

**DISCIPLINE COMMITTEE OF  
THE COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO**

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

COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO

- and -

RICHARD KUNG, Registration Number 14827

**NOTICE OF HEARING**

The Inquiries, Complaints and Reports Committee of the College of Physiotherapists of Ontario has referred specified allegations against Richard Kung to the Discipline Committee of the College. The allegations were referred in accordance with paragraph 26(1)1 of the *Health Professions Procedural Code*. The statement of 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 *Health Professions Procedural Code*, as amended, for the purposes of deciding whether the allegations are true. A **pre-hearing conference** may be held at a date and time to be fixed by the Registrar. A discipline panel will subsequently convene for the purposes of conducting the **hearing**.

**IF YOU DO NOT ATTEND AT 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.

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 *Health Professions Procedural Code*.

You are entitled to disclosure of the evidence against you in accordance with section 42(1) of the *Health Professions Procedural Code*, as amended. You, or your representative, may contact the solicitor for the College, Joanna Birenbaum, in this matter at:

Ursel Phillips Fellows Hopkinson LLP  
555 Richmond St. West, Suite 1200  
Toronto, ON M5V 3B1

Telephone: (416) 968-3333  
Facsimile: (416) 968-0325  
Email: [jbirenbaum@upfhlaw.ca](mailto:jbirenbaum@upfhlaw.ca)

You must also make disclosure in accordance with section 42.1 of the *Health Professions Procedural 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.



Date: May 14, 2025

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Craig Roxborough, PhD  
Registrar and CEO  
College of Physiotherapists of Ontario

TO: Richard Kung

### **Statement of Allegations**

1. At all material times Richard Kung (the “Registrant”) was a registrant of the College of Physiotherapists of Ontario holding an Independent Practice certificate of registration. At all material times, the Registrant practiced as a physiotherapist at Cohesion Physiotherapy in Stouffville, Ontario.
2. In the period September 3, 2024 to May 20, 2025, the Registrant engaged in professional misconduct within the meaning of the following paragraphs of section 1 of the *Professional Misconduct Regulation*, O. Reg. 388/08:
  - a. paragraph 1 (failing to maintain the standards of practice of the profession);
  - b. paragraph 13 (Failing to reply appropriately or within a reasonable time to a written inquiry from the College);
  - c. paragraph 14 (Contravening, by act or omission, the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts); and
  - d. paragraph 18 (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 members as disgraceful, dishonourable or unprofessional).
3. In or about September 3, 2024 to May 20, 2025, the Registrant committed an act or acts of professional misconduct under ss. 51(1)(b.0.1) and s.82(1) of the Health Professions Procedural Code, which is Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991, c.18 (the “Code”), in that he failed to participate in an assessment under the College’s Quality Assurance Committee and/or failed to comply with the Quality Assurance Committee or an assessor appointed by that Committee.

## **PARTICULARS OF THE ALLEGATIONS**

1. At all material times Richard Kung (the “Registrant”) was a registrant of the College of Physiotherapists of Ontario holding an Independent Practice certificate of registration. At all material times, the Registrant practiced as a physiotherapist at Cohesion Physiotherapy in Stouffville, Ontario.
2. On or about July 9, 2024, the Registrant was randomly selected by the Quality Assurance Committee for a screening interview under the College’s mandatory Quality Assurance Program.
3. Pursuant to sections 82(1) and 51(b.0.1) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991,c.18, all Registrants of the College must comply with the Quality Assurance Committee and any assessor appointed by that Committee.
4. The Registrant’s Quality Assurance screening was completed on or about August 17, 2024.
5. On or about September 3, 2024, the Registrant was notified by the College that the Registrant was required to participate in an assessment under the Quality Assurance Program.
6. Between September 3, 2024 and November 28, 2024, the Registrant refused to comply with the direction of the Quality Assurance Committee and an assessor appointed by that Committee, to complete a pre-assessment questionnaire and to participate in an assessment.
7. Between September 3, 2024 and May 20, 2025, the Registrant refused to participate in and/or comply with the Quality Assurance assessment process, despite repeated opportunities to do so and despite being advised that failure to co-operate with the assessor/assessment process could result in a referral to the Inquiries Complaints and Reports Committee for investigation.
8. In respect of the above, the Registrant has failed to comply with the College and has demonstrated disrespect for the College in a manner which calls into question the Registrant’s willingness and ability to be governed by the College.

## **APPENDIX**

1. Take notice that the documents that have been and will later be disclosed to you will be tendered as business documents pursuant to the *Evidence Act* of Ontario.
2. 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.