

## **Adding Bahn Thai School Thai Massage Alumni Association to Chapter 545, Licensing – Appendix L, List of Professional Holistic Associations**

**Date:** September 30, 2024

**To:** City Council

**From:** Executive Director, Municipal Licensing and Standards

**Wards:** All

### **SUMMARY**

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This report responds to a directive from City Council requesting a recommendation from staff on whether to add Bahn Thai School Thai Massage Alumni Association to Appendix L to Municipal Code Chapter 545, Licensing (the Licensing By-law), List of Professional Holistic Associations, for the purpose of licensing holistic practitioners and owners based on the requirements outlined in the Licensing By-law.

After receiving all application requirements from the applicant as listed in the By-law, staff recommend amending Appendix L of Chapter 545, Licensing to include Bahn Thai School Thai Massage Alumni Association.

### **RECOMMENDATIONS**

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The Executive Director of Municipal Licensing and Standards recommends that:

1. City Council amend Toronto Municipal Code Chapter 545, Licensing to add "Bahn Thai School Thai Massage Alumni Association" to Appendix L, List of Professional Holistic Associations.

### **FINANCIAL IMPACT**

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There are no current or known future year financial impacts arising from the recommendations contained in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

## DECISION HISTORY

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City Council on July 24 and 25, 2024, deferred Item [2024.EC14.11](#) to the October 9, 10 and 11, 2024 meeting of City Council.

In February 2024, City Council adopted Item [2024.MM14.6](#), which directed the Executive Director, Municipal Licensing and Standards to report to the Economic and Community Development Committee in the third quarter of 2024 with a recommendation on whether to add Bahn Thai School Thai Massage Alumni Association (at the time known as ITM Thai Massage Alumni Association) to Appendix L to Municipal Code Chapter 545, Licensing, List of Professional Holistic Associations for the purpose of licensing holistic practitioners and owners based on the requirements outlined in Chapter 545-161B, as they pertain to a Professional Holistic Association's governance, membership and membership services, and ethics and disciplinary processes.

In May 2019, the former General Government and Licensing Committee, under Item [2019.GL5.2](#), directed the Executive Director, Municipal Licensing and Standards to do further stakeholder consultations and report back on several ideas, including "strengthening the oversight of professional holistic associations, including the requirement to develop internal regulations to revoke the membership of individuals or organizations providing unlicensed services."

In April 2018, City Council adopted Item [2018.LS24.2](#) to amend Toronto Municipal Code, Chapter 545, Licensing so that no application for a new holistic practitioner licence be accepted from members associated with five Professional Holistic Associations affiliated with the largest number of non-compliant holistic practitioners.

In November 2017, City Council adopted Item [2017.AU10.3](#) directing the Executive Director, Municipal Licensing and Standards to conduct a detailed review of regulations for body rub parlours, holistic centres, and professional holistic associations, and report back on changes to ensure effective oversight and enforcement.

## COMMENTS

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### Background

In 1998, the City of Toronto began regulating holistic services to protect consumers and to ensure that holistic treatments are only offered by those qualified to do so.

Holistic services are defined in Chapter 545, Licensing (the Licensing By-law) as "any modality used as a tool for therapeutic and wellness purposes." This excludes body rubs and medical or therapeutic treatments performed by "persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario."

In 2015, as part of the City's ongoing efforts to ensure that practitioners are skilled at providing holistic services, the City introduced the requirement that holistic practitioners Adding Bahn Thai School Thai Massage Alumni Association to Chapter 545, Licensing

applying for or renewing a City licence must be a member of a City-approved Professional Holistic Association.

Currently, 37 Professional Holistic Associations are listed in Chapter 545, Licensing – Appendix L, List of Professional Holistic Associations.

As defined in Chapter 545, a Professional Holistic Association is a registered not-for-profit organization established for the purpose of ensuring safe and proper provision of one or more kinds of holistic services.

Chapter 545 sets out that to be considered a Professional Holistic Association, the organization must apply their own bylaws, regulations, procedures and admissions process, code of ethics, and disciplinary process towards members.

### **City of Toronto Process to Approve a Professional Holistic Association**

To become a City-approved Professional Holistic Association that is listed in Chapter 545, the applicant must provide to Municipal Licensing and Standards (MLS):

- Documentation of the Association as a registered not-for-profit corporation
- The names of principals, officers, and employees
- A description of how and how often the Board of Directors is selected, date of most recent Board appointment, and current list of Board of Directors
- A list and description of each holistic service that the Association will oversee
- Description of qualifications the Association will require from members
- A list of the criteria required by the Association to become a member
- A summary of the Association's activities and achievements
- A copy of the Association's governing bylaws, regulations, and procedures
- A copy of the Association's code of ethics
- A copy of the Association's complaints and disciplinary process
- A list of courses and qualifications recognized or provided by the organization
- City Council approval of the application

Under the By-law, however, MLS does not have the authority to audit a Professional Holistic Association after approval.

In addition, MLS cannot revoke the approval of an association or withdraw members if an association fails to enforce its code of ethics or its disciplinary process, or otherwise fails to meet requirements, as set out in the Licensing By-law.

Only City Council can add or remove an approved Professional Holistic Association from Appendix L to Chapter 545.

### **Review of Bahn Thai School Thai Massage Alumni Association's Application**

Staff have received all application requirements from Bahn Thai School Thai Massage Alumni Association as listed in the Licensing By-law and are satisfied that all requirements have been met.

As such, staff recommend that City Council amend Appendix L to Chapter 545, Licensing to include a new Professional Holistic Association: Bahn Thai School Thai Massage Alumni Association.

### **Moratorium on New Licence Applications from Members of Five Professional Holistic Associations**

In a 2017 report (Item [2017.AU10.3](#)), the Auditor General identified that multiple Professional Holistic Associations listed in Appendix L to Chapter 545 seem to operate on paper only.

To address this matter, City Council adopted Item [2018.LS24.2](#), which amended Toronto Municipal Code, Chapter 545, Licensing such that no application for a new holistic practitioner licence be accepted from members associated with the following five Professional Holistic Associations, which are affiliated with the largest number of non-compliant holistic practitioners:

1. Canadian Examining Board of Health Care Practitioners Inc.
2. Examining Board of Natural Medicine Practitioners
3. Health and Healing Holistic Association
4. National Certification Board for Natural Therapies
5. World Peace and Natural Health Association

These five Associations were linked to 98% of all bylaw charges and 97% of all convictions incurred by holistic practitioners from 2014 to 2017.

The City's moratorium on accepting new licence applications from members of these five Associations remains in effect. The moratorium, however, does not prevent existing holistic practitioner licensees who are members of these five Associations from renewing their licence.

City regulations also still enable applications for new Professional Holistic Associations to be added to the Licensing By-law. Only City Council is authorized to add to or remove from the City's approved list of Professional Holistic Associations.

### **Review of Licensing and Regulation of Body Rub Parlours and Holistic Centres**

After a staff report in 2019 on body rub parlours and holistic centres, staff were directed to do further consultation and report back on several areas, including the merits and practicality of relying upon Professional Holistic Associations to govern and accredit holistic licensees and practitioners as well as potential strategies to strengthen the oversight of associations.

Staff are currently reviewing the licensing and regulation of body rub parlours and holistic centres and anticipate reporting to the Economic and Community Development Committee in 2025. The review will also respond to recommendations from the City's Auditor General.

## CONTACT

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## SIGNATURE

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