

**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:** July 14, 2020

**Indexed as:** **Ontario (College of Traditional Chinese Medicine  
Practitioners & Acupuncturists of Ontario) v Bondar, 2020  
ON CTCMPAO 11**

<b>Panel:</b>	Deborah Sinnatamby	Chairperson, Public Member
	Pixing Zhang	Public Member
	Richard Dong	Professional Member

**BETWEEN:**

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

**-and-**

**SNEJANA BONDAR**

Reg. No. Member No. 2597

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( Anastasia-Maria Hountalas for the  
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( Member not present or represented at  
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( Aaron Dantowitz,  
( Independent Legal Counsel  
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( Date of Hearing: July 14, 2020

## **DECISION AND REASONS FOR DECISION**

[1] This matter came on before a panel of the Discipline Committee (the “Panel”) of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (the “College”) on July 14, 2020 by videoconference.

### **Absence of the Member**

[2] Upon convening the hearing, the Panel noted that Snejana Bondar (the “Member”) was not represented at the hearing by a legal representative and was not present at the hearing.

[3] College Counsel explained that the purpose of today’s hearing was to consider the College’s motion for an indefinite adjournment of this proceeding in light of an undertaking and surrender agreement signed by the Member. College counsel filed an e-mail exchange between herself and Jonathan Shulman, the Member’s counsel, dated June 23 and 24, 2020, in which she notified Mr. Shulman that the motion could be heard electronically on today’s date, and indicated she would be happy to speak to the matter for both parties to save him having to attend, and Mr. Shulman responded that he was in agreement with this approach.

[4] After hearing from Independent Legal Counsel and considering the matter, the Panel was satisfied that the Member had sufficient notice of the purpose and date of today’s hearing, and that the Panel could proceed in her absence and in the absence of counsel for the Member.

### **The Allegations**

[5] On September 30, 2019 the College issued a Notice of Hearing against the Member (the “Notice”), alleging that the Member had engaged in professional misconduct under the *Traditional Chinese Medicine Act, 2006* (the “Act”).

[6] The allegations set out in the Statement of Allegations appended to the Notice of Hearing dated September 30, 2019 are as follows:

#### ***The Member***

1. Snejana Bondar (the “Member”) has been a member of the College since approximately April 13, 2013.

#### ***Failing to Keep Records as Required***

2. It is alleged that between approximately April 13, 2013 and December 31, 2017, the Member failed to keep records as required. Specifically,
  - (a) The Member failed to keep an appointment book for 2013, 2014 and/or 2015; and/or
  - (b) The Member failed to maintain complete patient health summary forms; and/or

- (c) The Member failed to maintain treatment notes; and/or
  - (d) The Member failed to maintain a separate patient file for each patient; and/or
  - (e) The Member failed to provide an itemized receipt and/or failed to maintain complete and accurate billing records; and/or
  - (f) The Member required patients to pre-sign attendance logs.
3. It is further alleged that the Member falsified an electronic patient record for a patient, Patient 1.

***Failing to Obtain Informed Consent***

4. It is alleged that between approximately April 13, 2013 and December 31, 2017, the Member failed to obtain informed consent from patients for each examination or treatment.

***Acts of Professional Misconduct***

5. It is alleged that the above conduct constitutes professional misconduct pursuant to section 51(1)(c) of the Health Professions Procedural Code, being Schedule 2 of the *Regulated Health Professions Act, 1991*, as set out in one or more of the following paragraphs of section 1 of Ontario Regulation 318/12 made under the *Traditional Chinese Medicine Act, 2006*:
- (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; and/or
  - (b) **Paragraph 22:** Failing to itemize an account for professional products or services while practising the profession; and/or
  - (c) **Paragraph 25:** Failing to keep records in accordance with the standards of the profession; and/or
  - (d) **Paragraph 26:** Signing or issuing, in his or her professional capacity, a document that the member knows or ought to know contains a false or misleading statement; and/or
  - (e) **Paragraph 27:** Falsifying a record relating to the member's practice; and/or
  - (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.



## **The Motion**

[7] The College asked that the Panel indefinitely adjourn this proceeding on the basis of an Undertaking and Surrender Agreement signed by the Member on March 23, 2020 (the “Agreement”).

[8] In the Agreement, the Member indicated that, whereas she did not accept liability in respect of the allegations, in consideration of the College’s agreement to seek to indefinitely adjourn the discipline hearing, the Member agreed to:

- Surrender her Certificate of Registration to the College by no later than April 3, 2020;
- Resign from the College effective April 3, 2020 (the “Effective Date”);
- As of the Effective Date, cease using the title acupuncturist, and performing Traditional Chinese medicine (TCM) acupuncture or communicating a TCM diagnosis;
- As of the Effective Date, refrain from practising and holding herself out as a TCM practitioner or acupuncturist in Canada and any other jurisdiction;
- As of the Effective Date, never apply for registration, licensure or similar status with the College or any other licensing body in any other jurisdiction that governs the practice of TCM or acupuncture;
- As of the Effective Date, never issue receipts for acupuncture or TCM to patients;
- Pay \$8,000.00 in twelve (12) equal monthly payments of \$666.66 (via money order, certified cheque or credit card), to the College to partially offset the College’s costs of investigating this matter, with the first payment due on May 3, 2020; and
- Have the Undertaking and/or its terms posted on the College’s register, website and publications.

[9] In the Agreement, the Member further indicated that she understands and agrees to additional terms and conditions, including:

- That breaching any of the terms of the Undertaking may constitute professional misconduct on the part of the Member;
- That should the Member ever reapply for membership, registration, licensure or similar status with the College or a regulator of TCM or acupuncture in the future, the College will be entitled to proceed with this discipline hearing as well as for the breach of the Undertaking, and to rely upon the Agreement for that purpose.

## Decision

[10] Having considered the materials filed and the submissions of College counsel, the Panel finds that it is in the public interest to grant the motion and the relief requested.

[11] The Panel hereby orders that this discipline proceeding is adjourned indefinitely in accordance with the terms set out in the Agreement signed by the Member on March 23, 2020.

## Reasons for Decision

[12] The Panel agrees the indefinite adjournment is in the public interest given that the Member has agreed to the terms of the Undertaking and Surrender Agreement as signed and dated by the Member on March 23, 2020 and CTCMPAO Registrar on April 6, 2020. We are satisfied that the public will be protected, even though the merits of the allegations are not going to be decided at this time.

I, Deborah Sinnatamby, sign this Decision as Chairperson of this Discipline panel and on behalf of the members of the Discipline panel as listed below:

Date: July 23~~30~~, 2020

Signed: 

Deborah Sinnatamby, Chairperson  
Pixing Zhang  
Richard Dong