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

B E T W E E N :

COLLEGE OF TRADITIONAL CHINESE MEDICINE
PRACTITIONERS AND ACUPUNCTURISTS OF ONTARIO

- and -

WING YIU CHAN

NOTICE OF HEARING
(4-0162)

The Inquiries, Complaints and Reports Committee of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (the "College") has referred specified allegations against you to the Discipline Committee of the College. The allegations were referred in accordance with section 26 of the *Health Professions Procedural Code* which is Schedule II to the *Regulated Health Professions Act*, 1991 (referred to as the "*Code*"). The statement of specified allegations is attached to this notice of hearing. A discipline panel will hold a hearing under the authority of sections 38 to 56 of the Code, as amended, for the purposes of deciding whether the allegations are true. A pre-hearing conference will be held at a date, place and location to be set by the Chair of the Discipline Committee. A discipline panel will convene at the place, time and date to be set by the Pre-Hearing Conference Chair, or as soon thereafter as the panel can be convened, for the purposes of conducting the discipline hearing. 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.

IF YOU DO NOT ATTEND ON THE DATE FOR THE HEARING IN ACCORDANCE WITH THE PRECEDING PARAGRAPH, THE DISCIPLINE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE IN THE PROCEEDINGS.

If the discipline panel finds that you have engaged in professional misconduct, it may make one or more of the following orders:

1. Direct the Registrar to revoke the member's certificate of registration.

2. Direct the Registrar to suspend the member's certificate of registration for a specified period of time.

3. Direct the Registrar to impose specified terms, conditions and limitations on the member's certificate of registration for a specified or indefinite period of time.

4. Require the member to appear before the panel to be reprimanded.

5. Require the member to pay a fine of not more than $35,000 to the Minister of Finance.

6. If the act of professional misconduct was the sexual abuse of a patient, require the member to reimburse the College for funding provided for that patient under the program required under section 85.7.

7. If the panel makes an order under paragraph 6, require the member to post security acceptable to the College to guarantee the payment of any amounts the member may be required to reimburse under the order under paragraph 6.

If the discipline panel finds that you committed an act of professional misconduct by sexually abusing a patient, pursuant to subsection 51(5) of the *Code*, the Panel shall do the following, in addition to anything else it may do:

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.

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. Encouraging the patient 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.

The discipline panel may, in an appropriate case, make an order requiring you to pay all or part of the College's costs and expenses pursuant to section 53.1 of the *Code*.

You are entitled to disclosure of the evidence against you in accordance with section 42(1) of the *Code*, as amended.

You must also make disclosure in accordance with section 42.1 of the *Code*, which states as follows:

> Evidence of an expert led by a person other than the College is not admissible unless the person gives the College, at least ten days before the hearing, the identity of the expert and a copy of the expert's written report or, if there is no written report, a written summary of the evidence.

Further, you must also make disclosure in accordance with rules 11, 12 and 13 of the *Rules of Procedure of the Discipline Committee of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario*, which state as follows:

> 11.1 Each party to a proceeding shall deliver to every other party (a) a list of, and (b) if not previously produced, copies of, all documents that the party intends to produce or enter as evidence at the hearing, as soon as is reasonably practicable after the Notice of Hearing is served, and in any case, at least 10 days before the commencement of the hearing on the merits.
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> 11.2 A party who does not disclose a document or thing in compliance with sub-rule 11.1 may not refer to the document or thing or introduce it in evidence at the hearing without leave of the Panel, which may be on any conditions that the Panel considers just.
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> 12.1 A party to a proceeding shall serve every other party a list of the witnesses the party intends to call to testify on the party's behalf at the hearing, at least 10 days before the commencement of the hearing.
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> 12.2 If no affidavit has been served in accordance with rule 27, and material matters to which a witness is to testify have not otherwise been disclosed, a party to a proceeding shall provide to every other party a summary of the evidence that the witness is expected to give at the hearing, at least 10 days before the commencement of the hearing.

12.3 A witness summary shall contain:

(a) the substance of the evidence of the witness;

(b) reference to any documents to which that the witness will refer; and

(c) the witness's name and address or, if the witness's address is not provided, the name and address of a person through whom the witness can be contacted.

12.4 A party who does not include a witness in the witness list or provide a summary of the evidence a witness is expected to give in accordance with these rules may not call that person as a witness without leave of the Panel, which may be on any conditions as the Panel considers just.

12.5 A witness may not testify to material matters that were not previously disclosed without leave of the Panel, which may be on any conditions that the Panel considers just.

13.1 A party who intends to call an expert to give expert opinion evidence at a hearing shall:

(a) inform the other parties of the intent to call the expert;

(b) identify the expert and the issue(s) on which the expert's opinion will be tendered;

(c) serve the other parties with a copy of the expert's written report or, if there is no written report, an affidavit in accordance with rule 27, or a witness summary in accordance with sub-rule 12.3; and

(d) file an "Acknowledgement Form – Expert's Duty" signed by the expert, in the form appended to these rules;

at least 10 days before the commencement of the hearing.

13.2 A party who fails to comply with sub-rule 13.1 may not call the expert as a witness or file the expert's report or affidavit without leave of the Panel, which may be on any conditions that the Panel considers just.

You, or your representative, may contact the lawyer for the College, Erica Richler, in this matter:

Steinecke Maciura LeBlanc
Barristers & Solicitors
401 Bay Street
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Email: erichler@sml-law.com

Date: October 29, 2026

Sean Cassman
Registrar & CEO
College of Traditional Chinese Medicine
Practitioners and Acupuncturists of Ontario

TO: WING YIU CHAN
Sam, Ingrid & Ting Acupuncture
207 – 3443 Finch Ave E
Scarborough, ON M1W 2S1

STATEMENT OF SPECIFIED ALLEGATIONS

WING YIU CHAN

The Member

1. Wing Yiu Chan (the "Member") became a Grandparented member (R. Ac) of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (the "College") on or about April 1, 2013. The Member transitioned to the General Class (R. Ac) of the College on or about February 6, 2017.

2. At the material times, the Member practised at Sam, Ingrid & Ting Acupuncture in Scarborough, Ontario (the "Clinic").

Sexual Abuse of a Patient and Failing to Maintain Professional Boundaries

3. The Member provided treatment to a female patient (the "Patient") from in or around March 2025 to in or around May 2025.

4. It is alleged that, during the course of a treatment session with the Patient on or about May 17, 2025, the Member did one or more of the following:

    a. failed to discuss draping with the Patient before the treatment and/or failed to appropriately drape the Patient's sensitive areas during treatment;

    b. rubbed the Patient's inner thighs underneath the Patient's shorts;

    c. pulled the Patient's shorts and underwear down such that her buttocks were fully exposed;

    d. rubbed the Patient's buttocks by placing one hand on each buttock and moving the palms of his hands in circular motions;

    e. told the Patient that she would "enjoy special time with [her] boyfriend" after the treatment, or words to that effect, while rubbing her lower abdomen and while her underwear was pulled down;

    f. rubbed the Patient's breasts by placing one hand on each breast and rubbing the entire area, including the nipples;

    g. told the Patient that she looked "beautiful and younger," or words to that effect, while her breasts were exposed; and/or

    h. asked the Patient whether it "felt good", or words to that effect, while he was rubbing her buttocks, breasts, and/or lower abdomen.

5. It is alleged that the conduct in paragraph 4 was of a sexual nature and not of a clinical nature appropriate to the service provided.

Failing to Obtain Express Consent

6. It is alleged that the Member failed to obtain express consent in writing from the Patient prior to treating sensitive areas of her body.

Failing to Provide Accurate Receipts

7. It is alleged that the Member failed to provide and/or maintain accurate receipts by failing to include his name on all the receipts issued to the Patient for treatment, despite being the Patient's primary treating practitioner. Rather, only the name of an assisting treating practitioner at the Clinic was included on the receipts for one or more of the following treatments the Member provided to the Patient: March 28; April 5; April 8, April 12, April 22, April 25, May 5, and/or May 17, 2025.

Acts of Professional Misconduct

8. It is alleged that the above conduct constitutes professional misconduct pursuant to s 51(1)(b.1) of the *Health Professions Procedural Code,* being Schedule 2 to the *Regulated Health Professions Act, 1991* (the "Code") (the member has sexually abused a patient, more specifically, touching, behaviour and/or remarks of a sexual nature by the member towards the patient).

9. It is alleged that the above conduct constitutes professional misconduct pursuant to s 51(1)(c) of the Code*,* 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 (more particularly, the College's Standards for Preventing Sexual Abuse; Consent; Maintaining Professional Boundaries; Fees and Billing and/or Record Keeping);

    b. Paragraph 25: Failing to keep records in accordance with the standards of the profession; and/or

    c. 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.

APPENDIX

1. The documents to be tendered in evidence at the hearing have been sent with this Notice of Hearing.

2. The *Rules of Procedure of the Discipline Committee of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario* have been sent with this Notice of Hearing.

3. Take notice that the documents that have been and may later be disclosed to you will be tendered as business documents pursuant to the *Evidence Act* of Ontario.

4. All documents that are disclosed to you in this matter are disclosed on the basis that they are to be used solely for the purpose of this proceeding and for no other purpose.

COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS AND ACUPUNCTURISTS OF ONTARIO

and

WING YIU CHAN

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

NOTICE OF HEARING

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