



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

**2008-2009 Annual Report**



## **ABOUT THE TRANSITIONAL COUNCIL**

The transitional Council of the College of Traditional Chinese Medicine Practitioners and the Registrar were appointed by the Lieutenant Governor in Council. They are responsible for establishing the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (CTCMPAO) to allow self-regulation of the traditional Chinese medicine (TCM) profession within the framework of the *Regulated Health Professions Act, 1991* and the *Traditional Chinese Medicine Act, 2006*. The transitional Council has a mandate to protect the public interest and is accountable to the Minister of Health and Long-Term Care. All members appointed to the transitional Council, irrespective of their background, are expected to make decisions and develop policies, guidelines, standards and regulations consistent with the legislative framework to ensure that the public of Ontario receives safe, qualified and ethical care from the TCM profession.

### **Transitional Council Members** (May 28, 2008 – May 27, 2010)

Cedric Kam Tat Cheung, President

Lynn Bowering, Vice-President

Ian Eng

James Jianping Fu

Joanne Pritchard-Sobhani

Xiaodong (David) Bai

Kristin Bulmer

Zhao Cheng

Richard (Guo Qing) Dong

Ellen C. Hanna

Sharon (Shao Quan) Lam

Henry Maeots

Ruth Pike

Catherine Elizabeth Wilson

Mary (Xiumei) Wu

### **Registrar** (August 2007 – August 2010)

Emily Cheung

### **Staff**

A. Wang, Program Coordinator (*May 15 – August 1, 2008*)

C. Chow, Manager, Professional Practices (*from February 9, 2009*)

A. Long, Executive Assistant (*from July 21, 2008*)

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Transitional Council of the College of Traditional Chinese  
Medicine Practitioners and Acupuncturists of Ontario  
安省中醫師及針灸師管理局過渡委員會

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## **MESSAGE FROM THE PRESIDENT AND REGISTRAR**

The transitional Council officially took office and met for the first time on June 26 -27, 2008. These two days were exciting and extremely busy. The Ministry and legal counsel provided us with an intensive orientation on the responsibilities of the transitional Council and the working of the health regulatory system under the *Regulated Health Professions Act, 1991 (RHPA)*, the *Traditional Chinese Medicine Act, 2006 (TCM Act)*, related provincial and federal legislations. The transitional Council approved the first by-laws on the administration and internal affairs of the transitional Council, elected the President and Vice-President and members of the Executive Committee and appointed members to the Registration Committees and to each of the by-law committees.

We were ready to hit the ground running to develop the standards, policies and regulations necessary to establish the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario and to carry out the intent of the *TCM Act* and the *RHPA*. In the course of developing our strategic directions and work plan we came to realize that we must be responsive and accountable to the government and the public. At the same time, we must devote time and effort to provide guidance to the traditional Chinese medicine community on the health regulatory system, their accountability and responsibility to deliver safe, quality and ethical care to the public. For self-regulation to succeed, practitioners must be willing to embrace patient-centred care and inter-professional collaboration.

The challenges ahead are daunting. We understand that we are entering the regulatory arena at a time when the health care regulatory framework is undergoing major changes. The *RHPA* is being amended by Bill 179, the *Regulated Health Professions Statute Law Amendment Act, 2009* and the *Agreement on Internal Trade (AIT)*. Governments expect to see inter-professional collaboration and cooperation between health regulatory colleges in developing and establishing standards and programs.

To date, the transitional Council is still negotiating with the Ministry of Health and Long-Term Care on funding arrangements but we have made important progress in the right direction. The details of our achievements so far are captured in the Committee reports presented in other sections of this annual report. Given the funding and human resources, we expect to complete by the early part of 2010:

- the entry-to-practice competencies for TCM practice, i.e. TCM practitioners and acupuncturists;
- development of the prior learning assessment tools and mechanisms for grandparenting; and
- the Registration and Professional Misconduct Regulations.

## **Transitional Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario**

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We are also exploring options to strengthen our communication efforts to deliver accurate and timely information on our work progress and to seek input from practitioners, in addition to our website, [www.ctcmpao.on.ca](http://www.ctcmpao.on.ca).

The work plan is ambitious. The transitional Council members are aware of their enormous responsibilities. In accepting the Lieutenant Governor's appointment, each member has committed to contribute his/her time and experience to work in the best interest of the public, taking into consideration the reality of TCM practice. Together, they will find solutions to deal with the challenges ahead.

At this time, on behalf of the transitional Council, we wish to extend grateful thanks to the many talented individuals and practitioners who have contributed suggestions in our workshop sessions and focus group discussions. Special appreciation is extended to our consultants, Linda Buschmann and David Cane; and to our volunteers, Yongchun Cai and Canhui (Danny) Li. We are most grateful to our legal counsel, Richard Steinecke and his associates, for their timely and insightful advice. We also thank the Ministry of Health and Long-Term Care for their guidance and support in the past year. We extend our sincere appreciation to our external Chair, Jim Dunsdon, for his patience and for keeping us focused in our discussions at every meeting.

The staff deserves special appreciation for their dedication and commitment as they worked tirelessly to support the Registrar, the transitional Council and its committees. We would like to thank in particular Alice Wang, who was responsible for designing our logo, website and graphic identity system, and the temporary employees, Molin Chen, June Ren and Steven Wang, who gave so much of themselves to help us achieve our mandate.

Ontarians have entrusted the transitional Council with the mandate to regulate the practice of TCM and acupuncture in the interest of the public. We pledge to deliver. We look forward to a busy and fruitful year ahead.

Cedric K. T. Cheung  
President

Emily Cheung  
Registrar

## **2008-2009 STATUTORY AND BY-LAW COMMITTEES**

### **Statutory Committees** (established under s.10 of the *Health Professions Procedural Code*)

#### **Executive Committee**

##### ***Chair***

Cedric Cheung

##### ***Members***

Lynn Bowering

Ian Eng

James Fu

Joanne Pritchard-Sobhani

#### **Registration Committee**

##### ***Chair***

Joanne Pritchard-Sobhani

##### ***Members***

Kristin Bulmer

Zhao Cheng

Richard Dong

Henry Maeots

### **By-Law Committees** (established under Transitional By-Laws, enacted June 26, 2008)

#### **Communications Committee**

##### ***Chair***

Ellen Hanna

##### ***Members\****

Richard Dong

Ian Eng

James Fu

Ruth Pike

#### **Finance Committee**

##### ***Chair***

David Bai

##### ***Members***

Lynn Bowering

Zhao Cheng

Sharon Lam

Mary Wu

### **Professional Practices/Standards Committee**

##### ***Chair***

Elizabeth Wilson

##### ***Members***

David Bai

James Fu

Ruth Pike

Mary Wu

**Executive Committee Report**  
*Submitted by Cedric Cheung, Chair*

The Executive Committee and its officers were elected on June 26, 2008 according to the transitional by-laws. Subject to the *Regulated Health Professions Act, 1991* and the *Traditional Chinese Medicine Act, 2006*, the Executive Committee meets between meetings of the transitional Council to facilitate management and direction of the affairs of the College on behalf of the transitional Council. The Committee also considers issues referred to it by the Registrar.

All meetings of the Executive Committee are closed meetings. It may, however, invite other members of the transitional Council, staff and consultants to attend at meetings to assist in the consideration of the business and affairs of the transitional Council.

Since its inception, the Executive Committee has held four (4) meetings, one of which was a joint meeting with the Finance Committee. It considered matters referred to it by the transitional Council and undertook initiatives to study, identify and plan strategies for Council to achieve its legislative mandate. A summary of the Committee's work is presented below.

**Work Plan for 2008-2011**

Immediately after taking office in June 2008, the Executive Committee took on the responsibility to propose for consideration of the transitional Council a work plan for 2008-2011. The work plan aims to complete consultation and drafting of the Registration and Professional Misconduct Regulations before expiry of the transitional Council members' terms of appointment in May 2010. The proposed plan received the transitional Council's approval in October 2008.

The work plan is ambitious as both the transitional Council and the traditional Chinese medicine (TCM) profession are new to the self-regulatory process and the profession is known to hold diverse views. Consultation to obtain input could be time consuming and therefore pose challenges.

In December 2008 the Registration Committee started to study entry-to-practice and grandparenting requirements as well as application and renewal processes. The Professional Practices/Standards Committee followed in February 2009 with the initial drafting of the Professional Misconduct Regulations. If everything progresses according to plan, we shall be submitting the draft regulations to MOHLTC in 2010 for legislative review.

To speed up the process, we looked to practitioners, consultants, provincial regulatory health colleges and international regulatory bodies for suggestions, guidance and advice. We have been researching and seeking input from regulators of TCM practitioners and acupuncturists in Canada and abroad, including China, Hong Kong, Australia, the United

Kingdom and the United States. In January 2009, the President wrote to practitioners and stakeholders to invite suggestions for drafting of the two core regulations. We received 132 returns. These suggestions will be referenced as we proceed to draft the regulations.

### **Inter-Provincial Collaboration on Competencies Development**

We are grateful to the College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia (CTCMA-BC), Alberta Health and Wellness and the L'Ordre des Acupuncteurs du Québec for inviting us to participate as observers while they develop the entry-to-practice competencies for acupuncturists and then allowing us to participate in the validation of the competencies. As a result, we conducted three workshops in November 2008 and distributed some 500 questionnaires to solicit input on the draft competencies for Acupuncturists. The returned questionnaires, 280 in total, were forwarded to Vancouver for analysis. At this time, the CTCMA-BC has already posted on their website, [www.ctcma.bc.ca](http://www.ctcma.bc.ca), the finalized entry-to-practice competencies for acupuncturists, which will be the Canadian competencies for acupuncturists.

CTCMA-BC is proceeding to develop competencies for TCM herbology with funding from their government and has invited the transitional Council, Alberta, Quebec and Newfoundland to participate. At the time of this reporting, Alberta and Quebec have already confirmed participation with funding from their respective governments. Subject to availability of funds, we shall embark on developing TCM herbology competencies jointly with British Columbia and other provinces.

### **Canadian Alliance of Regulatory Bodies for TCM Practitioners and Acupuncturists**

The Registrar and Joanne Pritchard-Sobhani, Chair of the Registration Committee, attended the Mutual Recognition Agreement (MRA) meeting held in Montreal on November 6-7, 2008. The regulators from British Columbia, Alberta and Quebec decided to form an Alliance to promote quality practice and labour mobility through collaborative activities. The transitional Council and Newfoundland were invited to join.

In the short term, the members of the Alliance will jointly work on development of competencies for acupuncturists and TCM practitioners as a national regulatory standard. A longer term project, development of assessment mechanisms, is being contemplated.

### **Communications with Practitioners and Stakeholders**

The transitional Council strives to maintain open communications with practitioners and stakeholders to listen to their concerns, receive comments and respond to questions. During the year, members of the Executive Committee and the Registrar met with representatives of the Federation of Ontario Traditional Chinese Medicine Associations (FOTCMA), the Canadian Society of Chinese Medicine and Acupuncture (CSCMA) and the Chinese Medicine and Acupuncture Association of Canada (CMAAC).



We are thankful to the Registrar's dedicated staff for regularly updating the transitional Council website and for the design and production of our official newsletter. The first issue of our Newsletter was distributed in early March 2009.

### **Complaints**

The Executive Committee received two complaint reports from the Registrar. One is still in progress.



## **Registration Committee Report**

*Submitted by Joanne Pritchard-Sobhani, Chair*

In the short time since its appointment on June 27, 2008, the Registration Committee has held two meetings:

### **July 22, 2008**

This first meeting focused on the clarification of the role of the Committee, transitional Council, the principles of the *Regulated Health Professions Act, 1991* and the *Traditional Chinese Medicine Act, 2006*, emphasizing the transitional Council's mandate to protect the public interest. The structure and accountability of the transitional Council, statutory committees, by-law committees and staff were explained and discussed in detail. A great deal of time had been spent in Orientation and in review of various pieces of legislation that will affect the development of the Registration Regulation. Included in our discussion were proposed changes to Chapter 7 of the *Agreement on Internal Trade* (AIT) and the impact of the Quebec-Ontario Economic and Trade Agreement on mobility of the labour force from province to province. Fair registration practices were also noted.

### **December 12, 2008**

The Committee received updates on the AIT amendments; the *Mutual Recognition Agreement* (MRA) meeting of TCM/ Acupuncturists regulatory bodies in Montreal on November 6-7<sup>th</sup> and the projected deadline of August 2009 for full labour mobility to be achieved.

We reviewed the following Health Professions Regulatory Advisory Committee (HPRAC) Reports to the Minister of Health and Long-Term Care (MOHLTC):

- Use of the "Doctor Title" in Traditional Chinese Medicine, September 2006
- Interim Report on Facilitating Inter-professional Collaboration, March 2008

- Interim Report on Facilitating Inter-professional Collaboration, September 2008

At the same time, we reviewed and analysed registration regulations and the grandparenting experiences of British Columbia, Alberta, Quebec, other countries and other Ontario health regulatory colleges. We also referenced a registration regulation template proposed by the Ministry in 1992.

The Committee prioritised its work according to the transitional Council's approved work plan for 2008-2010 establishing deadlines for registration regulation development. Parallel processes to develop the various Registration Regulation provisions will be planned to meet our target to deliver a draft Registration Regulation to MOHLTC for government approval by 2010. The completion of the acupuncturists and TCM practitioners' competencies will provide us with the yardstick for registration of members.

It was agreed that we would work in collaboration with British Columbia, Alberta, Quebec and Newfoundland; these provinces had already been working for months to develop entry-to-practice competencies for acupuncturists. Ontario, being new to the scene, would participate in the validation survey of these competencies to determine their validity with regard to acupuncture in Ontario. We planned and recommended that we fully participate in these provinces' next endeavour to develop TCM competencies starting in early 2009.

As a priority the Committee is examining a grandparenting protocol that is inclusive, while at the same time ensuring public protection and consistency in the assessment of practitioners with different backgrounds.



### **Professional Practice/Standards Committee Report**

*Submitted by Elizabeth Wilson, Chair*

This hard working committee is results-oriented and deserves appreciation for their contributions, but there is still a lot of work to complete in order to finalize draft regulations.

## **Transitional Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario**

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The Professional Practices/Standards Committee (PPS) is a by-law committee. The PPS studies and makes recommendations on professional practices, standards and ethics under the direction of the transitional Council or the Executive Committee, where necessary and upon request. Elizabeth Wilson was elected to chair the PPS Committee for this term.

### **Meetings**

The Committee has had three meetings, with the next meeting scheduled for April 21, 2009.

### **Professional Standards Component Development Regulation**

The PPS Committee has agreed to an aggressive timeline and deliverables for the remainder of the transitional Council's term that will match MOHLTC reporting requirements.

### **Goals and Timelines**

<b>Deadline</b>	<b>Tasks to be Completed</b>
June 2009	Complete draft: outline of professional misconduct regulations Complete draft: advertising
December 2009	Complete draft: record keeping Complete draft: conflict of interest
March 2010	Complete draft: Professional Conduct/Ethics Complete draft: Professional Practice standards/guidelines



### **Communications Committee Report** *Submitted by Ellen Hanna, Chair*

The Communications Committee is established under the Transitional By-laws of the College.

According to the Transitional By-laws:

121. The Communications Committee shall be composed of:
  - (a) no fewer than five and no more than seven Council members; and
  - (b) at least two of the Council members shall be public members.
122. The President shall serve as an Ex-officio member.

The Communications Committee reports and is accountable to the transitional Council.

In carrying out its mandate, the Communications Committee has:

- Developed Terms of Reference
- Reviewed the responsibilities of the Committee Chair
- Identified stakeholders in order of priority
- Established Guiding Principles for its work
- Developed a plan to monitor initial measures of success
- Reviewed communication material and strategies already in place
- Reviewed the role of the Communications Committee within the work plan developed by the transitional Council
- Formulated a plan for a quarterly Newsletter to be available to all stakeholders
- Identified key issues arising from workshops on core competencies
- Developed a plan to receive input from other Committees that impacts the work of the Communications Committee
- Reviewed budget items for the Communications Committee
- Established a plan to host informal meetings between stakeholders and the transitional Council
- Identified key issues arising from a meeting with TCM association members
- Advised the appointment of a media relations consultant



### **Finance Committee Report** *Submitted by David Bai, Chair*

The Finance Committee is established under the Transitional By-laws to support the Executive Committee and the transitional Council. It makes recommendations on financial matters, specifically, in developing and recommending the annual budget.

Since the inaugural meeting of the transitional Council, the Finance Committee has held three meetings, one of which was held jointly with the Executive Committee. At its meeting held jointly with the Executive Committee in October, members reviewed the approved 2008-2011 work plan in detail. In the meeting that followed in November, the Committee developed a budget based on the work plan and proposed its own terms of reference for consideration of the Executive Committee and transitional Council.

# Transitional Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario

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## AUDITORS' REPORT



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Canada

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### AUDITORS' REPORT

To the Transitional Council of the College of  
Traditional Chinese Medicine Practitioners  
and Acupuncturists of Ontario

We have audited the statement of expenditures of the Transitional Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario for the year ended March 31, 2009. This financial statement is the responsibility of the Council's management. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, this financial statement present fairly, in all material respects the results of operations of the Council for the year ended March 31, 2009 in accordance with Canadian generally accepted accounting principles.

A handwritten signature in black ink that reads 'KPMG LLP' with a horizontal line underneath.

Chartered Accountants, Licensed Public Accountants

Toronto, Canada

May 20, 2009

KPMG LLP is a Canadian limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International, a Swiss cooperative. KPMG Canada provides services to KPMG LLP.

**Transitional Council of the College of  
Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario**

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

Statement of Expenditures

Year ended March 31, 2009

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Salaries and wages	\$ 267,666
Rent and management fees (note 3)	88,761
Office and general	77,252
Professional services	46,631
Audit	9,300
Communications/media	1,781
Capital expenditures	566
Council and committees	112
	<hr/>
	\$ 492,069

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See accompanying notes to statement of expenditures.

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

Notes to Statement of Expenditures

Year ended March 31, 2009

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The College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (the "College") is a regulatory body established under the Regulated Health Professions Act, 1991 and the Traditional Chinese Medicine Act, 2006. It has a statutory duty to regulate the practice of traditional Chinese medicine in Ontario so that the public has access to safe and ethical care from registered Chinese medicine practitioners and acupuncturists. The College is a not-for-profit organization and is not subject to income taxes.

At this time, the College is in a transitional phase. The Lieutenant Governor in Council has appointed a Transitional Council (the "Council") to develop standards and regulations for registration of qualified practitioners. Once the Council completes its work and the regulations are approved by the Government of Ontario, the College will be able register members and have the tools to regulate the practice of traditional Chinese medicine in the public interest.

**1. Significant accounting policies:**

(a) Basis of presentation:

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles. Only a statement of expenditures is presented as the Council is funded through HealthForceOntario Marketing and Recruitment Agency with funds provided by the Ministry of Health and Long-Term Care (the "Ministry").

(b) Expenditures:

Expenditures are recognized on the accrual basis.

(c) Capital expenditures:

Capital expenditures represent the current year's charge over the underlying capital assets which were funded by the Ministry.



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

Notes to Statement of Expenditures (continued)

Year ended March 31, 2009

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**1. Significant accounting policies (continued):**

(d) Use of estimates:

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statement and the reported amounts of revenue and expenditures during the year. Actual results could differ from those estimates.

**2. Future accounting policies:**

The Canadian Institute of Chartered Accountants has issued revisions to the Section 4400 series of standards which relate to not-for-profit organizations. These changes are effective for the year commencing April 1, 2009.

Section 4470, Disclosure of Allocated Expenses by Not-for-Profit Organizations, has been added which requires certain disclosures when fundraising and general support expenditures are allocated to other functions. This change will enhance the current disclosure requirements but will not change the existing presentation requirements on the statement of expenditures.

With respect to presentation, the changes include making the disclosure of net assets invested in capital assets optional, making the statement of cash flows mandatory as well as a requiring the reporting of revenue and expenses be done on a gross basis in the statement of expenditures. Management is assessing the impact of these revisions and the timing of their adoption on its financial statement.

**3. Management fee:**

The College pays a management fee to HealthForceOntario Marketing and Recruitment Agency for corporate services at a rate of 15% of total expenditures less rent and management fees.

**4. Economic dependence:**

The College is economically dependent upon the continued support of the Ministry.