

September 25, 2024

Health Professions Review Board

Dear Health Professions Review Board,

I am writing to provide a detailed and comprehensive response to the College of Physicians and Surgeons of British Columbia's (CPSBC) opposition to my request for an extension of time to file my application for review. The circumstances surrounding this case are highly complex, and various factors have profoundly affected my ability to file the application within the 30-day period stipulated by the Health Professions Act. Below, I will provide a thorough explanation of each significant factor that has contributed to the delay in filing my review and substantiate why these factors meet the criteria for "special circumstances" under **Section 50.61(4) of the Health Professions Act**, thus justifying the extension I have requested.

1. My Genuine Intention to Investigate Since 2005

As early as **February 2005**, when I suffered a *cardiac arrest*, I realized the importance of understanding the medical care I received during that critical time. I formed a genuine intention to investigate the circumstances surrounding the treatment provided by **Dr. Frank L. Hou**, specifically focusing on the *blood work results* that were ordered on **February 8, 2005**. These blood work results were crucial in assessing my condition at the time, but I was unable to access them despite my repeated requests over the years.

In **December 2005**, my family, led by my mother, confronted the *BC Children's Hospital cardiologist and kidney dialysis team* in an effort to understand what had happened during my treatment. During this meeting, I fully intended to bring up the issue of the blood work results ordered by Dr. Hou, but I was physically unable to articulate my concerns due to my severe *speech disability* and *dystonia*. Both of these conditions were consequences of the brain injury I had sustained during my cardiac arrest, which led to *hypoxic ischemic encephalopathy*. This brain injury severely affected my motor and speech abilities, preventing me from raising crucial points during the meeting, despite my strong desire to do so.

At the time, I was a *grade 9 high school student* who had just recently suffered a traumatic brain injury and cardiac event. My young age, coupled with my physical disabilities, left me without the means to advocate for myself. My intention to investigate my medical care, particularly the issue of the blood work results, was present from as early as 2005, but my disabilities and circumstances beyond my control rendered me unable to take any effective action at the time.

2. Struggles Adapting to Post-Brain Injury and My Mother's Role in My Recovery

The brain injury I sustained during my cardiac arrest presented me with numerous cognitive and physical challenges. The damage to my brain led to a range of complications, including motor dysfunction, dystonia, and speech impairment, all of which severely limited my ability to perform even basic tasks. As a result, I was unable to focus on my medical care or pursue any legal action, as I was primarily concerned with recovering enough to return to school and adapt to the significant physical and cognitive changes in my life.

During this critical recovery period, my mother played a vital role in helping me navigate the numerous challenges that I faced. She was my primary caregiver and the person who worked tirelessly to ensure that I received the best possible care and support. She guided me through my medical appointments, advocated for me when I was unable to do so, and devoted herself to my recovery. Unfortunately, my mother passed away in **December 2007**, just two years after my cardiac arrest. Her passing had a profound impact on me, both emotionally and practically, as I lost the person who had been instrumental in my care and recovery.

Without my mother's support, I struggled to navigate my complex medical needs and pursue the inquiries into my medical history that I had intended to pursue earlier. It took me many years to recover both physically and cognitively to the point where I could begin to organize my thoughts and articulate my concerns effectively. The loss of my mother, combined with my physical and cognitive challenges, further delayed my ability to pursue any investigations or legal actions related to my care under Dr. Hou.

3. My Ongoing Health Conditions and Their Impact on Legal Action

In addition to the severe physical and cognitive challenges resulting from my brain injury, I faced significant health issues due to my kidney condition. After my cardiac arrest in 2005, I became *dialysis-dependent*, and I remained so from **2005 to 2009**, and then again from **2020 until June 1, 2023**, when I received my *second kidney transplant*. My dependency on dialysis during these periods placed considerable strain on my physical and mental health, further complicating my ability to take legal action or investigate the medical care I had received.

From **2009 to 2020**, I did not receive any home support services from *Vancouver Coastal Health (VCH)*, despite being entitled to such services. It was only in **December 2020**, after being sent to the ER due to the lack of home support, that I discovered I was supposed to have been provided community health workers for 11 years. The lack of home support also contributed to the failure of my *first kidney transplant* because *St. Paul's Hospital's post-kidney transplant team* and *LifeLabs* were negligent in the collection of bloodwork required for my immunosuppression therapy. This negligence, coupled with my deteriorating health, ultimately led to the loss of my first kidney transplant graft.

The discovery of this failure, and the resulting health consequences, led to an emotional and physical collapse. I moved to **East Vancouver** in **2017** following an accidental academic misconduct that occurred as a result of a *nervous breakdown* caused by the prolonged lack of home support services. This breakdown made it impossible for me to pursue legal action or investigate my medical history further at the time.

4. Living in the UBC Area from 2009 to 2016 and Lack of Access to LifeLabs

From **2009 to 2016**, I lived exclusively in the *University of British Columbia (UBC) area*, where I was deeply engaged in my academic pursuits. I attended *advanced research-level mathematics classes* every weekday whenever UBC was in session, and my academic schedule was rigorous and demanding. These mathematics courses required a high level of intellectual focus, and I dedicated much of my time and energy to my studies. As a result, I had little opportunity or capacity to focus on my medical history or pursue legal action regarding my treatment under Dr. Hou.

At that time, there were *no LifeLabs locations in the UBC area* where I could have independently requested the *blood work results ordered by Dr. Hou*. My lack of access to LifeLabs facilities during this period meant that I was not aware of the possibility of obtaining these results directly from them. Given that I was preoccupied with my studies and the demands of my mathematics courses, I did not have the time or knowledge to pursue the necessary steps to obtain these results independently. It wasn't until **June 2022** that I was finally able to obtain the blood work results through LifeLabs, after years of unsuccessful requests to Dr. Hou.

The combination of my intense academic schedule and lack of access to LifeLabs facilities further contributed to the delay in securing these critical medical records. My focus on my education and the lack of nearby resources prevented me from taking the necessary actions to investigate my medical care during this time.

5. Moving to Richmond in April 2022 and Discovering LifeLabs Access

In **April 2022**, I moved from East Vancouver to **Richmond, BC**, where my *post-kidney transplant team* at *Vancouver General Hospital (VGH)*—instead of at St. Paul's—fully arranged for *Mobile LifeLabs* to visit my home to collect my monthly blood work following my second kidney transplant. It was at this point that I became aware of the possibility of independently requesting my *February 8, 2005* blood work results from LifeLabs.

Once I realized that this option was available to me, I immediately took action and requested my *February 8, 2005* blood work results from LifeLabs in **May 2022**. The blood work results finally arrived in my mailbox in **June 2022**, showing a hemoglobin level of just **58**. This information was critical in my understanding of the treatment I received in 2005 and reinforced my concerns about **Dr. Hou's conduct** during that time.

6. Delayed Access to Critical Medical Information

The *blood work results ordered by Dr. Hou on February 8, 2005*, have been central to my investigation into the medical care I received at that time. Despite my repeated and respectful requests to Dr. Hou

over the years, I was never provided with these results. It was not until **June 2022** that I was finally able to obtain the results independently from *LifeLabs*.

This long delay in obtaining crucial medical information significantly hindered my ability to fully evaluate my case and pursue the necessary legal actions. Without access to these results, I was left without a complete understanding of the medical care I had received. Furthermore, the delay in receiving these results raised concerns about whether **Dr. Hou intentionally concealed the results**, which has added to my suspicions regarding his conduct.

Had I received the blood work results earlier, I would have been able to pursue legal and medical inquiries much sooner. However, the lack of access to this information, combined with my physical and cognitive limitations, delayed my ability to take action. This delayed access to vital medical information is a significant factor in why I was unable to act within the standard 30-day period following the College's disposition.

7. Intentions to Act Following the College's Disposition in December 2023

Upon receiving the College's disposition in **December 2023**, I formed a genuine intention to file an application for review. However, several unforeseen circumstances, including a scam that affected my ability to focus on legal matters, contributed to the further delay in taking action within the required timeframe.

8. Pig-Butcher Romance Scam Between December 2023 and April 2024

Between **December 2023 and April 2024**, I became the victim of a *pig-butcher romance scam*, which profoundly impacted my ability to focus on the legal steps I needed to take regarding my medical care. The scammer, personified as "she," misled me into believing that they would come to Canada to assist me with both my legal matters and their own *fabricated lawsuits*.

The scam caused me significant emotional, mental, and financial harm during this period, which greatly distracted me from focusing on my own legal matters. The emotional strain and financial losses I suffered as a result of this scam delayed my ability to file my application for review, as I was preoccupied with dealing with the aftermath of the deception.

9. Hostility and Aggression from My Father After My Second Kidney Transplant

Compounding the challenges I faced, after my second kidney transplant on **June 1, 2023**, my father became increasingly hostile and aggressive toward me. He was born in the *People's Republic of China under Mao* and has since lived with a mindset shaped by authoritarian ideologies, which reminiscent of George Orwell's **'1984'**. When I informed him that I never believed in communism and rejected the propaganda of the *Chinese Communist Party (CCP)*, his behavior toward me escalated.

My father assumed I believed in the CCP's narrative, and when I expressed my rejection of this, he became determined to "fix" me. He cut off my internet access several times when he saw me watching *alternative and real news produced by the June 4 Tiananmen Square massacre student leaders on YouTube*, as he believes all PRC state news is truthful and any pro-democratic information is "heresy." He viewed these independent media outlets as intoxicating my mind with pro-democratic information, which in his view was dangerous. He became increasingly aggressive, going so far as to suggest that I needed to be "fixed" through force or violence. His hostility and aggression toward me have made my living situation increasingly volatile, adding further strain to my post-transplant recovery and my ability to focus on legal matters.

10. Cognitive and Physical Recovery Process

Beyond the immediate impact of my brain injury and subsequent health complications, the recovery process has been a long and difficult journey. The brain injury I sustained during my cardiac arrest affected not only my motor abilities but also my cognitive functions, making it challenging for me to engage with complex legal or medical matters for many years.

Regaining my cognitive abilities has been an arduous process, and it has taken years of recovery for me to reach a point where I can clearly organize my thoughts and articulate my concerns regarding the medical care I received. This recovery process was further complicated by the physical limitations I faced due to my dialysis dependency and kidney condition, which required ongoing treatment and attention.

Despite these challenges, I have persisted in my efforts to investigate my medical history and pursue the necessary legal steps. It has only been in recent years, after significant recovery and medical interventions, including my second kidney transplant in 2023, that I have been able to fully engage with the issues surrounding my treatment by Dr. Hou. The combination of my cognitive impairments, physical limitations, and recent hostility from my father has delayed my ability to take action, but I have now reached a point where I can effectively address these matters.

11. Conclusion

Given the significant obstacles I have faced—including my severe health conditions, speech disability, the delayed access to critical medical information, the pig-butcher romance scam, the escalating hostility from my father after my kidney transplant, my focused academic commitments between **2009 and 2016**, my move to East Vancouver in **2017** and then to Richmond in **April 2022**, and the emotional and practical impact of my mother’s death—it is clear that these circumstances constitute “special circumstances” under **Section 50.61(4) of the Health Professions Act**. Each of these factors has profoundly affected my ability to act within the standard 30-day limitation period, and together they provide compelling justification for granting an extension of time for my application for review.

I respectfully request that the Board recognize the unique and challenging circumstances that have delayed my actions and allow my application for review to proceed. These special circumstances are not of my own making, and the combination of these events has made it extraordinarily difficult for me to pursue my legal and medical rights within the required timeframe.

Allowing my application to proceed is crucial, as it raises serious concerns about **Dr. Hou’s conduct**, particularly the potential concealment of medical information, and broader issues of **patient safety** that warrant thorough review.

Thank you for your time and consideration of this matter.

Yours sincerely,
Pu Justin Scarfy Yang