

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

Indexed as: College of Traditional Chinese Medicine Practitioners and Acupuncturists of
Ontario v Chun Sheng Liu, 2026 ONCTCMPAO 33

Date: 20260520

BETWEEN:

THE COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS
AND ACUPUNCTURISTS OF ONTARIO

- and -

CHUN SHENG LIU

PANEL:	Kimberley Bishop Akari Yokokawa	Chair, Public Member Professional Member
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Appearances: Anastasia-Maria Hountalas, counsel for the College
Robert Karrass, counsel for the Member
Andrea Gonsalves, Independent Legal Counsel to the Panel

Heard: April 27, 2026

DECISION AND REASONS FOR DECISION

[1] This matter was heard by a panel of the Discipline Committee (the “**Panel**”) of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (the “**College**”), on April 27, 2026, by videoconference. The Panel announced its decision on the misconduct allegations, penalty and costs orally at the hearing. These are our reasons for decision.

[2] The hearing started with a three-member Panel constituted pursuant to s. 38 of the Health Professions Procedural Code, being Schedule 2 to the *Regulated Health Professions Act, 1991*, SO 1991, c 18 (the “**Code**”). However, during the hearing one Panel member became unable to complete the hearing or participate in the decision due to personal circumstances. Pursuant to s. 4.4(2) of the *Statutory Powers Procedure Act*, RSO 1990, c S.22, the remaining two Panel

members completed the hearing and rendered decisions on the misconduct allegations and penalty. The parties confirmed their consent to the hearing proceeding with a reduced Panel of two.

The allegations

[3] This matter concerned two notices of hearing, both dated June 18, 2024. An earlier order of the Discipline Committee, on consent of the parties, directed that the two proceedings be heard together. The two notices of hearing each allege that Chun Sheng Liu (the “**Member**”) is guilty of professional misconduct pursuant to s. 51(1)(c) of the Code and s. 1 of Ontario Regulation 318/12 (the “**Professional Misconduct Regulation**”) made under the *Traditional Chinese Medicine Act, 2006*, SO 2006, c 27 (the “**Act**”).

[4] The allegations in each Notice of Hearing were set out in a Statement of Allegations appended thereto. The Statement of Allegations in file no. 5-0172 (the “**First Notice of Hearing**”), is reproduced as Appendix “A” to these reasons. In the First Notice of Hearing the College alleges that, between on or about April 8 and 28, 2022, the Member failed to cooperate with and/or obstructed the College’s investigation into the conduct of another member by refusing to allow a College investigator to access, examine and/or collect patient records and/or by failing to securely store and/or improperly destroying patient records during the course of the investigation. The College alleges that:

- a. the Member’s conduct contravened the standards of practice of the profession (namely the Standard for Legislation, Standards and Ethics and the Standard for Record Keeping), constituting professional misconduct under s. 1.1 of the Professional Misconduct Regulation;
- b. the Member’s conduct contravened ss. 76(3) and 76(3.1) of the Code, constituting professional misconduct under s. 1.39 of the Professional Misconduct Regulation;
- c. the Member engaged in conduct or performed 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, constituting professional misconduct under s. 1.48 of the Professional Misconduct Regulation; and
- d. the Member engaged in conduct that would reasonably be regarded by the profession as unbecoming a practitioner of traditional Chinese medicine or acupuncture, constituting professional misconduct under s. 1.49 of the Professional Misconduct Regulation.

[5] The Statement of Allegations in file no. 5-0174 (the “**Second Notice of Hearing**”), is reproduced as Appendix “B” to these reasons. In the Second Notice of Hearing the College alleges that, between approximately 2012 and December 2022, the Member failed to ensure records were translated into English or French, failed to identify short forms, failed to keep sufficiently detailed treatment records, failed to keep financial and infection control records, failed to retain records for 10 years, failed to keep consistent appointment records, and/or fabricated records for the purpose of College or other investigations. The College also alleges that, between around August 1, 2021 and December 20, 2022, the Member used another practitioner’s name or the name “on call” on at least eight receipts for treatments he actually provided himself and/or failed on at least one occasion to itemize accounts for professional services he provided. The College alleges that:

- a. the Member's conduct contravened the standards of practice of the profession (namely the Standard for Record Keeping and the Standard for Fees and Billing), constituting professional misconduct under s. 1.1 of the Professional Misconduct Regulation;
- b. the Member failed to itemize an account for professional products or services while practising the profession, constituting professional misconduct under s. 1.22 of the Professional Misconduct Regulation;
- c. the Member failed to keep records in accordance with the standards of the profession, constituting professional misconduct under s. 1.25 of the Professional Misconduct Regulation;
- d. the Member falsified a record relating to his practice, constituting professional misconduct under s. 1.27 of the Professional Misconduct Regulation;
- e. the Member engaged in conduct or performed 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, constituting professional misconduct under s. 1.48 of the Professional Misconduct Regulation; and
- f. the Member engaged in conduct that would reasonably be regarded by the profession as unbecoming a practitioner of traditional Chinese medicine or acupuncture, constituting professional misconduct under s. 1.49 of the Professional Misconduct Regulation.

Member's position

[6] The Member admitted to the allegations set out in the Notices of Hearing. Prior to taking the Member's plea, counsel for the College advised that the only standards for which there would be evidence in the hearing were the Standard for Record Keeping, the Standard for Fees and Billing, and Standard for Legislation, Standards and Ethics. Although the Standard for Infection Control and the Standard for Consent are included as particulars in the Second Notice of Hearing, the Member's plea did not include admissions that he contravened those standards.

[7] The Panel conducted an oral plea inquiry at the hearing. In addition, in the Agreed Statement of Facts filed in evidence at the hearing (discussed further below) the Member acknowledged his understanding of the allegations against him, of the consequences of admitting the allegations, and that he was admitting to the facts and the alleged misconduct freely and voluntarily. The Panel was satisfied that the Member's admissions were voluntary, informed and unequivocal.

The evidence

[8] The evidence was tendered by way of an Agreed Statement of Facts, which provided in relevant part as follows.

The Member

1. Chun Sheng Liu (the "Member") became a Grandparented member (R. TCMP, R. Ac) of the College of Traditional Chinese Medicine Practitioners and Acupuncturists

of Ontario (the “College”) on April 1, 2013. He transferred to the General class (R. TCMP, R. Ac) on March 2, 2016. A copy of the Member’s public register profile is attached as Tab “A”.

2. At all material times, the Member owned and practiced at Bodycare Medical Centre in Richmond Hill.

Failing to Keep Records as Required and Falsifying Records

3. It is agreed that between 2012 and December 2022, the Member:
 - a. failed to ensure all records were translated into either English or French, in particular by keeping some patient records in Chinese only;
 - b. failed to identify short forms used;
 - c. failed to keep sufficiently detailed treatment records, in particular regarding patient history, symptoms, TCM diagnosis, treatment plan and advice for each patient;
 - d. failed to keep financial records, in particular by failing to issue receipts for treatment and failing to maintain payment records for some patients;
 - e. failed to keep records of infection control procedures;
 - f. failed to retain records for 10 years as required;
 - g. failed to keep consistent records of appointments, in particular by not maintaining an appointment book; and
 - h. fabricated records for the purpose of College or other investigations, in particular by expanding treatment notes and creating new treatment notes in response to document requests from the College.
4. It is agreed that the following written standards of practice were in force at the time in question:
 - a. Standard for Record Keeping (current version in force January 1, 2021; ...);
 - b. Standard for Fees and Billing (in force April 1, 2021 ...); and
 - c. Standard for Legislation, Standards and Ethics (in force January 2013, ...).

Improper Billing

5. It is further agreed that between August 1, 2021, and December 20, 2022, the Member:
 - a. used another practitioner’s name or the name “on call” on at least eight receipts for treatments he actually provided himself; and
 - b. on at least one occasion, failed to itemize accounts for professional services he provided.

Failure to Cooperate and Obstruction of an Investigation

6. A College investigator may inquire into and examine the practice of the member being investigated. In so doing, the investigator may make reasonable inquiries of any person on matters relevant to the investigation.
7. No person shall obstruct an investigator or withhold or conceal from her or destroy anything that is relevant to the investigation, and members must co-operate fully with an investigator.
8. The requirements in paragraphs 6-7 above apply despite any provision in any act relating to the confidentiality of health records.
9. It is agreed that: between April 8 and 28, 2022, the Member failed to cooperate with and obstructed the College's investigation into the conduct of another member, QX. In particular, it is agreed that:
 - a. On April 8, 2022, the College's investigator attended at Bodycare Medical Centre to collect QX's patient records (the "requested records"). During this attendance:
 - i. The Member initially refused to provide the investigator with any access to the requested records;
 - ii. The Member eventually allowed the investigator to identify the requested records on a shelving unit, but refused to allow her to access or examine the content of those records;
 - iii. The investigator identified 19 patient records on the shelving unit and explained that she was permitted to collect these records under the legislation;
 - iv. The Member again declined to allow the investigator to examine the content of the requested records and, instead, went through the records and showed her certain documents;
 - v. The Member then spoke to College staff, who explained the Member's obligation to cooperate; and
 - vi. The Member ultimately permitted the investigator to collect copies of QX's receipts, but refused to allow her to collect the requested records.
 - b. At some point after the April 8, 2022 attendance, the Member destroyed the requested records by cutting them up with a hand saw.
 - c. On April 28, 2022, the College's investigator returned to Bodycare Medical Centre with a summons for the requested records and a Mandarin interpreter. During this attendance:
 - i. The investigator observed that the shelving unit where she had previously identified the requested records was mostly bare;

- ii. The investigator gave the Member the summons and explained that she had returned to collect the requested records; and
- iii. The Member told the investigator that he had destroyed the requested records and showed her the hand saw he used to do so.

Admission of Professional Misconduct

10. It is agreed that the conduct above constitutes professional misconduct pursuant to section 51(1)(c) of the Health Professions Procedural Code (the “Code”), being Schedule 2 to the *Regulated Health Professions Act, 1991* (the “RHPA”) and 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, namely the Standard for Record Keeping, the Standard for Fees and Billing, and Standard for Legislation, Standards and Ethics);
 - b. Paragraph 22 (Failing to itemize an account for professional products or services while practising the profession);
 - c. Paragraph 25 (Failing to keep records in accordance with the standards of the profession);
 - d. Paragraph 27 (Falsifying a record relating to the member’s practice);
 - e. Paragraph 39 (Contravening, by act or omission, a provision of the Act, the RHPA or the regulations under either of those Acts, namely sections 76(3) and/or 76(3.1) of the Code);
 - f. 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
 - g. Paragraph 49 (Engaging in conduct that would reasonably be regarded by the profession as conduct unbecoming a practitioner of traditional Chinese medicine or acupuncture).

Decision of the panel

[9] Having considered the Member’s admissions, the evidence contained in the Agreed Statement of Facts, and the submissions of counsel, the Panel found that the Member committed the acts of professional misconduct alleged in the Notices of Hearing.¹ With respect to allegation (c) in the First Notice of Hearing and allegation (e) in Second Notice of Hearing, the Panel found that the Member’s conduct would reasonably be regarded by members as disgraceful, dishonourable and unprofessional.

¹ Except, as noted above, that the Panel made no finding as to any contravention of the Standard for Infection Control and the Standard for Consent in the Second Notice of Hearing.

Reasons for decision

[10] The College had the burden of proof in this hearing. For the Panel to make findings of professional misconduct, the College had to prove the allegations against the Member on a balance of probabilities through clear, cogent and convincing evidence. In view of the Member's admissions, which the Panel found were voluntary, informed and unequivocal, the Panel's task was to determine whether the admitted facts in the Agreed Statement of Facts established the elements of each allegation.

[11] With respect to the First Notice of Hearing, the Agreed Statement of Facts established that the Member failed to cooperate with the College's investigator. When the investigator attended at Bodycare Medical Centre to collect QX's patient records. The Member then allowed the investigator to identify the records on a shelving unit but refused to let her access, examine or collect the records. At some point after the investigator's attendance, the Member destroyed the requested records with a hand saw. The investigator then returned to Bodycare Medical Centre with a summons and the Member told her he had destroyed the records. Those facts established on a balance of probabilities that the Member contravened the standards of practice of the profession. In particular, the Member contravened the standards relating to maintaining patient records and standards requiring members to understand and adhere to the legislation governing the practice of the profession. The College proved allegation (a).

[12] The same facts prove allegation (b) in the First Notice of Hearing on a balance of probabilities. Subsection 76(3) of the Code provides that no person shall obstruct an investigator appointed under s. 75 of the Code, or withhold or conceal from the investigator or destroy anything that is relevant to the College investigation. Subsection 76(3.1) obligates a member to co-operate fully with an investigator. The Member contravened his obligations under both provisions.

[13] The same conduct also supported findings on allegation (c) and (d) of the First Notice of Hearing. Obstructing a College investigation and destroying relevant records is conduct relevant to the practice of the profession and would reasonably be regarded by the profession as disgraceful, dishonourable and unprofessional, as well as conduct unbecoming a practitioner. The College must be able to rely on members to cooperate with investigators in order to protect the public.

[14] With respect to the Second Notice of Hearing, the Agreed Statement of Facts established multiple and prolonged record-keeping failures by the Member, including maintaining records only in Chinese, failing to identify short forms, failing to keep sufficiently detailed treatment and financial records, failing to keep infection control records, failing to retain records for the required period, and failing to keep consistent appointment records. The Agreed Statement of Facts also established improper billing, including the use of another practitioner's name or the name "on call" on receipts for treatments the Member actually provided, the failure to itemize accounts, and the fabrication of records in response to College document requests. By these actions, the Member contravened the College's Standard for Record Keeping and the Standard for Fees and Billing. Those facts established allegations (a), (b), (c) and (d) on a balance of probabilities.

[15] The Panel also found that the misconduct described in the Agreed Statement of Facts regarding the Member's records would reasonably be regarded by the profession as disgraceful, dishonourable and unprofessional, and as conduct unbecoming a practitioner. The conduct was not an isolated lapse. It involved repeated failures by the Member to meet fundamental professional obligations concerning accurate records, billing integrity and honesty in his dealings with the

College. The conduct was not only a serious and persistent disregard of the Member's professional obligations; it reflected moral failings particularly with respect to fabricating and falsifying records. As a member of the College for many years, the Member knew or ought to have known that his actions were wrong.

[16] For all of those reasons, the Panel found that the College had proved each allegation in both Notices of Hearing.

Penalty submissions

[17] The parties were in agreement on the issue of penalty and costs. They presented to the Panel a Joint Submission on Penalty and Costs ("**Joint Submission**") asking this Panel to make an order as follows.

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 for a period of five (5) months, to commence immediately following the hearing.
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 obtain an unconditional pass of the PROBE ethics course, at his 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 E-Workshop, at his own expense, within six (6) months of the date of the Order of the Discipline Committee; and
 - c. requiring that the Member participate in up to three (3) practice inspections conducted by a College-appointed assessor, at his own expense, within two (2) years of the date of the Order of the Discipline Committee, with the costs of each inspection not to exceed \$600.00.
4. The Member is required to pay to the College costs in the amount of \$35,500.00 within three (3) years of the date of the Order of the Discipline Committee as follows:
 - a. the Member shall pay monthly costs instalments;
 - b. the first costs instalment shall be due 30 days from the date of the Order of the Discipline Committee and then every 30 days thereafter until payment is complete;
 - c. instalments #1-35 shall be in the amount of \$986.00; and
 - d. instalment #36 shall be in the amount of \$990.00.

Penalty decision

[18] Having considered the findings of professional misconduct, the evidence and the submissions of the parties, the Panel accepted the Joint Submission and made an order in accordance with the terms set out in paragraph 17 above. The Panel's order was made orally on the record at the hearing.

Reasons for penalty decision

[19] The Panel recognized that the penalty should maintain high professional standards, preserve public confidence in the ability of the College to regulate its Members, and, above all, protect the public. This is achieved through a penalty that considers the principles of general deterrence, specific deterrence and, where appropriate, rehabilitation and remediation of the Member's practice. The Panel also considered the principle that the Panel should accept a joint submission on penalty unless it is contrary to the public interest and would bring the administration of justice into disrepute.

[20] The Panel was satisfied that the proposed penalty protects the public and supports public confidence in the College's ability to regulate the profession.

[21] In the Panel's view, a meaningful suspension signals the seriousness of the misconduct and demonstrates to the public that the College responds firmly where a member has obstructed an investigation, falsified records and failed to meet basic record-keeping and billing obligations. The five-month suspension serves as a strong general and specific deterrent.

[22] The Panel was also satisfied that the remedial terms are forward-looking and proportionate. The requirement that the Member complete the PROBE ethics course and the College's Record Keeping E-Workshop, together with up to three practice inspections within two years of the Order, will provide the Member with tools to improve his practice and will permit oversight of his return to practice. Those measures support the protection of the public by helping to ensure that, if the Member returns to practice following his suspension, he will do so better informed and subject to monitoring.

[23] The Panel regarded the Member's acceptance of responsibility as a significant factor. By admitting the allegations, entering into the Agreed Statement of Facts and joining in the Joint Submission, the Member demonstrated insight into the seriousness of his misconduct and a willingness to accept a significant sanction. That insight supported the Panel's conclusion that the agreed penalty was appropriate.

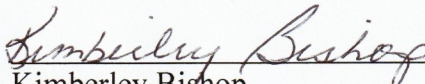
[24] The Panel was satisfied that the proposed order fell within an appropriate range when compared with the authorities cited by the Parties, including decisions from this College and from other regulators addressing obstruction, record-keeping and billing misconduct. The authorities assisted the Panel in assessing proportionality and confirmed that a reprimand, suspension, remedial terms and costs were consistent with the seriousness of the misconduct as a whole.

[25] The Panel concluded that accepting the Joint Submission was consistent with the public interest.

[26] Finally, the costs order sought by the parties was also appropriate. The Panel accepted the submission that costs are not punitive, but are intended to reimburse the College for part of the expense of investigations, motions and discipline proceedings so that those costs are not borne entirely by the membership as a whole. In this case, that consideration was particularly relevant given the College's submissions regarding the expense of the preliminary motion and the overall proceeding.

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

Date: May²⁰, 2026

Signed: 
Kimberley Bishop
Akari Yokokawa