



**College of Optometrists of Ontario
Council Meeting
January 16, 2017
Approved**

January 16, 2017

Attendance:

Dr. Pooya Hemami, President
Dr. Richard Kniaziew, Vice President
Ms. Irene Moore, Treasurer
Dr. Linda Chan
Ms. Maureen Chesney
Dr. Bill Chisholm
Dr. Patricia Hrynchak
Dr. Dino Mastronardi

Dr. Kamy Morcos
Ms. Luisa Morrone
Dr. Areef Nurani
Ms. Ellen Pekilis
Dr. Patrick Quaid
Mr. Brian Rivait
Mr. John Van Bastelaar
Dr. Marta Witer (joined by teleconference
at 10:45 AM)

Absent:

Ms. Shoshana Gladstone (resigned)

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: College Registrar Dr. Paula Garshowitz called the meeting to order at 9:01 a.m. Dr. Garshowitz welcomed everyone to the meeting.

After 24 years at the College, Ms. Louise Kassabian, Manager of Membership and Office Administration, will be retiring. Dr. Garshowitz, on behalf of Council, thanked her for her hard work, talent, and dedication to public protection.

2. Election of Officers for 2017 Council Year: A call for nominations had been sent previous to the meeting. Councillors interested in running for a position on Executive had been asked to indicate their intention, in writing, to the Registrar by January 15. Dr. Garshowitz announced that the three College officers' positions and the four member positions were acclaimed.

Officers:

Dr. Pooya Hemami, President
Dr. Richard Kniaziew, Vice President
Ms. Irene Moore, Treasurer

20 **Executive Committee members-at-large:**

21
22 Dr. Bill Chisholm
23 Dr. Patrick Quaid
24 Mr. Brian Rivait
25 Mr. John Van Bastelaar

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27 Dr. Hemami assumed the role of Chair and welcomed to Council three new members, Ms. Maureen
28 Chesney, Ms. Ellen Pekilis, and Dr. Kamy Morcos.

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30 **3. Orientation for Councillors:** Dr. Garshowitz delivered a presentation outlining, among other matters,
31 the model of self-regulation as outlined in the RHPA; the duties of College, Council, volunteers, and
32 staff; effective governance; the organization of the College; confidentiality and indemnity; conflict of
33 interest; and the process by which Council meetings and motion voting are conducted.

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

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 - Appointment of a Council member as new director of FORAC

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40 Moved by Dr. Kniaziew and seconded by Dr. Quaid **to adopt the agenda as amended.**

41 **Motion carried**

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

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46 **5. Adoption of the Consent Agenda:** A draft consent agenda was circulated before the meeting. Two
47 items were removed for further discussion: reports from Quality Assurance and Inquiries, Complaints
48 and Reports.

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50 Moved by Dr. Kniaziew and seconded by Mr. Van Bastelaar **to adopt the consent agenda.**

51 **Motion carried**

52 **Items removed from the consent agenda**

- 53
54 a) Quality Assurance: A report was circulated prior to the meeting. Council discussed matters
55 related to QA's December review of OE TRACKER integration and long-term viability.
56 b) Inquiries, Complaints and Reports: A report was circulated prior to the meeting. When ICRC
57 next meets, it will consider how to enhance the clarity and utility of its reports to Council.

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59 **6. IN CAMERA SESSION (under Section 7. (2) (e) of the Health Professions Procedural Code):**

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7. Financial Matters/Treasurer’s Report:

a. Treasurer’s Report and Motions: College Treasurer Ms. Irene Moore presented the report. The College continues to operate within budget both in committees and administratively. Ms. Moore anticipates the year end will show a healthy surplus well within 2016 budget projections. Based on Q3 trends and projections for 2017, the Executive Committee agreed to impose no increase in the annual fees charged to members for the fourth year in a row. Various budget lines such as printing and office equipment indicate savings due to changing technology; however it is important that the College continue to maintain an appropriate budget amount to ensure its technology can be updated to meet the needs of the College.

The Executive Committee continues to monitor the activity and performance of the investment account; the portfolio has seen growth in the past months based on the present current market conditions.

With the impending retirement of Ms. Louise Kassabian, Manager of Membership and Office Administration, the College will need two staff members with the authority to sign banking documents and instruments.

Moved by Ms. Moore and seconded by Dr. Kniaziew **to approve the authorization of Ms. Hanan Jibry, Assistant Registrar, as signing officer for the College with respect to banking documents and documents and instruments requiring the signature of the College.**

Motion carried

111 Council is required annually to authorize the Registrar to provide direction to the College’s investment
112 advisor and to appoint the auditor.

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114 Move by Ms. Moore and seconded by Dr. Kniaziew **1) to authorize, by resolution, the Registrar to**
115 **provide direction to the College’s investment advisor and 2) to appoint Radvany Jurina Cleary**
116 **Associates LLP Chartered Accountants as the College’s auditor for fiscal 2017.**

117 **Motion carried**

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119 **b. Balance Sheet and Income and Expenditure Report – to October 31, 2016:** The unaudited income
120 and expense (I&E) report through October 31, 2016 reflects an operating surplus of \$509,336. Revenues
121 have exceeded budget expectations and committees continue to operate efficiently.

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123 **c. 2017 Budget:** The 2017 budget was presented to Council. The budget was prepared anticipating
124 various costs such as the eLearning module for Patient Relations, illegal/internet dispensing, and
125 Discipline hearings. An additional line item under Exceptional Expenses was added to reflect the
126 proposal to research entry-to-practice examinations, as directed by Council.

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128 Moved by Mr. Rivait and seconded by Dr. Chan **to approve the 2017 budget as presented.**

129 **Motion carried**

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131 Moved by Dr. Nurani and seconded by Dr. Quaid **to move the budgeted amount of \$10,000 from the**
132 **Eye Health Council line item into the “College representation” line item.**

133 **Motion carried**

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135 **8. Motions Brought Forward From Committees:**

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137 **a. Executive:** The proposed motion, including relevant background information, was circulated prior to
138 the meeting. The College, in collaboration with the College of Opticians of Ontario, has drafted a joint
139 document to guide optometrists and opticians who are in practice together. “Records: Optometrists and
140 Opticians Working Together” explains the record keeping and record transfer obligations of each
141 professional.

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143 This guide, the first in an anticipated series of collaborative documents, answers questions that arose as
144 a result of the 2014 Professional Misconduct Regulation, which for the first time allowed optometrists to
145 work as independent contractors with opticians. It describes an optometrist’s obligation regarding
146 certain provisions in the regulation, as well as an optician’s obligations according to the *Opticianry Act*.
147 Council discussed issues related to record transfer and existing legislation.

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149 Moved by Dr. Quaid and seconded by Mr. Van Bastelaar **to approve the publishing of the document**
150 **“Records: Optometrists and Opticians Working Together” on the College website.**

151 **Motion carried**

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153 With the end of former president Dr. Noël’s term on Council, the Federation of Optometric Regulatory
154 Authorities of Canada (FORAC) finds itself in need of a new director from Ontario.

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156 Moved by Dr. Kniaziew and seconded by Ms. Moore **to nominate Dr. Hemami as the new Ontario**
157 **director of FORAC.**

158 **Motion carried**

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160 **b. Quality Assurance Committee**

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162 **i. Clinical Practice Panel (CPP):** The proposed motions, including relevant background information, were
163 circulated prior to the meeting. Public Health notified College staff that the clinical guidelines under OPR
164 4.7 were out of date with current Provincial Infectious Disease Advisory Committee (PIDAC) guidelines.
165 The revised document reflects the up-to-date recommendations of Public Health Ontario.

166

167 Moved by Dr. Nurani and seconded by Dr. Mastronardi **to approve guideline revisions to OPR 4.7**
168 **Infection Control in the Optometric Office.**

169 **Motion carried**

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171 The Panel is concerned that readers of the Optometric Practice Reference (OPR), whether they be
172 members of the public, College members, College committees (QA, ICRC, Discipline, Council), QA
173 assessors, or optometric or non-optometric stakeholders, have at times confused the College's
174 standards (i.e., requirements) with its clinical guidelines (i.e., best practice) as currently organized
175 under the OPR. The Panel believes there would be less confusion if the OPR was divided into two
176 separate documents: 1) OPR Standards of Practice and 2) OPR Clinical Guidelines.

177

178 Council debated the value of continuing to develop the clinical guidelines. Substantial resources are
179 allocated to them; these resources might more profitably be directed toward developing the standards
180 document. If members want to understand best practices, they could find quality guidelines through
181 sources outside the College.

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183 Moved by Dr. Nurani and seconded by Dr. Morcos **to approve dividing the OPR into two documents:**
184 **1) OPR Standards of Practice, and 2) OPR Clinical Guidelines.**

185 **Motion carried**

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187 **Action Item:** The Panel will examine whether to continue to develop the clinical guidelines portion of
188 the OPR.

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190 **c. Registration:** The proposed motions, including relevant background information, were circulated prior
191 to the meeting. The Committee has been proposing several amendments to the Registration Regulation:
192 the addition of a good character clause, the addition of a non-practising status, reduction of the annual
193 fees that non-practising members pay to the College, and the elimination of the Academic Certificate of
194 Registration; the substance of these proposals has been outlined in previous minutes. The proposals
195 were circulated in the fall of 2016 and the Committee reviewed the consequent stakeholder and
196 member feedback. It also discussed with the University of Waterloo School of Optometry and Vision
197 Science the impact of eliminating the Academic Certificate. As a result of this activity, the Committee is
198 proposing further amendments to the regulation. These changes include the reintroduction of the
199 Academic Certificate with different requirements for registration and clarifications of wording in the
200 good character and non-practising provisions.

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202 Moved by Mr. Van Bastelaar and seconded by Dr. Mastronardi **to approve the enclosed further**
203 **amended draft of the proposed amendments to the Registration Regulation (O.Reg. 837/94) as**
204 **amended under the *Optometry Act, 1991*.**

205 **Motion carried**

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207 Moved by Mr. Van Bastelaar and seconded by Dr. Quaid **to circulate, for 60 days, for stakeholder and**
208 **member feedback the approved enclosed further amended draft of the proposed amendments to the**
209 **Registration Regulation (O.Reg. 837/94) as amended under the *Optometry Act, 1991*.**

210 **Motion carried**

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212 Moved by Mr. Van Bastelaar and seconded by Dr. Mastronardi **to charge non-practising members**
213 **of the College half the renewal fee charged to practising members.**

214 **Motion carried**

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| 216 Action Item: Staff will prepare the proposal for the 60-day circulation to members and stakeholders for 217 comment. |
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219 **9. Committee Composition for 2017 for Approval:** Dr. Garshowitz presented the proposed statutory
220 committee chairs and members for 2017.

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222 Moved by Dr. Kniaziew and seconded by Dr. Chisholm **to approve the proposed chairs of College**
223 **committees as presented.**

224 **Motion carried**

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226 Moved by Ms. Moore and seconded by Dr. Quaid **to approve the proposed College committee**
227 **composition as presented.**

228 **Motion carried**

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230 **10. Bill 87 – Introduction and Discussion:** Background documents were circulated prior to the meeting.
231 On December 8, 2016, the Ontario government introduced legislation that will begin implementing
232 some of the recommendations of the Minister’s Task Force on the Prevention of Sexual Abuse of
233 Patients and the *Regulated Health Professions Act, 1991*. Dr. Garshowitz gave an overview of the
234 legislation with a focus on provisions that might affect the College. Council discussed potential changes
235 in College processes and governance.

236

237 **11. Update on Injunction Application against Clearly:** Background documents were circulated prior to
238 the meeting. Council heard an update about the injunction that the College of Optometrists of Ontario
239 and the College of Opticians of Ontario filed against Clearly. The filing took place on December 13, 2016
240 in Ontario Superior Court. Dr. Garshowitz informed Council of the Colleges’ outreach efforts with various
241 stakeholders.

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243 **12. Regulation Updates:**

244 **a. Spousal Exemption to MOHLTC:** These provisions have been submitted to the Ministry of Health and
245 Long-Term Care; the College has yet to hear any feedback.

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247 **b. QA Regulation:** This regulation amendment has been submitted to the Ministry of Health and Long-
248 Term Care; the College has yet to hear any feedback.

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250 **c. Designated Drugs Regulation:** A proposed amendment to add new drugs to the Schedule has been
251 submitted to the Ministry of Health and Long-Term Care. Staff met with Ministry stakeholders to discuss
252 the status of this amendment, which will affect the timing of a further proposal that was approved at
253 the September 30, 2016 Council meeting.

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255 **Action Item:** Staff to delay submission of its September 30, 2016 proposal to amend the Designated
256 Drugs Regulation until it hears from the Ministry about its previously submitted proposal.

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258 **14. List of Acronyms**

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260 **15. Dates of Upcoming Council Meetings:**

261 **a.** Thursday, April 6, 2017 followed by Council training day Friday, April 7
262 **b.** Thursday, June 22, 2017

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264 **16. Adjournment:** Moved by Dr. Kniaziew and seconded by Dr. Chisholm **to adjourn the meeting at 2:27**
265 **p.m.**

266 **Motion carried**