連同超過75個的醫療專業參加了醫療護理專業立法審查 (Health Professions Legislation Review), 要求政府接受自我規管。結果只有23個醫療專業在『法定醫療護理專業法, 1991』(RHPA)下批准自我規管, 但這些醫療專業並不包括中醫。

中醫業從此經歷了很漫長的路。

在2005年12月, 政府是要有效規管中醫的專業來確保公眾安全, 訂定了『中醫法, 2006』(Traditional Chinese Medicine Act, 2006)的目標成立安省中醫師及針灸師管理局過渡委員會(TC-CTCMPAO)。中醫業被納入『法定醫療護理專業法, 1991』, TC-CTCMPAO 也因此成為『安省醫療護理管理局聯合會』的成員之一。

『中醫法, 2006』列明, 過渡委員會跟註冊總監是由省督任命, 被賦與執行任何實施『中醫法, 2006』的權力。他們的責任跟正式的管理局委員會無異, 直至安省中醫師及針灸師管理局正式成立為止。

過渡委員會在過去兩年在衛生廳的指導下, 還有得到法律顧問 R.Steinecke 的引導, 外部主席 Jim Dunsdon, 註冊總監張關亮冰和她屬下職員的支援下完成了很多項目。我們能夠在複雜的RHPA制度下, 完成了『中醫業入門資格』, 註冊, 專業操守和檢察規章草案, 附例以及操作政策等文件。

但是我們中醫界有很多人不明白政府立法和RHPA制度下受規管的意義, 這和他們心裏所想的規管有所出入, 亦因此覺得混淆和害怕。在一方面我們中醫界希望能夠和RHPA裡的23個醫療護理行業共享自我規管的特權和專業的認定, 但是在另一方面卻想要維持現狀和不接受改變。在這些焦慮上, 還有個別利益組織散播錯誤信息, 引起混亂和恐懼, 為中醫界添加不安。

我鼓勵各位中醫業者如果有甚麼關於過渡管理局的問題和建議, 請直接跟我們的註冊總監用電郵, 信郵或傳真聯絡。把你們的聯絡資料交給我們, 能讓我們直接溝通。中醫界害怕改變, 是因為看不清未來和不知道甚麼是事實, 而事實能在我們的網頁找到: www.ctcmpao.on.ca。在我們的網頁上也能夠找到我們的會議紀要和其他能幫助各位預備和面對改變的資源。在短期內我們還會透過我們的網頁發布條例草案和收集建議的表格。我們期待收到您的建議, 因為你的意見對於我們的發展規管過程的下一步十分重要。

我希望籍此機會衷心感謝白曉東, Kristen Bulmer, 程昭, 董國慶, Ellen Hanna, 陳少泉, Henry Maeots, Ruth Pike, Elizabeth Wilson 和吳秀梅對過渡委員會的支持。過渡委員會有今天的成績都是因為他們過去的兩年為我們所做的辛勤工作。



Change is not to be afraid of when we have the facts and know what lies ahead. I encourage all of you to visit www.ctcmpao.on.ca to learn about what change means to you. There you will find useful resources to understand and prepare for change. If you have any questions or comments about the work of the Transitional Council, please contact the Registrar directly by mail, fax or email. Give your contact information to us so that we can communicate with you directly in the future.

September 2 marks the start of the 60-day consultation period of the draft regulations on Registration and Professional Misconduct, which have been released to all TCM practitioners, stakeholders, and members of the public for review and feedback. We look forward to receiving your comments as they are vital to the next step of our regulation development process.

Taking this opportunity, I would like to extend my heart-felt appreciation to past members David Bai, Kristen Bulmer, Zhao Cheng, Richard Dong, Ellen Hanna, Sharon Lam, Henry Maeots, Ruth Pike, Elizabeth Wilson and Mary Wu for their support on the Transitional Council. Our accomplishment today is only possible thanks to their hard work in the past two years.

Highlights of the 10th Meeting of the Transitional Council

The transitional Council held its 10th meeting on July 13, 2010. Thirty-six members of the public and the TCM community observed the proceedings.

The transitional Council made the following decisions:

Auditor's Report for 2009-2010

Council accepted the Auditor's Report and the audited Statement of Expenditures presented by KPMG for the year ending March 31, 2010.

Work Plan for July – December 2010

Council approved revisions to the work plan and budget, extending deadlines for certain activities and aiming to circulate the draft regulations in August for the 60-day consultation process.

Prior Learning Assessment and Recognition (PLAR) Project Update

In May, five consulting teams and educational institutions with proven experience in PLAR expressed their interest in assisting the transitional Council develop PLAR tools and processes to evaluate currently practising traditional Chinese medicine practitioners and acupuncturists applying for registration. Of these five consultant teams, three subsequently submitted proposals to the transitional Council. Subject to Ministry funding approval and reference checks, Council will award the project to the selected team as recommended by the Executive Committee.

Privacy Code

All regulatory health colleges must have in place a Privacy Code in order to operate. Council considered and approved the draft Privacy Code for the transitional Council.

過渡委員會第十次會議紀要

過渡委員會在2010年7月12日召開了第十次會議。來自公眾和中醫界的三十六位人士列席了會議。

本次會議作出了以下決定：

審計報告2009-2010

過渡委員會接受了由畢馬威 (KPMG) 註冊會計師行所提供的截止到2010年3月31日的財政年度審計報告和已審計財務報表。

工作計劃和預算 – 2010七月至十二月

修訂工作計劃和預算、延長某些項目的截止日期、希望能夠在八月份發布條例草案以便進行60天諮詢過程。

先前學識/經驗評估及認可(PLAR) 更新

五月份, 五個在PLAR領域富有經驗的顧問團隊和教育機構, 表達了他們幫助過渡委員會在確定PLAR工具和程序方面的意向, 以便那些申請註冊開正在執業的中醫師和針灸師。其中三個團隊向過渡委員會提交了建議書。

在衛生及長期護理廳進行資金審批和資格審查後, 過渡委員會將把項目委託被執行委員會挑選的一個團隊來完成。

隱私守則

只有在規定好隱私守則之後, 所有的醫療專業規管團體才能正常運作。過渡委員會研究並核准了隱私守則草案。

跨省合作

加拿大中醫師及針灸師規管機構聯盟 (CARB/ACOR-TCMA)

過渡委員會接受了加拿大中醫師及針灸師規管機構聯盟活動的報告 (CARB/ACOR-TCMA)。在2010年5月18日到20日的多倫多會議上, CARB/ACOR-TCMA研究了由顧問團隊完成的『針灸及中醫執業表現指標和評估/教育藍圖』。該文件將被修訂。

CARB/ACOR-TCMA建議修訂『加拿大中醫初級職業技能要求』。隨著執業表現指標的制定, 一些之前制訂的職業技能要求與某幾項執業指標內容相同, 因此這些修訂是必要的。過渡委員會核准了『職業技能要求』的修改建議。

CARB/ACOR-TCMA成員同意向聯邦政府人力資源及技能發展部 (HRSDC) 申請資金, 來制訂中醫『醫生』級別的技能 and 執業表現指標、制訂在加拿大的註冊考試和教育課程審批。根據資金狀況, CARB/ACOR-TCMA預計將在 2011 年 1 月展開以上項目、期待在兩年內完成所有項目。

CARB/ACOR-TCMA將會成為中醫業界的國家平台, 通過跨省合作, 提高傳統中醫業的服務品質、促進人員流動。CARB/ACOR-TCMA將會成為政府、公眾和成員的資源。所有成員能在這裡合力解決已存在的問題, 並尋機來影響立法、提高醫療品質、加強對中醫專業人員的教育和培訓, 以確保公眾安全。

註: 中文翻譯僅供參考, 如與英文文意有出入, 則以英文版本為準

Interprovincial Collaboration

Council noted the activities of the Canadian Alliance of Regulatory Bodies for TCM Practitioners and Acupuncturists (CARB/ACOR-TCMA). At its meeting held in Toronto from May 18-20, 2010, CARB/ACOR-TCMA considered the "Performance Indicators and Assessment/Education Blueprints for TCM Practitioners and Acupuncturists" developed by the consultant team. The document will be revised.

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CARB/ACOR-TCMA recommended revisions to the “Entry-Level Occupational Competencies for the Practice of TCM in Canada”. The revisions were necessary as the development of the Performance Indicators made some of the previously approved occupational competencies redundant. Council approved the recommended revisions to the Occupational Competencies.

CARB/ACOR-TCMA members agreed to apply for funding from Human Resources Skills Development Canada (HRSDC) to support the development of competencies and performance indicators for the Dr. TCM level, a pan-Canadian registration examination and educational program approval process. Subject to availability of funds, CARB/ACOR-TCMA expects to begin the initiatives in January 2011, anticipating that all projects will be completed in two years.

CARB/ACOR-TCMA will be incorporated as the national forum to promote quality practice in traditional Chinese medicine and labour mobility through collaborative activities. It will serve as a resource to members, governments and the public. Members will work collaboratively on identified issues and act on opportunities that could impact on the regulation, quality, education and training of TCM professionals to ensure public protection.

Frequently Answered Questions

What will happen if I do not register with CTCMPAO?

After proclamation of the Registration Regulation by the government, it will be illegal for you to communicate a traditional Chinese medicine diagnosis, to perform acupuncture or practise TCM unless you are registered as a member of CTCMPAO with the appropriate certificate. Anyone found guilty could face a fine of not more than \$25,000 for a first offence and up to \$50,000 for subsequent offences. One could also be imprisoned for one year, or be fined and imprisoned. These offense provisions are set out in the RHPA and are common to all regulated health professions.

Further, any person holding themselves out to be qualified to practice TCM or using the title “Traditional Chinese medicine practitioner” or “Acupuncturist”, a variation or abbreviation or an equivalent in another language while not being a member of CTCMPAO, or claim to be “Doctor” of TCM while not certified by CTCMPAO, could face a fine of up to \$25,000 for a first offense and up to \$50,000 for subsequent offenses.

How do I register with CTCMPAO?

The transitional Council will advise you of the application procedures, fees, documentation and other requirements for registration as soon as the *Registration Regulation* is approved by government. If you wish to receive information promptly please visit this website and provide your contact information to the transitional Council by mail, fax or email.

常見問題解答(FAQs)

如果我不在CTCMPAO註冊會有什麼後果？

屆時，除非你是CTCMPAO的註冊會員並且持有適當的證書，否則如果你提供中醫診斷、從事針灸或中醫將被視違法。如果被判有罪，首次違法會面臨不超過25,000元的罰款，隨後違法將被罰款不超過50,000元。違法者也可能被判一年監禁，或同時被罰款與監禁。RHPA列明了這些違法條例，並適用於所有受規管醫療專業。

此外，任何非CTCMPAO會員，如果聲稱有資格從事中醫，或使用『中醫師』或『針灸師』頭銜，及其在另一種語言中的變異或縮寫或等同頭銜，或者在未獲得CTCMPAO認證前聲稱是一位中醫“Doctor”，首次違法將面臨不超過25,000元的罰款，隨後違法將被罰不超過50,000元的罰款。

我如何在CTCMPAO註冊？

註冊草案一經政府批准，過渡委員會將告知你註冊申請所要求的標準、步驟、費用、文件和其他要求。如你希望第一時間得到資訊，請參閱此網站，同時將你的聯絡資料用信函，電郵或傳真給我們。

CTCMPAO是否會要求每一位註冊會員用英語或法語從業？

註冊會員必須與其他醫療專業人士、醫院、社區衛生機構溝通，而且需要了解規管安省和加拿大醫療制度的法律，因此，具備合理的英語或法語流利程度是重要的。不過，申請祖輩註冊人士如果欠缺英語或法語能力，可書面提交如何與非華語的病患者，醫療專業和醫療系統溝通。

CTCMPAO會否批准個別協會的會員，自動獲得註冊？

不會。要獲得CTCMPAO的註冊是依據每位申請都要符合管理局的註冊要求。

當註冊成為強制性要求時，CTCMPAO將如何處理正處於學習中的學生？

現時的註冊草案，提供學生註冊類別。請參閱我們網頁『諮詢』(Consultation)內容。

註：中文翻譯僅供參考，如與英文文意有出入，則以英文版本為準

Will every CTCMPAO member be required to practise in English or French?

Reasonable fluency in English or French is important since it is necessary for communication with other health care professionals, hospitals, community health institutions and to understand the laws governing the health care system in Ontario and Canada. The current draft process does not require current practitioners to demonstrate their competencies through formal registration examinations. Plans are not in place to require applicants to sit formal language tests. Those applying for Grandparented registration but are lacking in language fluency may submit for approval a written plan on how to communicate with non-Chinese speaking patients, other health care professionals and the health care system.

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Does membership in a TCM association mean automatic registration with CTCMPAO?

No, membership to a TCM association will not mean automatic registration with CTCMPAO. Anyone applying for registration must meet the CTCMPAO's registration requirements.

I have heard that some organizations are holding examinations, claiming that passing their examinations would lead to registration with the College. Is this true?

No, this claim is false as CTCMPAO has not yet set the requirements for registration with the college.

The CTCMPAO is the ONLY organization legally authorized by the Ontario government to evaluate candidates to determine who is qualified to practise traditional Chinese medicine and be issued a certificate to practice in Ontario.

When registration becomes mandatory, how will CTCMPAO deal with students who are in the middle of their educational programs?

The draft Registration Regulation proposes a registration class for students. Please visit the consultation section on www.ctcmpao.on.ca to access the draft Registration Regulation.

Notice of Staff Changes

We would like to bid a fond farewell to our Executive Assistant, Arwen Long, as she will be moving on to join an international organization as of August, 2010. Arwen has been an important member of our team contributing to the work of the transitional Council and Committees. She will be sorely missed. We would like to take this opportunity to thank Arwen for her invaluable efforts these past 2 years. We wish her the best of luck in her future endeavors.

We would also like to welcome with great pleasure our new Communications and Projects Assistant, Conrad Tang. Conrad will bring forth youthful energy to the office. We look forward to having him on our team.

PUBLIC CONSULTATIONS ON DRAFT REGISTRATIONS AND PROFESSIONAL MISCONDUCT REGULATIONS

According to the requirement of the *Regulated Health Professional Act, 1991*, the TC-CTCMPAO is inviting practitioners, stakeholders and members of the public to review and provide feedback on two draft regulations:

- Registration Regulation, and
- Professional Misconduct Regulation

How to obtain a copy of the draft regulations and feedback form:

- Electronic copy - download from: www.ctcmpao.on.ca under "Consultation"
- Hard copy - call (416) 862-4790, fax (416) 874-4078 or email: info@ctcmpao.on.ca to request a hard copy to be sent to you by mail.

How to provide feedback:

- Feedback must be provided in writing.
- Complete the feedback form and return to TC-CTCMPAO by email: survey@ctcmpao.on.ca, fax: (416) 874-4078 or mail: 163 Queen St. E., 4/F, Toronto, Ontario M5A 1S1.

Deadline for submitting feedback:

Feedback must be received by TC-CTCMPAO by 5:00 p.m., Tuesday, November 9, 2010

註冊及專業操守規章草案公眾諮詢

依照法定醫療護理專業法, 1991 (*Regulated Health Professional Act, 1991*) 的要求, TC-CTCMPAO 目前正邀請從業者、相關者和公眾審閱以下兩套規章草案, 並提供反饋意見:

- 註冊規章, 和
- 專業操守規章

如何索取一份規章草案和反饋意見表:

- 電子版 - 從以下網站下載: www.ctcmpao.on.ca, 點擊“諮詢”(“Consultation”); 或
- 印刷版 - 請致電 (416) 862-4790, 傳真 (416) 874-4078 或發電子郵件: info@ctcmpao.on.ca 索取。印刷版規章草案將郵寄給閣下。

如何提供反饋意見:

- 反饋意見必須以書面形式提供。
- 將反饋意見表填妥, 並通過以下方式發送給 TC-CTCMPAO: 電子郵件: survey@ctcmpao.on.ca, 傳真: (416) 874-4078 或信函: 163 Queen St. E., 4/F, Toronto, Ontario M5A 1S1。

遞交反饋意見截止日期:

反饋意見必須在2010年11月9日, 星期二下午五時之前遞交給 TC-CTCMPAO。



Transitional Council of the College of Traditional Chinese
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