NLCHP | NEWFOUNDLAND AND LABRADOR COUNCIL OF HEALTH PROFESSIONALS

Summary Of Adjudication Tribunal Decision

IN THE MATTER OF: Dr. Xiao Hong Liu, Acupuncturist (the "Respondent")

In a written decision dated August 10, 2023, the Adjudication Tribunal found that the conduct of the Respondent rendered her ungovernable and ordered Dr. Xiao Hong Liu's certificate of registration and her name be permanently struck from NLCHP's register.

The Respondent's registration to practice had been suspended by order of a separate Adjudication Tribunal on April 12, 2021, related to a complaint filed against Respondent in 2019.

On June10, 2021, the NLCHP received a complaint that the Respondent was practicing acupuncture while her registration was under suspension. An investigation was initiated by the Complaints Authorization Committee of the NLCHP. Based on the information in the complaint, the Committee referred the complaint to the Disciplinary Panel of the NLCHP. It was alleged that there were reasonable grounds to believe that the Respondent had engaged in conduct deserving of sanction, within the meaning of section 34(c) of the Act, in that she acted contrary to:

- The College for Traditional Chinese Medicine Practitioners and Acupuncturists Conduct Deserving of Sanction Policy sections 2, 4, 11, 18, 25, 26, 37, 40, 41, 42, 43, 45, 50 and 51;
- Section 18 of the Act; and
- The College for Traditional Chinese Medicine Practitioners and Acupuncturists Code of Ethics subsection "Responsibility to the Public" number 5(d).

In a written decision dated February 22, 2023, the Adjudication Tribunal finds the Respondent, Dr. Xiao Hong Liu, guilty of conduct deserving of sanction, in the form of professional misconduct, pursuant to section 34(c) (i) of the Act. The Adjudication Tribunal directed NLCHP and the Respondent to re-convene before the Adjudication Tribunal on May 12, 2023, for the purpose of addressing the sanctions to be imposed in the circumstances. The NLCHP is directed to make the arrangements accordingly.

In a written decision dated August 10, 2023, the Adjudication Tribunal found that the conduct of the Respondent rendered her ungovernable, and stated, *inter alia*: "Ultimately, through her actions and inactions, the Respondent has demonstrated that she has no interested in being governed by the College or the NLCHP. It is clear to the Tribunal that the Respondent intends to continue to practice, despite any measures taken by the NLCHP or this Tribunal." As a result, the Adjudication Tribunal ordered the following sanctions:"

a) The Respondent be directed to surrender her certificate of registration to the NLCHP, and her name be permanently struck from the register;

b) Notice of the surrender and the order striking the Respondent's name from the register be posted on the Respondent's business premises and on the NLCHP website;

c) The NLCHP may disclose this decision to another regulatory authority for Acupuncturists as the NLCHP in its sole discretion deems appropriate; and

d) The Respondent be ordered to pay the costs incurred by the NLCHP in the investigation and hearing of the complaint in the amount of $46,838.20.

Alice Kennedy
Registrar NLCHP
September 25,2023