

**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***

**B E T W E E N:**

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

**-and-**

**JONG CHUL KIM**

**NOTICE OF HEARING**

**TO: Jong Chul Kim**

**THE INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE OF THE COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS AND ACUPUNCTURISTS OF ONTARIO** (the "College") has directed that specified allegations of professional misconduct be referred to the Discipline Committee of the College, in accordance with section 26(1) para 1 of the *Health Professions Procedural Code* (the "Code"), which is Schedule 2 to the *Regulated Health Professions Act, 1991, S.O. 1991, C. 18* (the "RHPA"). The statement of specified allegations is attached to this Notice of Hearing as Schedule "A".

**IT IS ALLEGED** that you are guilty of professional misconduct under the *Traditional Chinese Medicine Act, (the "Act"), S.O. 2006, c. 27* and the Regulations thereto.

**THE PARTICULARS OF THE ALLEGATIONS** of professional misconduct are that you:

1. Performed an unauthorized controlled act contrary to section 27(1) of the *Regulated Health Professions Act*, 1991, S.O. 1991, c. 18 and sections 1(10) and 1(39) of *Ontario Regulation 318/12*;
2. Contravened or failed to maintain the standard of practice contrary to section 1(1) of *Ontario Regulation 318/12*;
3. Engaged in conduct or performed an act relevant to the practice of the profession which, having regard to all the circumstances would reasonably be regarded by a member as disgraceful, dishonourable, or unprofessional, contrary to section 1(48), of *Ontario Regulation 318/12*;
4. Engaged in conduct unbecoming a practitioner of traditional Chinese medicine and acupuncture contrary to section 1(49) of *Ontario Regulation 318/12*; and
5. Breached the Professional Misconduct Regulation by committing sexual abuse of a patient contrary to section 51(1)(b) of the Code and section 1(2) of *Ontario Regulation 318/12*.

**A PANEL OF THE DISCIPLINE COMMITTEE WILL HOLD A HEARING** under the authority of sections 38 to 56 of the Code for the purpose of deciding whether the allegations are true. In accordance with the *Hearings in Tribunal Proceedings (Temporary Measures) Act*, 2020, S.O. 2020, c.5, Sched. 3, and the Rules of Procedure of the Discipline Committee of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario, the hearing and pre-hearing may be conducted electronically.

**TAKE NOTICE THAT** you are required to appear in person (or electronically) or be represented before a panel of the Discipline Committee of the College on a date to be determined by the College at 55 Commerce Valley Drive West, Suite 705, Thornhill, Ontario. The panel may, on that date, either hear evidence and make its determination respecting the allegations set out above or set a further date for such hearing and determination.

**YOU ARE ENTITLED** to be present at the Hearing, and to be represented by legal counsel. If you fail to attend at the time and place set for the Hearing, the Hearing may proceed in your absence, and you will not be entitled to any further notice of the proceedings.

**SUBSECTION 51(2) OF THE CODE PROVIDES THAT** if the panel of the discipline panel finds you guilty of professional misconduct, it may make an order, doing one or more of the following:

1. Directing the Registrar to revoke your certificate of registration.
2. Directing the Registrar to suspend your certificate of registration for a specific period of time.
3. Directing the Registrar to impose specified terms, conditions and limitations on your certificate of registration for a specified or indefinite period of time.
4. Requiring you to appear before the panel to be reprimanded.
5. Requiring you to pay a fine of not more than \$35,000 to the Minister of Finance.
  - 5.1 If the act of professional misconduct was the sexual abuse of a patient, requiring you to reimburse the College for funding provided for that patient under the program required under section 85.7.
  - 5.2 If the panel makes an order under paragraph 5.1, requiring you to post security acceptable to the College to guarantee the payment of any amounts you may be required to reimburse under the order under paragraph 5.1 1991, c. 18, Sched. 2, s. 51 (2); 1993, c. 37, s. 14 (2).

**SUBSECTION 51(5) OF THE CODE PROVIDES THAT** if the panel of the Discipline Committee finds that you committed an act of sexual abuse, it shall do the following in addition to what it can do pursuant to s. 51(2) of the Code

1. Reprimand you.
2. Suspend your certificate of registration if the sexual abuse does not consist of or include conduct listed in paragraph 3 and the panel has not otherwise made an order revoking your certificate of registration under subsection (2).
3. Revoke your certificate of registration if the sexual abuse consisted of, or included, any of the following:
  - i. sexual intercourse,
  - ii. genital to genital, genital to anal, oral to genital, or oral to anal contact,
  - iii. masturbation of the member by, or in the presence of, the patient,

- iv. masturbation of the patient by the member,
- v. encouragement of the patient by the member to masturbate in the presence of the member.
- vi. touching of a sexual nature of the patient's genitals, anus, breasts or buttocks.
- vii. other conduct of a sexual nature prescribed in regulations made pursuant to clause 43(1)(u) of the *Regulated Health Professions Act, 1991*.

**TAKE NOTICE** that, pursuant to paragraph 53.1 of the Code, the Discipline Panel may make an order requiring you to pay all or part of the College's legal costs and expenses, including the College's costs and expenses incurred in investigating the matter and incurred in conducting the Hearing.

**AND TAKE NOTICE** that the College intends to introduce any writings and/or records that were made in the usual and ordinary course of business as business records under section 35 of the *Evidence Act*, R.S.O. 190, c. E.23.

**AND TAKE NOTICE** that the College intends to introduce any evidence given at prior proceedings in respect of this matter as previously admitted evidence under section 15.1 of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22.

**YOU ARE ENTITLED**, as a member whose conduct is being investigated in proceedings before a Discipline panel, to disclosure of evidence under ss. 42(1) of the Code. You or your representative may contact counsel for the College in this matter for this purpose:

Jaan Lilles / Christine Windsor  
Lenczner Slaght Royce Smith Griffin LLP  
130 Adelaide Street West, Suite 2600  
Toronto, Ontario, M5H 3P5  
(416) 865-3552

DATED at Toronto this 11th day of March, 2026



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REGISTRAR & CEO  
THE COLLEGE OF TRADITIONAL  
CHINESE MEDICINE PRACTITIONERS AND  
ACUPUNCTURISTS OF ONTARIO

## SCHEDULE "A"

### STATEMENT OF SPECIFIED ALLEGATIONS

1. Mr. Jong Chul Kim ("Mr. Kim") has been a member of the College since April 1, 2013, and holds a certificate of registration in the grandparent class. He transitioned to the General Class (R. TCMP, R. Ac) on or about June 24, 2015. Mr. Kim's primary practice location is 3115 Glen Erin Drive Unit 8, Mississauga, Ontario L5L 1J3.
2. On or about July 24, 2021, Patient A attended Mr. Kim's clinic for the first time, seeking assistance for infertility. Patient A attended 11 sessions with Mr. Kim between July 24, 2021, and September 25, 2021.
3. During an appointment on or about September 11, 2021, Mr. Kim touched Patient A's vagina over her underwear while he performed Tui Na massage treatment on her groin and pubic bone area.
4. During an appointment on or about September 24, 2021, Mr. Kim inserted his fingers into Patient A's vagina and then performed an external examination which included checking the colour and odour of Patient A's vagina.
5. On November 16, 2021, Mr. Kim entered into an Acknowledgement and Undertaking with the College agreeing not to perform acupuncture or massage, not to perform any other treatment except in specific circumstances, and to post a sign in his Clinic advising that he was being investigated by the College.
6. On August 29, 2024, Mr. Kim entered into a second Acknowledgement and Undertaking with the College with terms, conditions, and limitations on his practice. Mr. Kim acknowledged in the undertaking that he "had performed a vaginal examination on a patient and smelled her underwear, contrary to the controlled acts authorized to R TCMPS and R Acs and/or [his] professional responsibilities".
7. On June 11, 2025, Mr. Kim was provided a copy of the Registrar Report and asked to respond. Mr. Kim provided written submissions in response on July 3, 2025, in which he stated, among other things:
  - That before the complaint was filed, he did not know he had violated any College regulations, and the examination had been conducted based on his education at the Beijing University of Chinese Medicine.
  - That he performed standard internal and external gynecological examinations.

- That he provided thorough explanations of each treatment and obtained verbal consent before every procedure, as well as signed consent or satisfaction forms after treatment.
8. Mr. Kim provided a further response to the College on July 29, 2025, in which he stated among other things that he conducted both an internal and external gynecological examination, and that odor evaluation can be a part of this diagnostic process.