



**Council Meeting Minutes**  
**June 6, 2014**  
**APPROVED**

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**Attendance:**

|                              |                                 |
|------------------------------|---------------------------------|
| Dr. Dennis Ruskin, President | Dr. Thomas Noël, Vice President |
| Mr. Francis Christopher      | Dr. Pooya Hemami, Treasurer     |
| Ms. Irene Moore              | Dr. Bill Chisholm               |
| Mr. Ira Teich                | Dr. Derek MacDonald             |
| Ms. Luisa Morrone            | Dr. Patrick Quaid               |
| Mr. Emad Hussain             | Dr. Marlee Spafford             |
| Dr. Areef Nurani             | Dr. Dino Mastronardi            |
| Dr. Richard Kniaziew         |                                 |

**Regrets:** Mr. John Costen, Mr. John Van Bastelaar

**Staff:** Dr. Paula Garshowitz, Registrar                      Dr. David Wilkinson  
                 Ms. Hanan Jibry    Ms. Mina Kavanagh  
                 Mr. David Whitton

**1. Call to Order:** Dr. Ruskin called the meeting to order at 9:04 a.m. Dr. Ruskin welcomed everyone to the meeting.

**a. Conflicts of Interest:** Dr. Ruskin asked Council members if anyone had a conflict of interest with any item on the day's agenda; there were no conflicts of interest declared.

**2. Adoption of the Agenda:** A draft agenda was circulated before the meeting. Council was informed that Council would go in camera under section 7(2)(e) of the HPPC following the lunch break to receive legal advice.

The following items were added to the agenda:

- The sale of cosmetic contact lenses at Shoppers Drug Mart

Moved by Ms. Morrone and seconded by Mr. Christopher **to adopt the agenda, as amended.**

**Motion carried**

42 **3. Minutes of Prior Council Meetings**

43 **a. Approval of Minutes of the meeting of April 7, 2014:** The minutes of  
44 the Council meeting of April 7, 2014 were included in the briefing book.  
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46 Moved by Dr. Noël and seconded by Mr. Hussain **to approve the minutes of the April**  
47 **7, 2014 meeting.**

48 **Motion carried.**

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50 **b. Approval of Minutes of the teleconference of May 6, 2014:** The  
51 minutes of the teleconference of May 6, 2014 were included in the briefing  
52 book.  
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54 Moved by Dr. Noël and seconded by Dr. Nurani **to approve the minutes of the May 6,**  
55 **2014 teleconference.**

56 **Motion carried.**

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58 **c. Status of Action Items:** Dr. Ruskin asked if there was any information or queries  
59 regarding the status of the action items as presented in the briefing book. There were  
60 none.  
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62 **Action Item:** Staff will file the minutes of the meeting of April 7, 2014 and the teleconference  
63 of May 6, 2014.

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65 **4. Financial Matters/Treasurer's Report:** Dr. Hemami, College Treasurer, presented the  
66 report.  
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68 **a. Balance Sheet and Income and Expenditure Report – to April 30, 2014:**

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70 Preliminary financial results through April 30, 2014 reflect an operating surplus.  
71 The 2014 operating budget had planned for a deficit for the full year. While revenue has  
72 been as expected, the College's operating expenditures have been below expectations.  
73 Legal expenditures, Discipline Committee, and Registration Committee expenses year-  
74 to-date were well below budgeted amounts. Budget revision isn't needed at this time,  
75 however, these expenditures can vary and thus these trends to date won't necessarily  
76 continue.  
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78 **b. Investment portfolio:**

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80 The College's investment portfolio assets remain highly weighted toward fixed  
81 income instruments, followed by a more modest allocation to common equity  
82 securities, which provide high liquidity for future purposes and/or a buffer for  
83 unexpected events. The investment portfolio delivered an estimated net return of 3.4%  
84 the first four months of 2014. Given current net assets and liquidity, the College's

85 financial position is sound and should be able to absorb the projected loss for 2014 and  
86 also fund the three exceptional capital expenditures (construction and leaseholds,  
87 database development, and the evaluating exam). Council might consider a small  
88 increase in membership fees beyond 2014.

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90  
91 Council reviewed a draft amendment to the investment policy, to replace paragraph  
92 5.2(b), for review of the performance of the reserve fund account within the investment  
93 portfolio. The benchmark indices for each type of investment are indicated in the policy  
94 and should a class of funds fall below the benchmark index, the College would consider  
95 a more comprehensive review of the management of the College's investable assets.

96  
97 Moved by Dr. Noël and seconded by Dr. Kniaziew **to replace paragraph 5.2(b) of the College's**  
98 **investment policy with the proposed investment performance review policy.**

99 **Motion carried.**

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101 **5. Registrar's Report:** A report was circulated prior to the meeting. Dr. Garshowitz updated  
102 Council on the status of the College database system, feedback on the Professional Misconduct  
103 Regulation roll-out, her involvement in the Foreign Credential Assessment workshop, and the  
104 status of the College office.

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106 **6. Committee Reports**

107 **a. Executive:** A report was circulated prior to the meeting. Dr. Ruskin updated  
108 Council on presentations the College has given to various stakeholders about the new  
109 Professional Misconduct Regulation. From these sessions, staff has prepared a series of  
110 Q&As to be posted on the College website. Council then discussed a by-law amendment  
111 to add a fee to the Fee Schedule. The new item would apply to practice assessments for  
112 members who have failed to meet minimum requirements of the mandatory continuing  
113 education program. Council considered whether some other form of incentive would be  
114 more effective.

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116 Moved by Dr. Nurani and seconded by Dr. Quaid **to approve circulation to members for 60**  
117 **days of the following addition to the Schedule of Fees and Penalties of the College By-laws:**

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119 **Quality Assurance Short Record Assessment Fee (for CE deficient hours)**

- 120
- 121 • **Deficient by 5 hours or less (5 records)           \$1,000.00**
  - 122 • **Deficient by more than 5 hours (25 records)   \$5,000.00**

122 **Motion carried.**

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124           **b. Patient Relations:** A report was circulated prior to the meeting. Ms. Morrone  
125 gave an update indicating that the Committee has met once and held one  
126 teleconference since the last Council meeting.

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128 Moved by Ms. Moore and seconded by Dr. Kniaziew **to approve for circulation, to members**  
129 **and stakeholders for comment, a regulation that would allow an exemption for optometrists**  
130 **to treat their spouses.**

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132           Comments will be considered prior to Council’s final approval of the regulation for  
133 submission to the government for approval.

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135 **Motion carried.**

136

137 Moved by Dr. Kniaziew and seconded by Mr. Hussain **to approve the document “Independent**  
138 **Contractor – Regulatory Standards Interpreted.”**

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140           The document was reviewed and suggestions made for clarifications and grammar. The  
141 changes will be reflected in the published document.

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**Motion carried.**

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144           **c. Quality Assurance:**

145           **i. Quality Assurance Panel:** A report was circulated prior to the meeting. Dr. Quaid  
146 gave a brief update indicating that the Committee has met once since the last Council  
147 meeting. Discussion points included the proposals regarding a revised QA process, issues  
148 concerning the OE Tracker system, and the logistics of random assessment.

149

150 Moved by Dr. Quaid and seconded by Dr. Hemami **to approve, in principle, the proposed QA**  
151 **process outlined in the document [provided to Council].**

152           A flowchart of the revised QA process was reviewed and suggestions were made for  
153 additions and clarifications. Once approved the principles will form the basis of a new  
154 QA regulation to be drafted by legal counsel.

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**Motion carried.**

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157           **ii. Clinical Practice Panel:** A report was circulated prior to the meeting. The Panel  
158 submitted the following documents for approval: “Spectacle Therapy Using the  
159 Internet”; revisions to OPR 4.2 and 6.8; and new OPR documents 7.12 and 7.13. Council  
160 discussed these items and gave feedback. It also considered whether Council should  
161 discuss with CORA the development of protocols for specialism in optometry, with CPP  
162 exploring the associated risks and benefits.

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164 Moved by Dr. Nurani and seconded by Ms. Morrone **to approve “Spectacle Therapy Using the**  
165 **Internet.”**

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**Motion carried.**

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Moved by Dr. MacDonald and seconded by Dr. Kniaziew **to approve revisions to OPR 4.2 and 6.8 and new documents OPR 7.12 and 7.13 for publication.**

**Motion carried.**

Moved by Dr. MacDonald and seconded by Dr. Quaid **that Council participate in discussions with CORA regarding the development of protocols for specialism in optometry, and direct CPP to provide input into this process.**

**Motion carried.**

The documents were reviewed and suggestions made for clarifications and additions.  
The changes will be reflected in the published documents.

**d. Registration:  
IN CAMERA SESSION**

Moved by Mr. Christopher and seconded by Dr. Noel **to have Council go in camera.**

**Motion carried.**

Moved by Dr. Nurani and seconded by Mr. Hussain **to exit in camera session.**

**Motion carried.**

210 A report was circulated prior to the meeting. Dr. Kniaziew updated Council on the  
211 transition between the PLA and evaluating exam. Council discussed options to obtain  
212 information from the OFC and other stakeholders, including a recommendation of the  
213 Registration Committee that a request to obtain information under the *Freedom of*  
214 *Information and Protection of Privacy Act* (FIPPA) be made. After much discussion,  
215 Council decided the most productive approach would be to set up a meeting with the  
216 OFC to discuss areas of mutual interest.

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218 **Action Item:** Staff will contact the Office of the Fairness Commissioner to arrange a meeting  
219 between the OFC and the Registration Committee.

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221 **e. Inquiries Complaints and Reports:** A report was circulated prior to the meeting.  
222 Dr. Chisholm presented the report.

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224 **f. Fitness to Practise:** This Committee had not met since the last Council meeting  
225 and had no activity to report.

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227 **g. Discipline:** A report was circulated prior to the meeting. There have been no  
228 hearings or decisions to report. Dr. Garshowitz told Council that earlier this spring new  
229 members of the Discipline Committee attended training sessions offered by FHRCO.

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231 **h. Optometry Review:** A report was circulated prior to the meeting. Council heard  
232 about several personnel changes. The Public Appointments Secretariat is in the process  
233 of replacing two professional members and one public.

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235 Moved by Dr. Kniaziew and seconded by Dr. Chisholm **to appoint Dr. Dagmar Lutzi as Chair of**  
236 **the Optometry Review Committee.**

237 **Motion carried.**

238  
239 **i. Communications:** A report was circulated prior to the meeting. The Committee  
240 has met once since last Council meeting. It continues to advise on public engagement,  
241 including surveys the College could perform, articles it could commission, and the  
242 development of a web-based library. Mr. Teich updated Council on the recognition  
243 system, and presented lapel pins to members of Council and to past and current  
244 presidents.

## 245 246 **7. Other Reports**

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248 **a. University of Waterloo School of Optometry and Vision Science:** A report by Dr. Paul  
249 Murphy, Director, was included in the briefing book. Council heard about the School's  
250 annual CE event and upcoming convocation. There was discussion about admission  
251 criteria and credential assessment. Council discussed Dr. Murphy's response to Dr.  
252 Ruskin's request for information related to pre-requisites for the doctor of optometry  
253 degree program.

254 **Action Item:** Dr. Ruskin will respond to Dr. Murphy's letter

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**b. EHCO:** Dr. Noël told Council about the recent meeting of the Eye Health Council of Ontario (EHCO) which was hosted by the College. Topics that were discussed included a draft document on collaborative guidelines for the management of patients with macular degeneration, Internet dispensing, and the possibility of establishing externships for optometry students.

**8. Transparency Project:** A briefing note was circulated prior to the meeting. Dr. Garshowitz reported on the activities of the Advisory Group for Regulatory Excellence (AGRE), a panel composed of six regulatory Colleges working to achieve more transparency of information available to the public about their members and their processes. Council heard about some issues AGRE has been discussing: what information should be made public, how to communicate it, how the public should use it, and how to establish consistency in messaging. A by-law amendment will be needed to implement Phase One recommendations.

Moved by Dr. Noël and seconded by Dr. Nurani **to approve in principle the Phase One recommendations.**

**Motion carried.**

Council then discussed the proposed recommendations for Phase Two of the project. Discussion involved what types of information would be made public and for how long.

**9. Strategic Plan:** Mr. Teich sought agreement that the current strategic plan be revisited. Should Council wish to move forward with a new plan, it would have the option of hiring an outside consultant or working internally. Mr. Teich offered to conduct a workshop with staff and members of the Executive Committee to begin developing a new plan. Council agreed to move ahead with this.

**10. Cosmetic Contact Lenses:** Dr. Noël mentioned his concerns regarding the sale of cosmetic contact lenses at Shoppers Drug Mart. Dr. Garshowitz explained that pharmacies are not prohibited from dispensing such lenses with certain conditions and that a letter had been sent to pharmacists last year regarding this issue. Dr. Quaid offered to share a study on the risk of harm related to the use of cosmetic contact lenses. The College will consider the best approach to protect the public.

**11. Dates of upcoming Council meetings:** The next Council meeting has been scheduled for Wednesday, September 17, 2014. The following meetings are set for Friday, January 16, 2015, Wednesday, April 8, 2015, and Thursday, June 18, 2015.

**12. Adjournment:** Moved by Ms. Moore and seconded by Mr. Christopher **to adjourn the meeting at 4:00 p.m.**

**Motion carried.**