

Minutes of the 2013 Annual General Meeting held on January 12, 2014, at the Radisson Hotel Vancouver Airport, 8181 Cambie Road, Richmond, BC, V6X 3X9.

Board Members Present:

John BLAŽEVIĆ (Chair), Ben Bao Qi CAO (Board Member), Paul Chang-Jen CHEN (Board Member), Paul Sit Cheong HO (Board Member), Te Cheng KAO (Board Member), Bar-Chya LEE (Board Member), Xiaochuan PAN (Board Member), Weijia TAN (Board Member), Mary WATTERSON (Registrar).

Also Present:

6 CTCMA management/staff, 5 casual staff, 1 interpreter, 127 registrants and 4 proxies.

Meeting began at 2:05 p.m. with John Blažević in the Chair.

1) Call to Order

Chair John Blažević confirmed the presence of the quorum and called the meeting to order at 2:05 p.m.

2) Confirm Quorum

127 registrants in attendance presented along with 4 proxies at the Annual General Meeting.

3) Introduce Guests & New 2013 Registrants

John Blažević, on behalf of the Board, welcomed everyone to the 2013 Annual General Meeting of the College. The Chair introduced the new Board Members Te Cheng Kao, Xiaochuan Pan and Weijia Tan, followed by introducing the other Board Members, Registered Parliamentarian Barrie Lynch, and the Registrar.

The recent registrants were welcomed and introduced by video listing.

4) Adoption of the Agenda

Agenda approved.

5) Approval of the Minutes of the 2012 Annual General Meeting held on January 13, 2013

Minutes adopted.

All in favour, no contrary.

6) Convention Standing Rules

Convention standing rules were circulated when registrants came to the meeting. Approved by 2/3 majority.

7) Chairman's Report

Dear Colleagues and Friends,

Welcome to our AGM for the year ending 2013. Thank you for taking the time to attend.

It has been another busy and productive year at the CTCMA for College Staff, Registrar, and Board. Many very important projects have been completed, while others are currently in progress. Later you will hear about these projects from our Registrar Dr. Watterson. Throughout it all, there have been some challenges and although we sometimes debated issues hotly, I believe everyone made decisions to the best of their ability, given the circumstances.

Thank you to all board members and members of all sub-committees who worked diligently to overcome the challenges placed in front of them and make difficult decisions. One such example is the Registration Committee, who made decisions during the less than ideal conditions and pressures, but according to the by-laws and regulations in place here in BC (which by the way, are often quite different from regulations in other provinces). Thank you very much!

I still believe we have work to do to make the regulatory changes that must necessarily occur when new situations arise. Across Canada, the provincial Colleges will need to come into a reasonable regulatory alignment, I feel.

On a personal note, I would like to thank all the registrants for the opportunity to serve you on this board for the past 5 years. As a board member and as the Chair of the CTCMA, I learned a lot about people and politics. Many times, it was a challenge! Thank you CTCMA Registrar and Staff, and Board Members past and present for all your hard work. Would you please join me in showing your appreciation and thanks by giving them all a big hand.

Finally, I would ask you the registrants to take up the challenge of serving your profession in the mandate of public protection. Together we can help give British Columbians the best health care in Canada and the World. I thank you all!

8) **Financial Report**

Finance Committee – Paul Sit Cheong Ho, Chair

The Registrar presented a summary of the financial report to the AGM.

9) **Committee Chairs Introduction**

The Chair introduced the Committee Chairs present at the AGM

- **Examination Committee:** Chair Ben Bao Qi Cao
- **Finance Committee:** Chair Paul Sit Cheong Ho
- **Patient Relations Committee:** Chair John Blažević
- **Quality Assurance Committee:** Chair Weijia Tan
- **Registration Committee:** Chair Bar-Chya Lee
- **Standards of Education Committee:** Chair Weijia Tan

Discipline Committee – Bill Macleod

The Discipline Committee is mandated to:

1. Deal with matters related to the Professional Medical Code of Ethics and Code of Conduct,
2. Conduct evaluation of investigation results handed over by the Inquiry Committee, and
3. Issue citation for and conduct hearing session(s)
4. Consider and take action if necessary as follows:
 - a) dismiss the matter
 - b) reprimand the respondent

- c) impose limits or conditions
- d) suspend respondent's registration
- e) cancel respondent's registration
- f) fine the respondent
- g) assess costs (or part of them) of the hearing against the respondent

In the Discipline Hearing of John Hong Hou ZHANG, R.Ac. Final submissions on the hearing were made May 10, 2012, Reasons for Verdict August 1, 2012 and Reasons for Penalty October 26, 2012.

The Discipline Panel imposed the following penalties:

- a. a reprimand;
- b. three years suspension of registration ending on January 12, 2014;
- c. the Registrant must refrain from treating patients or purporting to offer treatment at any location where the sale of sexual services is offered and must refrain from permitting his licence to be used in furtherance of any offer of sexual services;
- d. the Registrant must cooperate with the College on any audits of his practice or premises that the College may reasonably choose to require, such audits to be at the Registrant's expense until January 15, 2015;
- e. costs to the College in the amount of \$9,544.77 in tariff items and disbursements; and
- f. a fine to the College in the amount of \$12,000 payable on or before January 12, 2016.

The Discipline Hearing of Kit Wong, R.Ac. was held in Victoria, B.C. commencing November 13-16, and 19, 2012 and then adjourned to late May 2013. It is expected that the Hearing will be concluded by the summer. Complaints received by the College allege inappropriate sexual touching.

Three other Discipline Hearings are being scheduled for the coming year.

Examination Committee – Ben Bao Qi Cao

The Examination Committee consists of three Members appointed by the Board.

The Examination Committee is responsible for advising the Registrar with regard to registration examinations, and acts as a consulting body to the Registrar in the appropriate testing of applicants' knowledge and skills.

The Examination Committee had three meetings in 2012 (May 30, November 1, December 18).

Dr.TCM Clinical Examination was held on May 25, 2012 with two candidates.

The Herbology Written Examination was held on October 6, 2012 and the Herbology Clinical Examination was held on November 24, 2012.

The Acupuncture Written Examination was held on October 13, 2012 and the Acupuncture Clinical Examination was held on December 1-2, 2012.

Inquiry Committee – Vivienne Stewart

The Inquiry Committee investigates written complaints made regarding the practice of a College registrant and matters related to professional practice under the *Health Professions Act*. It also investigates matters involving unauthorized practice by non-registrants and can also initiate an investigation on its own motion.

Actions in 2012-2013:

1. Twenty-one meetings were held: March 13,19,28; April 16,24; May 10,11; June 11; July 10; August 2,15,30; September 13,20; October 2,29; December 6,20; January 10,29; February 15.
2. As of end of March 2012, there were twenty-two cases on file. Seven cases of unauthorized title were completed and six suspensions were in place.
3. Malpractice Liability Insurance
CTCMA Bylaw section requires that all registrants must be insured against liability for negligence in an amount of at least \$1,000,000.

On June 6, 2012 the College received information that 47 registrants had not renewed their professional liability insurance. It was reported that the insurance agent has sent follow up letters notifying registrants of their failure to renew.

The Inquiry Committee opened an investigation of each case on the Committee's own motion under section 33(4) of the *Health Professions Act*. The College wrote to the registrants on June 7, 2012 and all but one subsequently renewed their insurance.

On August 15, 2012 the Inquiry Committee passed a motion that each registrant be requested to (a) undertake not to repeat the conduct of failing to renew liability insurance, (b) consent to a reprimand, and (c) undertake or consent to pay a fine of \$590 and to pay a tariff of costs.

Registrants have been reminded of the requirement to have valid liability insurance through CTCMA Newsletters published in 2008, 2009, 2011 and 2012.

Following a discussion the Board recommended that future registration renewal forms require the registrant to include their insurance company name and policy number.

Patient Relations Committee – John Blažević

The Committee's mandate is to deal with complaints of professional misconduct of a sexual nature by:

1. establishing and maintaining procedures to deal with such complaints,
2. developing and coordinating educational programs for professionals and the public,
3. developing guidelines for professional conduct, and
4. providing information to the Public re the College's complaint and disciplinary process

The Committee shall function in accordance with the relevant provisions set out in the *Health Professions Act* and the College Bylaws, and shall report its findings and recommendations to the Board.

The Committee will continue to examine tools for registrant education. The Committee will also be following the HRO Subgroup on professional boundaries and the potential for collaborative work. Members of the Committee attended a workshop on April 29, 2012 sponsored by the College of Massage Therapists. The subject was Patient-therapists Boundaries and provided attendees with ideas, frameworks and tools that will be applicable to future Patient Relations Program.

Quality Assurance Committee – Weijia Tan

The Quality Assurance Committee consists of four professional members and two public members appointed by the Board. It is mandated to review the standards of practice and to enhance the quality of practice and to reduce incompetent, impaired or unethical practice among registrants; to establish and maintain a continuing competency program to promote high standards of practice among registrants; and to recommend criteria to the Board for continuing education requirements.

Actions in 2012:

Meetings were held April 19, June 18 and October 30, 2012.

The Board has approved the Committee's recommendations to update and clarify the Continuing Competency Program documents. Reviews were undertaken regarding first aid and CPR requirements, practice standards for induction of labour, and telepractice/telehealth policies.

Regulation Amendment Task Force (a partnership of the Quality Assurance and Standards of Education Committees) held meetings August 8, September 5, 12, October 3, November 19, December 11, February 12. A Communications Plan was developed along with key messages in anticipation of a registrant-wide survey and follow up with focus groups.

The Safety Program Handbook was approved by the Board December 8, 2012 as recommended by the Committee.

Registration Committee – Bar-Chya Lee

The Registration Committee consists of six Members appointed by the Board.

The Registration Committee is responsible for reviewing and approving the registration of a person as a member of the College under authority delegated by the *Health Professions Act* of BC.

The Registration Committee had eleven meetings in 2012-2013 (April 18, May 30, June 27, August 1, August 29, September 26, October 24, December 5, 2012 and January 23, February 20, March 20, 2013).

The annual full registration renewal rate in 2013 was 96% which is the same as in 2012.

As of March 31, 2013, the register consisted of: 851 R.Ac., 39 R.TCM.H., 455 R.TCM.P., and 303 Dr.TCM.

The Registration Committee has approved applications for examination candidacy in 2012 including applications for Dr.TCM examination and AH examinations.

As of March 31, 2012, 7 cases were under review by Health Professions Review Board (HPRB).

Standards of Education Committee – Weijia Tan

The Standards of Education Committee consists of six members appointed by the Board. The Committee is responsible for establishing, implementing, enforcing and evaluating the standards of education for the approval of training programs and for reviewing and making recommendations to the Board regarding education programs.

The Standards of Education Committee focused on the Training Program Review Project in the past two years. Training Program Review Project (TPR) is developed for schools offering TCM/A training programs within BC to ensure students who successfully graduate from those programs are able to meet the minimum education program requirements as listed in Schedule E and demonstrate proficiency in the occupational competencies.

As of March 31, 2012, 5 TCM schools completed the TPR and 2 schools were still under review.

10) CTCMA Registrar Report

Registrar's Report: AGM January 12, 2014

It has been another busy and productive year. The Report this year will be in three sections – the first will give an overview of self-regulation and resources needed to meet the regulatory requirements; secondly will be an update on the 2012 activities reported last year, and thirdly a summary of four 2014 initiatives.

Self-regulation means that the College and the Registrants are accountable and responsible to the public. Regulation is the single most important element to being a health profession. The Health Professions Act (*HPA*) requires that Board members from each College take an Oath of Office which includes stating that they will abide by the *HPA*, will act in accordance with the law and the public trust, in the interests of the College and will uphold the objects of the College. The over-riding responsibility of the Board member is to always act in the public interest. Board members have a legislated role and responsibilities – a self-regulated profession is not a democracy, registrants are not constituents, elected Board members do not represent the registrants who voted for them and all Board members, elected and appointed, are obligated to act in the public interest not registrant interest.

Regulation is expensive. An example is in the public complaint process. Many complaints received from the public are serious matters involving physical risk or fraudulent conduct. In the past year eighty-three registrants have contravened the CTCMA Bylaws by not having liability insurance. Seven registrants were suspended due to not fulfilling the obligation for criminal record review and four registrants remain suspended due to sexual misconduct.

When the College receives a complaint there is a statutory requirement to investigate all complaints. Often complaints will require inspection of the registrant's clinic and patient records, investigation by external agents, and collecting of other documentation/evidence. There have been a number of cases of reported dishonest billing. Cases have included registrants giving receipts for acupuncture treatment given, but instead of acupuncture treatment the 'patient' has received non-medical services or goods. Registrants guilty of dishonest billing have cost insurers literally millions of dollars. In one recent case the Medical Services Plan paid out \$1.8 million for treatment never documented. The outcome is that in dishonest billing, everyone loses: patients lose access to treatment, the government wastes health care dollars, the profession is disgraced and there is a potential loss of coverage for acupuncture services which would affect patients and practitioners. As health professionals we all have a measure of responsibility for the conduct of our colleagues. The College has been asked what the Board is going to do to address the growing legal costs. However, legal costs will continue to be significant until there is greater acceptance of the regulatory statutes and rules by the small but significant number of registrants who continue to refuse to comply with the laws.

The following is an update on the three projects reported last year: Safety Program Handbook, Pan-Canadian Examinations, and the Regulation Amendment.

The Safety Handbook is now posted on the website, available for downloading as a clinic reference, and replaces the old Mandatory Safety Course through on-line examination. While the official version is in English, there is an unofficial version available in Chinese.

In 2013 the Canadian Alliance of TCM Regulators administered the first Pan-Canadian examinations. The Alliance has put a sustainability program in place for permanent national examinations. The Alliance is now an official, nationally incorporated body and will be working with other provinces with emerging professional regulation.

The Regulation Amendment is progressing well with an excellent registrant response rate in the recent survey. A registrant focus group will be conducted later this month with broad-based representation. The Regulation Amendment Task Force will then analyze responses, revise as required and take to the Board for review and approval.

The following is an overview of four new initiatives: Public Awareness Campaign, Dr.TCM Competencies Project, IT Review/Database Upgrade, and the Jurisprudence Course Handbook.

The Public Awareness Campaign Our Purpose, Your Safety, is a project undertaken by all twenty-two members of the Health Profession Regulators of BC (HPRBC) Health regulatory colleges protect the public by setting standards so that patients receive acceptable care and treatment, and regulated health professions are responsible and accountable in providing safe and effective treatment. Why the Campaign? The HPRBC regulate almost 100,000 health professionals. In a public survey a shocking number of people were not able to identify most regulated health professions – only 1% identified TCM as being regulated. The public needs to know why it is important to choose a regulated health provider and what can be done if the patient has a complaint. The Campaign, launched in September 2013, is multilingual in ten languages, uses multi-materials such as print, television, radio, bus shelter posters, talk shows and a new website. Expanded Campaign plans for 2014 include an expanded website for public education, mainstream media use, and expansion of multicultural advertising to reach new Canadians.

The Dr.TCM Competencies Project has a concentrated work schedule with a timeline for completion in May 2014, with the 8-member Expert Committee working under a competency consultant. The deliverables are Occupational Competencies for the entry-to-practice Dr.TCM, Performance Indicators, and Assessment/Education Blueprints.

The IT-Database Review/Upgrade is being undertaken as the regulatory colleges have an on-going challenge to maintain up-to-date IT infrastructure in order to meet the regulatory requirements and reporting capabilities mandated under the *HPA*. Objectives of the project include improved data accuracy/reduction in administrative workload; on-line registration renewal; registrant self-management of registration information such as contact updates; capability to conduct real-time statistics; and facilitate electronically conducted business such as board elections.

A fourth project currently underway is the Jurisprudence Course Handbook – *Important Legal Principles Practitioners Need to Know*. A significant portion of the Handbook was adapted from the Jurisprudence Handbook developed by the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario – and we gratefully acknowledge their permission to adapt the document to BC laws and regulations. The Handbook has been developed to promote understanding and knowledge of professional conduct, ethical principles and legislative provisions relevant to the practice of TCM in British Columbia. A Chinese translation of the Handbook will be available, however it is an unofficial version and is considered as a translation of legal principles.

In closing it is important to acknowledge that all these College activities and projects have been made possible by the continued dedication and hard work of so many people who have volunteered their time, knowledge and energy. People are the College's number one resource. Thank you for another successful year.

11) Resolution

The Chair, not meeting any objection, then turned the Resolution portion of the meeting over to Mr. Barrie Lynch, Registered Parliamentarian.

Mr. Lynch stated that the procedure is guided by the Health Professions Act, CTCMA Bylaws, the Convention Standing Rules and Roberts Rules of Order. Two microphones were provided on either side of the assembly, with registrants speaking in opposition going to the left side and those wishing to speak in favour going to the right side. Speakers were asked to state their name before speaking. At the time when there was only one line up on the side for those in favour, the assembly was asked and agreed to close the debate. A recess was called during which the voting took place and the votes were counted.

The three members of the Credentials Committee - Jianyi Jenny Huang - Dr.TCM, Tahmineh Nikookar – Dr.TCM and Rachelle Wendt – R.Ac. were identified prior to the voting process and to act as scrutineers during the vote counting joined by the Registrar.

The voting then commenced following the closing and locking of the six ballot boxes in front of the scrutineers and the assembly.

The counting took place by three teams of two staff members each under the supervision of the Registrar and the three scrutineers.

The meeting reconvened at completion of the count.

The results were reported to the assembly:

Resolution

That CTCMA's website shall have both English and Chinese versions, so it can better serve the registrants of CTCMA and the general public interested in TCM

Total votes	Yes votes	No votes	Spoiled votes
131	105	25	1

Result: Pass

12) A brief Questions & Answers period followed.

13) Adjournment

The meeting adjourned at 4:10 p.m.