

Public Protection

Unlawful Practice: Anthony Wang

Search and seizure order executed against Anthony Wang -- practising hearing instrument dispensing in British Columbia without a licence

Coquitlam, B.C.
December 2, 2016



The College of Speech and Hearing Health Professionals of BC (the “College”) has taken legal action against Mr. Anthony Wang of 1620 Blue Jay Place, Coquitlam, B.C. for practising hearing instrument dispensing without a licence. Mr. Wang is not a registrant of the College and therefore cannot dispense hearing aids in B.C. pursuant to the *Health Professions Act* (the “Act”) and the Speech and Hearing Health Professionals Regulation.

Persons engaged in the unlawful practice of unlicensed hearing instrument dispensing pose a number of public health risks, including but not limited to:

1. Lack of appropriate medical referrals and treatment

- Without prior audiological testing, including otoscopy, a hearing aid may be dispensed to a member of the public where a hearing aid is not appropriate for the client/patient’s hearing condition, or in cases where a medical referral is necessary to treat a serious underlying medical cause.

2. Exposure to potentially damaging noise levels which could worsen hearing loss

- By dispensing hearing aids designed to amplify sound without knowledge of the degree and configuration of the wearer's hearing loss, and without verification, the unlawful practitioner exposes the public to the risk of over-amplification which could lead to noise damage to the wearer's ear and further hearing loss.

3. *Un-licensed hearing aids*

- Hearing aids are considered *medical devices* and must be licensed before being authorized for sale in Canada. Health Canada regulates the safety, effectiveness, and quality of medical devices imported into and sold in Canada. This is done through a pre-market review (before product licensing is granted), and post-market surveillance of adverse events (after licensing). As part of this work, Health Canada monitors complaints about medical devices sold in Canada, and communicates safety information about medical devices to health care professionals and the public. By dispensing un-licensed medical devices, the unlawful practitioner exposes the public to potentially harmful hearing aids.

4. *Lack of appropriate protocols for sterilization and infection control*

- The investigation has provided evidence that suggests that the unlawful practitioner is removing the hearing instrument from its packaging and inserting it directly into the client's ear without cleaning the earpiece or looking into the client's ear to check for underlying medical conditions (such as lesions or infections in the ear canal). This subjects the public to an increased risk of infection or disease.”

Mr. Wang came to the College's attention in May 2016, when the College received an email from a registrant informing our office that a person or persons were posting Craigslist offers to sell devices which appeared to be hearing instruments. Despite verbal communication with Mr. Wang, letters from the College to Craigslist's Corporate Head Office and legal department, and a cease and desist letter, Mr. Wang continued his unlawful practice.

In keeping with its mandate to protect the public, the College retained an investigation firm to conduct an independent investigation into the Craigslist postings. The College asked the investigators to determine the identity of the person or persons offering the devices for sale. The College also asked the investigators to collect more information about the devices.

The investigation revealed evidence that Mr. Wang was engaged in unlawful practice as defined in the Speech and Hearing Health Professionals Regulation and the College took legal action by obtaining an order of the BC Supreme Court under section 29 of the Act.

On November 29, 2016, investigators of the College executed the order and recovered a number of hearing aids as well as Mr. Wang's computer.

The College advises that any person who has purchased hearing aids from a non-registrant of the College should consult with and visit a College-registered hearing instrument practitioner to examine the device purchased and to have their hearing loss assessed.

To check the registration status of a hearing instrument dispenser in B.C., please refer to the College's website: see the [Registry](#) or the [Directory](#) (sorted by City in alpha order).