

2011

ANNUAL REPORT



COLLEGE OF OPTOMETRISTS OF ONTARIO



EXCELLENCE IN OPTOMETRIC CARE

The Executive Committee

Background

- Statutory committee of the College
- Co-ordinates the work of the other committees of the College
- Elected by the Council annually following the Council elections
- Includes five members, one of whom is the President of the College; one member is the Vice-President of the College, and two members are appointed to the Council by the Lieutenant Governor of Council

The role of the Executive Committee is to facilitate the Council's decision-making, ensuring that College resources are allocated appropriately, and that staff and committees are moving the work of the College and the priorities of Council forward. The Committee also acts in the capacity of a finance committee, overseeing the preparation of the budget and ensuring that funds are spent wisely during the fiscal year.

At its regular meetings, the Executive Committee, with the assistance of the Treasurer, oversees the financial status of the College. It also reviews the progress that is being made with respect to legislative initiatives of the College, and the College's activities relating to public protection.

2011

On April 7, 2011, the Designated Drugs and Standards of Practice Regulation under the *Optometry Act* was enacted by an Order in Council

of the Government of Ontario. Only those optometrists who have met the College's requirements to perform the controlled act of prescribing drugs are authorized to prescribe drugs.

The drugs listed in the regulation include topical and oral anti-infective agents, topical anti-inflammatory agents, topical anti-allergic agents, mydriatics, and topical anti-glaucoma agents. The regulation also specifies the conditions that must be met in order for an optometrist to independently treat patients with glaucoma, when co-management with an ophthalmologist is appropriate, and when a patient with glaucoma must be referred to a physician or hospital.

The College published standards of practice and guidelines with respect to writing prescriptions, prescribing drugs, and managing glaucoma patients. Also in 2011, the College worked closely with the Ontario College of Pharmacists to ensure that pharmacists were prepared for the expanded scope of practice for optometrists. The College presented two continuing education opportunities for its members, which were provided by pharmacists, on proper prescription writing when prescribing drugs.

The College, with the assistance of the Executive Committee, continued to work with the Ministry of Health and Long-Term Care on amendments to the proposed Registration Regulation that remove barriers to mobility for

optometrists to move from one province to another, as well as facilitating the registration of internationally trained optometric graduates. In addition, the College Council approved further amendments to the proposed Professional Misconduct Regulation, including Conflict of Interest provisions, which were submitted to the Ministry for approval in July 2011.

A number of changes to the College's operations took place in 2011. The College was required to vacate its long-time premises at 6 Crescent Road and a new location was secured at 1867 Yonge Street, near the Davisville subway station. This new location, while adequate, is only temporary and a committee was struck to search a permanent location for the College. New staff, Ms. Hanan Jibry, Director, Office and Membership; Ms. Mina Kavanagh, Director Investigations and Resolutions; Ms. Agnes O'Donohue, Manager, Quality Programs; and Ms. Anna Sharma, Administrative Assistant, were hired to replace departing personnel. The College's new registrar, Dr. Paula Garshowitz, was appointed by the Council in May 2011.

COMMITTEE MEMBERS

Dr. Richard Kniaziew (President),
 Dr. Dennis Ruskin (Vice-President),
 Dr. Thomas-A. Noël, Ms. Irene Moore,
 Mr. Ira Teich.
 Treasurer: Dr. Pooya Hemami

The Patient Relations Committee

Background

- Statutory committee of the College
- Administers the Patient Relations program and provides advice regarding the patient/practitioner relationship and public communications
- Comprises four members of the College, including at least one member of the College who is a member of Council, and three public members of Council

The Patient Relations Committee promotes awareness among the public and members of zero-tolerance expectations regarding sexual abuse of patients by optometrists. The Committee also administers the Patient Relations Fund for therapy and counselling for victims of sexual abuse by optometrists, provides advice to optometrists and members of the public regarding the patient/practitioner relationship, provides advice to the College on privacy issues, and provides some oversight to public communication initiatives.

2011

In 2011, the Committee began work on the following documents:

- **Self-regulation and Social Responsibility**

A position statement is to be drafted on the subject of OHIP-insured and non-insured services for the Committee's consideration.

- **Social Media and Optometry**

This document is to address the fast-paced changing environment of social media and how it may relate to members and their practice.

- **Eyeglass Advisory Document**

This document is to include a list of frequently asked questions related to the dispensing of eyeglasses and the related prescription.

- **Anti-Discrimination Policy.**

COMMITTEE MEMBERS

Dr. Aggie Franzmann (Chair),
Dr. Kara Harvey, Dr. Susana Sebestyen, Dr. Patricia Rose,
Mr. Geoff Dale, Ms. Luisa Morrone,
Mr. Francis Christopher.



The Quality Assurance Committee

Background

- Statutory committee of the College
- Responsible for administering the Quality Assurance Program
- Comprises a minimum of seven members, including three public members and two elected members

The Quality Assurance Committee is responsible for administering the Quality Assurance Program to maintain and enhance the knowledge, skill and judgment of members so that appropriate high-quality care is provided to the public. The goal of the QA Program is to protect the public by working in partnership with optometrists to support and provide them with tools and feedback to improve their ongoing competence.

The Quality Assurance Program is made up of the following six components:

- A mandatory Continuing Education component;
- An assessment component to evaluate a member's clinical ability;
- An evaluation component to assist a member in correcting any deficiencies in the member's practice or clinical ability;
- A remedial component to assist a member in correcting any deficiencies in the member's practice or clinical ability;
- A component to assist in appraising the practice or evaluating the clinical ability of an applicant for registration when referred by the

Registration Committee or the Registrar; and

- A component to obtain information from members to assist the Committee in carrying out the program's objectives.

Continuing Education

Every year, optometrists are required to report continuing education (CE) credit hours on their annual reports. Members are required to have 70 CE credit hours for the full three-year cycle, and new members are prorated the CE credit hours they are required to have.

Practice assessments

A Quality Assurance practice assessment consists of a review of an optometrist's patient records by a "peer." It is conducted by a QA assessor who is an optometrist and who has been trained by the College. The practice assessment promotes accountability and helps members enhance their patient care and management. The practice assessment is an excellent way to provide a positive learning experience that is directly related to each optometrist's practice. It is a proactive, non-punitive review of clinical records.

Practice evaluation

A practice evaluation is designed to assess a member's clinical ability. After completing an evaluation, the Committee may instruct the member

to undergo a re-assessment or re-evaluation. This more intensive process has proven to be valuable in identifying areas of weakness and honing an optometrist's abilities to the standards and practice that the College and public expect.

2011 – Quality Assurance Panel

In 2011, 75 optometrists were randomly selected to undergo a practice assessment. Most optometrists received a congratulatory letter. Some optometrists received a letter with suggestions for improvement. If the practice assessment reveals significant deficiencies, an optometrist may be required to participate in a remediation program followed by a re-assessment.

In 2011, one optometrist was referred for coaching and will undergo a re-assessment once coaching is completed. Coaching can be an invaluable tool for members who require additional assistance in upgrading their skills.

The January 1, 2009 to December 31, 2011 CE cycle is now complete. In 2012, the College will randomly select members to determine the CE reporting accuracy for the January 1, 2009 to December 31, 2011 cycle.

COMMITTEE MEMBERS

Dr. Vince Timpano (Chair),
Dr. Cathy Adams, Mr. Craig Bridges,
Mr. Francis Christopher, Dr. Kamy
Morcos, Dr. Patrick Quaid,
Dr. Peter Rozanec.

The Discipline Committee

Background

- Statutory committee of the College
- Deals with allegations of professional misconduct and/or incompetence made against a member of the College
- Comprises all members of Council in addition to five members of the College; sits in panels of three to five persons (at least two are public members)

The College promotes the public's right to quality optometric care. When there are reasonable and probable grounds to suggest that professional misconduct has occurred or that a member is incompetent, the Discipline Committee holds a hearing in relation to the allegations and determines appropriate rehabilitative and/or deterrent measures.

The discipline hearing

The College ensures the integrity of the discipline process and protects panel members from any reasonable apprehension of bias by carefully working with the Discipline

Committee Chairperson to ensure that those members being appointed to a panel have no prior knowledge of the allegations being heard.

Hearings are open to the public. In addition, the College is required to publish a summary of every discipline decision and post it to the College website indefinitely. If the allegations are not proven against the optometrist, her/his name will not be made available unless requested by the optometrist.

2011

A hearing took place on March 29, 2011 to address the notice of motion made by Dr. Jack Klundert that proceedings by the College against him on allegations of professional misconduct be stayed, as they were in violation of the Charter of Rights and Freedoms. The motion was struck down and a hearing is scheduled to take place in the future.

Another hearing took place on September 14, 2011 in regards to allegations made against Dr. Petra

Cantrup. Prior to this, the member had entered into an undertaking to work with a billing coach and submit a report to the Registrar; undergo two billing reviews; assume responsibility for all costs incurred in the first two provisions; and contribute \$2,500 toward the costs incurred by the College. Accordingly, the College called no evidence at the hearing and dismissed the allegations.

COMMITTEE MEMBERS

Dr. Derek MacDonald (Chair),
Mr. Craig Bridges, Dr. Bill Chisholm,
Mr. Francis Christopher, Mr. Geoff Dale,
Dr. Aggie Franzmann, Dr. Pooya Hemami,
Dr. Jim Hoover, Mr. Emad Hussain,
Dr. Richard Kniaziew, Dr. D.A. MacQueen,
Dr. Dino Mastronardi, Ms. Irene Moore,
Ms. Luisa Morrone, Dr. Thomas-A. Noël,
Dr. Peter Rozanec, Dr. Dennis Ruskin,
Dr. Hans Schuster, Dr. Susana Sebestyen,
Dr. Karin Simon, Dr. Marlee Spafford,
Mr. Ira Teich, Mr. John Van Bastelaar.



2011 – Clinical Practice Panel

Background

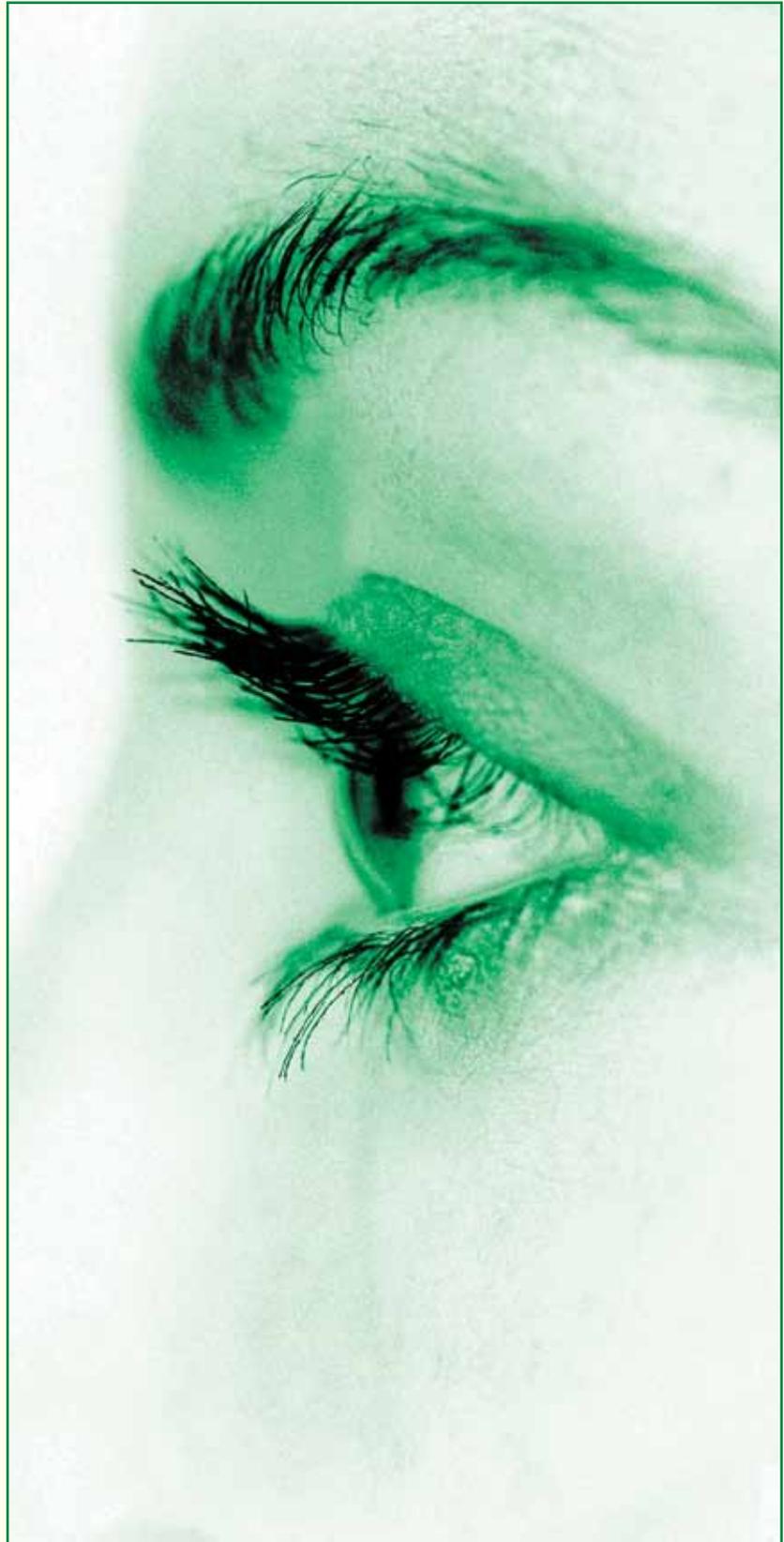
The mandate of the Clinical Practice Panel (CPP) is to assist the College in its statutory requirement to develop, establish and maintain standards of practice for the profession. These standards are published in the Optometric Practice Reference (OPR), which is available on the College website. The Panel is tasked with the development of new OPR documents as necessary and to revise current documents to ensure accuracy and currency.

2011

In 2011, the Designated Drugs and Standards of Practice Regulation was brought into force. CPP developed and the College published standards documents related to the use and prescribing of drugs, writing prescriptions and the treatment of patients with glaucoma. In addition, the Committee developed a series of Frequently Asked Questions (FAQs) related to the new regulation that was published in the fall 2011 *Bulletin*.

COMMITTEE MEMBERS

Dr. Catherine Chiarelli (Chair),
Dr. Linda Bathe, Dr. Anson Chan,
Dr. Dennis Ruskin, Dr. Ken Hadley,
Mr. Geoff Dale.



The Inquiries, Complaints and Reports Committee

Background

- Statutory committee of the College
- Responsible for the investigation of reports and complaints filed with the College about the conduct of an optometrist
- Comprises six professional members, one of whom is a member of Council, and four public members of Council
- The ICRC meets in panels

The ICRC investigates, considers and makes decisions about complaints brought against a member of the College. The ICRC now handles inquiries and reports formerly handled by the Executive Committee that come to the attention of College staff by means other than complaints. In 2009, there were also regulatory and policy changes affecting the process by which complaints and reports are dealt with, in addition to changes to disposition options.

HPARB appeals

The Health Professions Appeal and Review Board (HPARB) is an independent appeal and review body established under the *Regulated Health Professions Act*. HPARB reviews ICRC decisions at the request of either the complainant or the optometrist. HPARB considers whether the ICRC investigation was adequate and/or whether the decision reached was reasonable.

2011

In 2011, the Committee held eight in-person meetings and three teleconferences. Fifty-seven new complaints were received in 2011. Fifty-three decisions have been finalized, 31 for the complaints/reports filed in 2010 and 24 for the complaints filed in 2011. Thirty-four complaints will be held over for a decision in 2012.

COMMITTEE MEMBERS

Ms. Irene Moore (Chair), Mr. Emad Hussain, Dr. Harvey Mayers, Dr. Dino Mastronardi, Dr. Areef Nurani, Dr. Bill Chisholm, Dr. Karin Schellenberg, Mr. Ira Teich, Ms. Luisa Morrone, Dr. David White (panel Chair).

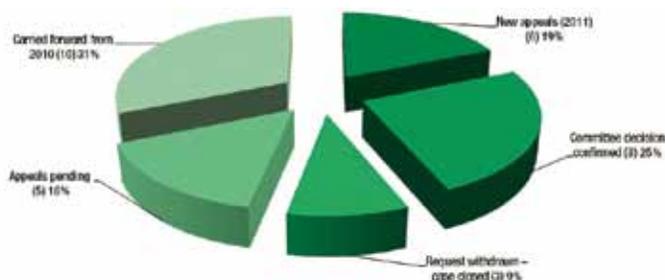
STATISTICS

| | |
|---|----|
| New complaints (2011)..... | 57 |
| New reports (2011)..... | 2 |
| Decisions finalized..... | 53 |
| (Several cases had more than one disposition) | |
| No further action | 29 |
| Written caution..... | 14 |
| Verbal caution | 2 |
| Undertaking and agreement | 9 |
| Reminder | 11 |
| Referral to discipline..... | 2 |
| Complaint withdrawn | 4 |

THE NATURE OF ALLEGATIONS (2011)

| | |
|---|----|
| (Several cases had more than one allegation considered) | |
| Standard of care/clinical issues..... | 13 |
| Incorrect prescription..... | 20 |
| Exceeding scope of practice | 2 |
| Recommending unnecessary/harmful tests or treatment | 6 |
| Communication/unprofessional behaviour..... | 29 |
| Improper discontinuation of services..... | 1 |
| Billing/fees issues..... | 10 |
| Practice break-up related | 3 |
| Failure to provide a copy of record | 1 |
| Failure to release a prescription upon request..... | 3 |
| Failure to diagnose | 3 |
| Conflict of Interest | 3 |
| Breach of patient confidentiality..... | 4 |
| Contravention of advertising regulation | 4 |

HPARB APPEALS



The Registration Committee

Background

- Standing committee of the College.
- Responsible for the entry to practice process of the profession in Ontario.
- Comprises four professional members, one of whom is a Council member, and one public member.

2011

The Committee and staff continued to work with the College's legal counsel to develop a new proposed Registration Regulation with the objective of circulating it to the membership in early 2012. In December 2011, Council approved the circulation of new draft amendments to the Registration Regulation (O.Reg. 837/93 under the *Optometry Act*) for circulation to members and stakeholders for comment.

The consultant that the Committee re-contracted with was able to complete a review of the International Optometric Bridging Program's (IOBP) credential assessment and prior learning assessment (PLA) processes. The consultant's report contained several recommendations, one of which was for the credential assessment and the PLA processes to be conducted by objective and independent third parties; for example, the credential assessment by World Education Services.

The Committee met with Canadian Examiners in Optometry (CEO) to discuss the current PLA process and the possibility of CEO's administering an evaluating exam or assessment for equivalence for internationally educated optometry graduates (IOGs). In fall 2011, the College issued a call for proposals for (a) academic credential assessment service and (b), PLA service. Proposals were received and reviewed by the Committee.

College representatives met with the Office of the Fairness Commissioner (OFC) to discuss the assessment of the College's registration practices. The OFC reported that the College was demonstrating "many commendable practices" in providing information for applicants.

In consideration of legal advice provided to the College, since the proposed Registration Regulation submitted to the Ministry of Health and Long-Term Care was not enacted by the Ministry by September 1, 2011, the College had no alternative but to apply the present Registration Regulation as written and no longer recognized the successful completion of either Bridging 1 or Bridging 2 of the IOBP as meeting the academic qualification requirements for a General Certificate of Registration. IOGs with a degree in optometry were still eligible for registration in Ontario upon successful completion of IOBP Bridging 1 or IOBP Bridging 2 as long as their application was submitted and accepted by the IOBP before September 1, 2011. In addition, IOGs with an ophthalmology degree were still eligible for registration in Ontario upon successful completion of IOBP Bridging 1 or IOBP Bridging 2 as long as their application was submitted and accepted by the IOBP before June 15, 2011.



COMMITTEE MEMBERS

Dr. Thomas-A. Noël, Dr. Pooya Hemami, Dr. Steve Schiefer, Dr. Karin Simon, Mr. John Van Bastelaar.

The Fitness to Practise Committee

Background

- Statutory committee of the College
- Deals with optometrists when there is evidence of incapacity
- Comprises three persons, at least one of whom is a member of the College who is on Council, one a public member of the Council, and the third either a member of the Council or a member of the College who is not on the Council

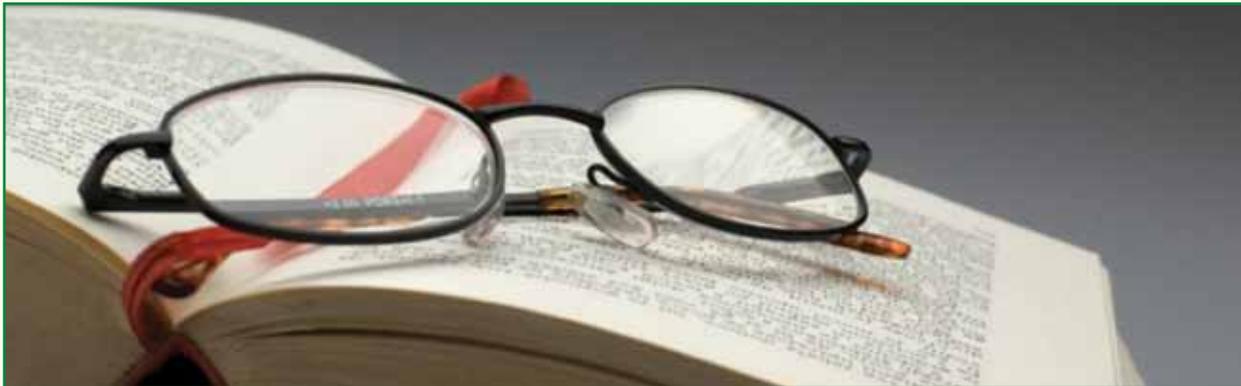
The Fitness to Practise Committee receives referrals from the Inquiries, Complaints and Reports Committee and conducts a hearing when there is evidence that an optometrist who is the subject of a report may be incapacitated due to a mental or physical condition.

2011

The Committee did not receive any referrals during 2011 nor did it conduct any hearings.

COMMITTEE MEMBERS

Mr. Craig Bridges (Chair), Dr. Aggie Franzmann, Dr. Kara Harvey.



The Optometry Review Committee

Background

- Arm's-length statutory committee of the College
- Appointed by the Minister of Health and Long-Term Care and administered by the College
- Receives referrals from the General Manager of OHIP regarding members' OHIP billing practices
- Comprises three members of the College and two public members

The main responsibility of the Optometry Review Committee is to determine whether Ontario Health Insurance Plan (OHIP) accounts should be paid, reduced or refused for those optometrists referred to it by the General Manager of OHIP. The Committee does this by carefully reviewing a statistically significant sample of clinical records to determine if the services were (i) necessary, (ii) insured and/or (iii) whether they were provided in accordance with the accepted standards of practice.

2011

The General Manager of OHIP made no referrals to the Committee in 2011. Accordingly, the Committee did not meet in 2011.

COMMITTEE MEMBERS

Dr. Greg Simpson (Chair), Mr. Bill Atkinson, Dr. Dagmar Lutz, Dr. Paul Monk, Mr. Macey Schwartz.

The By-Law Review Committee (Ad-Hoc)

Background

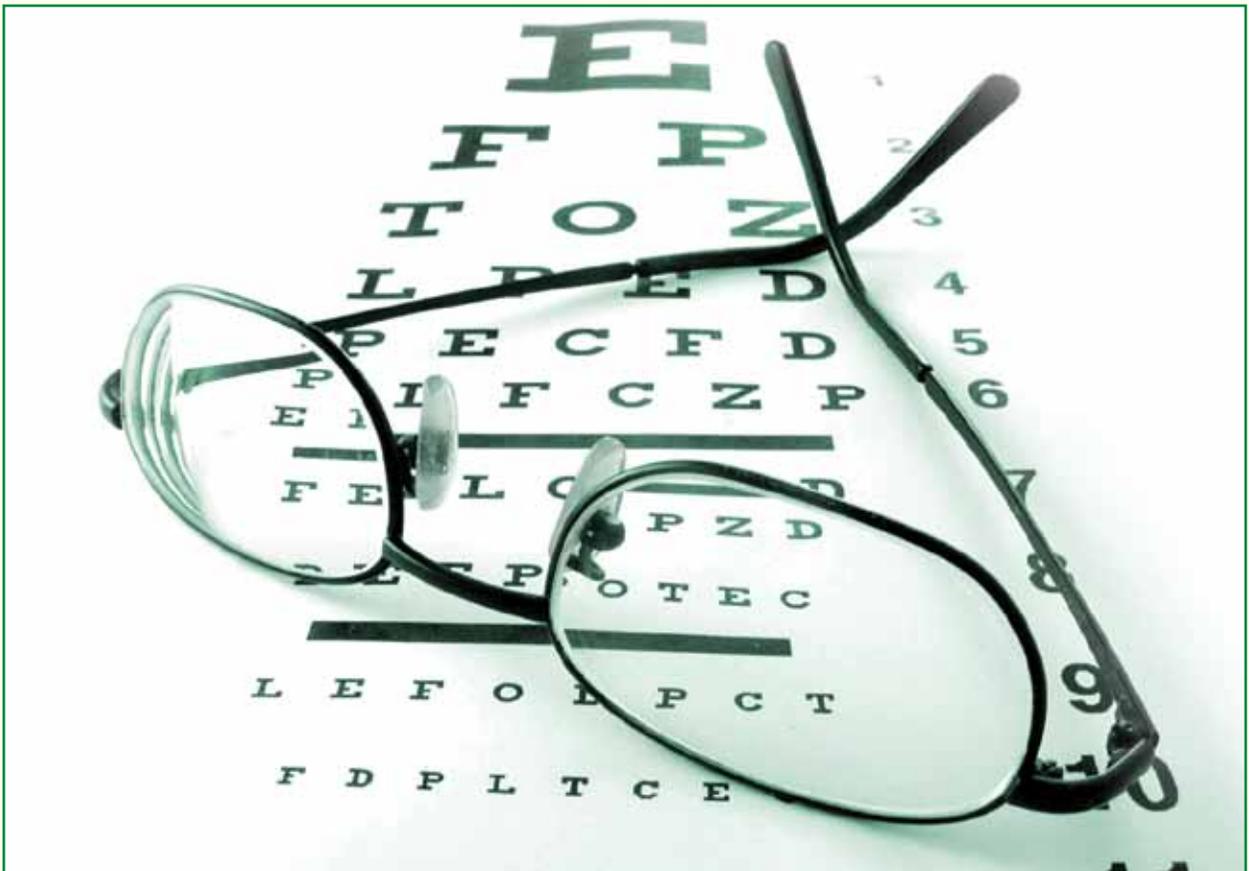
The By-Law Review Committee was struck to review the College's existing by-laws and propose changes.

2011

The Committee reviewed the College's existing by-laws and proposed changes that were approved by Council for circulation in 2012.

COMMITTEE MEMBERS

Mr. Emad Hussain (Chair), Mr. Geoff Dale, Dr. Brian Feldman, Dr. Derek MacDonald, Dr. Dino Mastronardi.



The Office Relocation Committee (Ad-Hoc)

Background

The Office Relocation Committee was struck to find the College a permanent home.

2011

The Committee was instrumental in relocating the College from 6 Crescent Road to 1867 Yonge Street as an interim solution. It continued to source various locations for a permanent home for the College.

COMMITTEE MEMBERS

Dr. Dennis Ruskin, Dr. Brian Feldman, Mr. Ira Teich.

Membership for 2011

Membership Resignations

| | |
|---------------------------|--------|
| David Adams | #7638 |
| Stacey Archibald | #0220 |
| Diana Dunn..... | #0734 |
| Amardeep Johal..... | #0504 |
| Farah Lakhani..... | #11004 |
| Jean-Robert Lalonde | #0971 |
| Timothy McMahon | #A1048 |
| Nazanin Shams..... | #0773 |
| Sameer Sehdev | #0711 |
| Sejal Shah | #0618 |
| Tara Vaz..... | #0255 |
| Rhonda Witte | #0459 |
| Craig Woods | #0922 |

Suspensions

| | |
|-----------------------|-------|
| Geraldine Chang | #0020 |
| Catherine Feng | #0845 |
| Steven Lee..... | #0915 |
| Nabil Mammo | #0708 |
| Marine Poirier | #0730 |
| Rick Rizun | #9539 |

Retirements

The College wishes the following members a long and healthy retirement:

| | |
|---------------------------------|--------|
| John E. Bell..... | #6343 |
| Leo Brown | #4582 |
| Margaret des Groseilliers | #65641 |
| Roland des Groseilliers | #65632 |
| Garry Grant..... | #67659 |
| Joseph C. Horvat | #60245 |
| Burton Klein..... | #57281 |
| Gordon Looker | #7623 |
| Ralph Swartz | #52531 |
| Harry Wismer..... | #66653 |

Revocations

| | |
|----------------------|------|
| Harjit Purewal | #525 |
|----------------------|------|

Deaths

The College sadly reports the death of the following members:

| | |
|-------------------------------|--------|
| Keith Billett | #5050 |
| Veronica Blok (2010)..... | #5859 |
| Helvi Homuth | #47243 |
| Brian Ing (2010)..... | #8619 |
| George Wonnacott (2010) | #45595 |

Registrar's Report

Number of Members on Dec. 31, 2011

| | |
|---------------------------|-----|
| Male Resident | 955 |
| Male Non-Resident | 11 |
| Male Non-Practising | 6 |

Sub-total

| | |
|----------------------------|-----|
| Female Resident..... | 927 |
| Female Non-Resident | 18 |
| Female Non-Practising..... | 22 |

Sub-total

Total Membership 1,939

| | |
|-------------------------|-----|
| New Registrations | 143 |
| Reinstatements..... | 2 |

Total 145

| | |
|---------------------------------|----|
| Retirements, Resignations | 23 |
| Deaths | 5 |

Total 28



Serving the Public Interest
by Guiding the Profession

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