



**College of Optometrists of Ontario  
Council Meeting  
April 20, 2016  
APPROVED**

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**April 20, 2016**

**Attendance:**

Dr. Thomas-A. Noël, President  
Dr. Pooya Hemami, Vice President  
Ms. Irene Moore, Treasurer  
Dr. Linda Chan  
Dr. Bill Chisholm  
Ms. Shoshana Gladstone  
Dr. Patricia Hrynchak  
Ms. Laila Kanji  
Dr. Richard Kniaziew

Dr. Dino Mastronardi  
Ms. Luisa Morrone  
Dr. Areef Nurani  
Dr. Patrick Quaid  
Mr. Brian Rivait  
Mr. Ira Teich  
Mr. John Van Bastelaar  
Dr. Marta Witer

**Staff:**

Dr. Paula Garshowitz, Registrar  
Ms. Hanan Jibry  
Ms. Mina Kavanagh

Mr. David Whitton  
Dr. David Wilkinson  
Ms. Bonny Wong

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**1. Call to Order:** Dr. Noël called the meeting to order at 9:23 a.m. Dr. Noël welcomed everyone to the meeting.

On behalf of Council, Dr. Noël presented a certificate of recognition to a departing Council member, Mr. Ira Teich, for his outstanding contributions to public protection. Mr. Teich has come to the end of his ten-year term. Dr. Noël welcomed to Council two new public members, Ms. Laila Kanji and Mr. Brian Rivait.

**a. Conflicts of Interest:** Dr. Noël asked Council members if anyone had a conflict of interest with any item on the day's agenda; Dr. Noël addressed the possibility of a perceived conflict relating to a family member's professional practice.

**2. Adoption of the Agenda:** A draft agenda was circulated before the meeting. The following items were added to the agenda:

- Governance Review presentation delivered by Dr. Paula Garshowitz
- Specialized services in optometry

Moved by Ms. Morrone and seconded by Dr. Kniaziew **to adopt the agenda as amended.**

**Motion carried**

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**3. Adoption of the Consent Agenda:** A draft consent agenda was circulated before the meeting. Three items were removed for further discussion: reports from Executive; Inquiries, Complaints and Reports; and Patient Relations.

Moved by Dr. Kniaziew and seconded by Dr. Hemami **to adopt the consent agenda.**

**Motion carried**

**Items removed from the consent agenda**

- a) Executive: A report was circulated prior to the meeting. At the last Council meeting, Executive was directed to consider methods of enforcing independent contractor provisions set out in the Professional Misconduct Regulation. Council discussed these proposed methods.
- b) Inquiries, Complaints and Reports: A report was circulated prior to the meeting. Council considered whether descriptions in the report of certain allegations should be expanded or clarified.
- c) Patient Relations: A report was circulated prior to the meeting. The Committee has been planning a CE module for members on professional boundaries and measures to prevent and to deal with sexual abuse of patients. Council debated issues around whether this should be a mandatory course.

**4. Presentation by Dr. Paula Garshowitz – Governance Review:** Council heard a presentation from Dr. Paula Garshowitz, College Registrar, on ongoing governance review processes related to health regulatory colleges. Council learned about the provincial government’s review of the current governance model under the *Regulated Health Professions Act* and inquiries into whether it might be made more effective.

**5. Financial Matters/Treasurer’s Report:**

**a. Treasurer’s Report:** College Treasurer Ms. Irene Moore presented the report. Ms. Moore indicated that representatives from Radvany Jurina Cleary Associates LLP would be presenting the 2015 draft audited financial statements.

Council is required annually to authorize the Registrar to provide direction to the College’s investment advisor.

Moved by Ms. Moore and seconded by Ms. Morrone **to authorize, by resolution, the Registrar to provide direction to the College’s investment advisor.**

**Motion carried**

<b>Action Item:</b> Executive to discuss whether and how to allocate surplus operating income.
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**b. Balance Sheet and Income and Expenditure Report – to January 31, 2016:** The unaudited income and expense (I&E) report through January 31, 2016 reflects an operating surplus of \$13,459. There were no unusual variances to report.

*Ms. Ildiko Jurina Cleary and Mr. Terry Lee, College auditors, joined the meeting.*

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**c. 2015 Audited Financial Statements:** Ms. Jurina Cleary presented an overview of the 2015 draft audited financial statements. The 2015 audited financial report shows that the College ended the year with an operating surplus of \$161,804.

*Ms. Jurina Cleary and Mr. Lee left the meeting.*

Moved by Dr. Kniaziew and seconded by Dr. Chisholm **to approve the 2015 financial statements.**

**Motion carried**

**6. Motions Brought Forward From Committees:**

**a. Patient Relations:** A report was circulated prior to the meeting. Under the RHPA, the patient relations program must include measures to prevent and deal with the sexual abuse of patients. The PRC considered options for presenting sexual abuse prevention materials to members and to the public. It recommends that an online CE learning module for members be developed on boundary violations, sexual abuse prevention, and professional ethics. To engage a consultant experienced in developing such a module, the Committee expects it will need approximately \$25,000.

Moved by Ms. Moore and seconded by Dr. Kniaziew **to request that the College set aside \$25,000 in the budget for the purpose of the PRC developing the CE module for members on boundary violations, sexual abuse prevention, and professional ethics.**

**Motion carried**

**b. Quality Assurance Committee**

**i. Quality Assurance Panel (QAP):** A report was circulated prior to the meeting. Members who do not meet the mandatory continuing education requirement at the end of a CE cycle are required to undergo a practice assessment. If members incorrectly report their CE hours as less than 70 hours in a 3-year cycle, the QA Panel must review their CE certificate submissions. In some of these cases the member is found to have more than 70 hours. Given the lengthy administrative and Committee time allocated for such unnecessary reviews, the Panel believes the proposed fee may serve as a small deterrent to inaccurate reporting. It also helps to justify the Committee time used, which would have otherwise been spent on more important matters of public safety.

Moved by Mr. Von Bastelaar and seconded by Dr. Witer **to request an amendment to the current fee schedule. A new charge of \$350 + 13% HST would apply for a self-reported CE-deficient member who expressed that they mistakenly reported incorrect CE hours, to have their CE certificates audited.**

**Motion carried**

**iii. Registration Committee:** A report was circulated prior to the meeting. Council reviewed the proposed amendments to the Registration Regulation. Because Council also approved a good character requirement policy and a nonpractising policy at the January 20 meeting, these have been reflected in the proposed amendments.

112 Moved by Mr. Von Bastelaar and seconded by Dr. Mastronardi **to approve the proposed amendments**  
113 **to the Registration Regulation (O.Reg. 837/94) under the *Optometry Act, 1991*, and circulate to**  
114 **members for a 60-day period.**

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116 **Amendment to the Motion:** Moved by Dr. Quaid and seconded by Mr. Rivait **to amend the qualifier**  
117 **“nonpractising” and to replace the phrase “any title or designation” with “optometrist or doctor of**  
118 **optometry” in proposed Section 8.(2)(b), pending legal advice.**

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**Motion carried**

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121 **Amended Main Motion: To approve the main motion with the amendment.**

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123 **Motion Carried**

124 **Recorded vote: All councillors present at the meeting voted in favour of the motion**

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126 At the January 20, 2016, Council meeting, Council requested that the Committee consider reduced fees  
127 for nonpractising members and bring its recommendation to the next Council meeting. Based on a  
128 review of what other regulatory colleges charge their nonpractising or inactive members, the  
129 Committee recommended that the College charge such members half the fee of what a practising or  
130 active member is charged.

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132 **Action Item:** The proposed by-law amendment to reduce the annual fee for nonpractising members will  
133 be circulated to members for comment along with the proposed regulation amendments.

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135 At its April meeting, the Registration Committee reviewed the policies of other Canadian optometric  
136 regulatory authorities with regard to whether they would register applicants under labour mobility if the  
137 applicants were not authorized to prescribe drugs in their home province. Based on this review, the  
138 Committee recommended that, starting on January 1, 2017, new applicants to the College be qualified  
139 to prescribe drugs prior to making their applications. This includes those applying for registration in  
140 Ontario under labour mobility provisions. Applicants presently in the system would be accepted under  
141 the current requirements. Council talked about how this would affect international applicants and what  
142 TPA programs are available.

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144 Moved by Mr. Von Bastelaar and seconded by Dr. Kniaziew **to require that, as of January 1, 2017, new**  
145 **applicants for registration be TPA-certified, including those applying for registration in Ontario under**  
146 **labour mobility provisions.**

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**Motion carried**

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149 **7. Internet Dispensing Update:** There were no significant developments to report.

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151 **8. Specialization:** Council had a brief discussion about specialization in optometry and how the term  
152 “specialist” might be clarified.

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154 **9. Regulation Updates:**

155 **a. Spousal Exemption Sexual Abuse Provisions:** These provisions are on hold with the Ministry of Health  
156 and Long-Term Care pending the release of the report of the Sexual Abuse Task Force.

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158 **b. QA Regulation Amendments:** The new regulation has been submitted to the Ministry of Health and  
159 Long-Term Care, and will be reviewed in due course.

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161 **c. Designated Drugs Regulation:** Amendments to add new drugs to the Schedule have been submitted  
162 to the Ministry of Health and Long-Term Care. Council discussed issues involving these Ministry  
163 submissions and scope of practice.

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165 **10. Dates of Upcoming Council Meetings:** The next Council meeting has been scheduled for Monday,  
166 June 20, 2016. The following meetings are set for Wednesday, September 21, 2016, Monday, January  
167 16, 2017, Thursday, April 6, 2017, and Thursday, June 22, 2017.

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169 **11. Adjournment:** Moved by Mr. Teich and seconded by Dr. Mastronardi **to adjourn the meeting at 2:44**  
170 **p.m.**

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**Motion carried**