



**College of Optometrists of Ontario
Council Meeting
June 24, 2019
APPROVED**

June 24, 2019

Attendance:

Dr. Pooya Hemami, President	Mr. Hsien Ping (Albert) Liang
Dr. Richard Kniaziew, Vice President	Dr. Annie Micucci
Dr. Patrick Quaid, Treasurer	Dr. Kamy Morcos
Dr. Linda Chan	Dr. Christopher Nicol
Ms. Maureen Chesney	Ms. Ellen Pekilis
Dr. Lisa Christian	Mr. Narendra Shah
Dr. Bill Chisholm	Mr. John Van Bastelaar
Mr. Bashar Kassir	
Mr. Howard Kennedy	

Regrets:

Dr. Areef Nurani

Staff:

Dr. Paula Garshowitz, Registrar	Mr. Nektarios Kikonyogo
Ms. Maureen Boon, Incoming Registrar	Ms. Amber Lepage-Monette
Ms. Hanan Jibry	Mr. Justin Rafton
Ms. Mina Kavanagh	Mr. Sean Knight

- 1 **1. Call to Order:** P. Hemami called the meeting to order at 9:00 a.m. and welcomed everyone in
- 2 attendance, including guests, to the meeting. All present were reminded that recording of the meeting is
- 3 not allowed.
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- 5 R. Kniaziew requests to add ARBO update to agenda.
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- 7 **2. Introduction of Incoming Registrar**
- 8 P. Hemami introduces M. Boon as the new Registrar of the College and L. Christian as Council's new
- 9 academic member.
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- 11 **3. Adoption of the Agenda:** A draft agenda was circulated prior to the meeting.
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- 14 Moved by A. Liang and seconded by A. Micucci **to adopt the agenda.**
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- 17 **Motion carried**

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a. Conflicts of Interest: Dr. Hemami asked Council members if anyone had a conflict of interest with any item on the day’s agenda. No conflicts were declared.

4. Adoption of the Consent Agenda: A draft consent agenda was circulated prior to the meeting. After having confirmed that all councilors had read the consent agenda materials. The following items were included in the consent agenda:

PART 1 - Minutes of Prior Council Meetings

- a. April 24, 2019
- b. June 3, 2019
- c. Motions and Actions Items Arising from the Minutes

PART 2 - Reports

a. Committee Reports

- i. Executive Committee
- ii. Patient Relations
- iii. Quality Assurance:
 - A. QA Panel
 - B. CP Panel
 - C. QA Subcommittee
- iv. ICRC
- v. Registration
- vi. Fitness to Practise
- vii. Discipline
- viii. Governance/HR Committee
- ix. Audit/Finance/Risk Committee
- x. Strategic Planning Committee

b. Registrar’s Report

PART 3 – Correspondence

- a. Office of the Fairness Commissioner
- b. Toronto Public Health

Minor typos and grammatical corrections were made to the minutes of April 24, 2018 Council meeting.

Moved by B. Chisholm and seconded by K. Morcos **to adopt the consent agenda.**

Motion carried

The draft minutes of the April 24 and June 3 in-camera sessions were circulated during the meeting.

Moved by R. Kniaziew and seconded by P. Quaid **to approve the in-camera minutes of the April 24 and June 3 Council meetings.**

Motion carried

5. Motions Brought Forward from Committees:

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a. Patient Relations Committee: The proposed motion was circulated prior to the meeting. The motion recommends that the College offer the eLearning module *Eye Consent* to all members of the College at no cost, as an incentive to participate.

Council discusses the motion and agrees that providing the module to members is a good investment in members and continuing education.

Motion carried

b. Governance/HR Committee:

i. The proposed motion was circulated prior to the meeting. The motion recommends the appointment of H. Kennedy to the Quality Assurance Committee Clinical Practice Panel; E. Pekilis to the Patient Relations Committee; and L. Christian to the Discipline Committee.

Council notes that, having recently lost a public member, these assignments are needed to ensure our committees remain constituted. Council will complete a competency assessment in the future to ensure people are in appropriate committees.

E. Pekilis notes she is happy to fill in as needed but will be relieved of this new role once a new public member is announced.

Council discussed whether it can lobby the Public Appointments Secretariat to ensure timely appointment of public members when there is a vacancy. P. Hemami notes there is a current action item to proactively contact the Public Appointments Secretariat going forward.

Moved by J. Van Bastelaar and seconded by R. Kniaziew **to approve the appointments.**

Motion carried

ii. Governance/HR Committee: The proposed motion was circulated prior to the meeting. The motion recommends the circulation to College registrants and stakeholders for 60 days proposed amendments to the College by-laws aligning with governance reform recommendations approved by Council in 2018/2019.

P. Hemami clarifies that Council is being asked to circulate the revised by-laws to allow for 60 days of review. Enacting the new by-law would take place at the September Council meeting.

Changes include adding “CEO” to the “Registrar” title and removing the role of Treasurer from the by-law. Wording updates (such as removing reference to paper ballots) also proposed at this time.

Moved by J. Van Bastelaar and seconded by R. Kniaziew **to circulate the revised by-laws.**

Motion carried

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c. Audit/Finance/Risk Committee: The proposed motion was circulated prior to the meeting. The motion recommends Council approve two policies – the Reporting Information to Outside Agencies policy and the Whistleblower policy. The Reporting to Outside Agencies policy relates to the College’s obligation to report information relating to serious allegations to outside agencies. The Whistleblower policy was developed following a review of other regulator colleges’ policies and covers incidents where a College staff member, a Council/committee member and/or a stakeholder has evidence of and reports a concern about the behaviour or conduct of another staff member, Council/committee member, stakeholder and/or College agent.

P. Quaid discusses some background, including cases of OHIP fraud and reporting requirements.

Council discusses and clarifies the nature of the wording. It is agreed a flow-chart would clarify the reporting process and should accompany the policy. P. Hemami notes the two policies should each be submitted as two separate motions.

Legal counsel clarifies that the College currently has the ability to report to outside agencies and that the policy is simply clarifying and articulating that ability.

Legal counsel requests to review the proposal before it becomes a policy.

Council requests clarity regarding staff and the whistleblower policy. P. Garshowitz confirms there is an HR policy that covers workplace violence and harassment.

<p>Action item: To have legal counsel review the proposed policies and to have staff create an accompanying flow chart and present to Council at the September meeting.</p>
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Motion tabled

d. Quality Assurance Committee – Clinical Practice Panel

i. The proposed motion was circulated prior to the meeting. The panel proposed updates to OPR 7.11 Patients with Dry Eye Disease.

Council discusses whether the OPR is understood by members of the public or if it is too clinical in nature. Council discusses purpose and intended audience of OPRs and whether separate documents, such as accompanying FAQ or information on the College website would be of use.

Council agrees to review the motion as it stands and continue the discussion on additional resources separately.

B. Chisholm moves and K. Morcos seconds **to approve revisions to OPR 7.11 Patients with Dry Eye Disease.**

Motion carries

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Action item: The Patient Relations Committee will review and discuss the need for patient-facing materials on optometric conditions.

ii. Quality Assurance Committee – Clinical Practice Panel: The proposed motion was circulated prior to the meeting. The motion recommends Council approve revisions to the *Practice Locations – Reporting Requirements* policy.

Council discusses the motion and clarifies the timeline for reporting, as well as how to report in various working situations such as mobile clinics.

Moved by B. Chisholm and seconded by R. Kniaziew **to approve the revisions.**

Motion carries

6. Financial Matters

a. Treasurer’s Report:

P. Quaid presented the report, which shows a surplus of \$276,000 as of April 30, 2019. The surplus represents a positive variance to budget of \$389,000 (per dashboard).

Council eager for financial literacy training taking place tomorrow.

Council members ask about professional corporation fees. P. Hemami and P. Garshowitz confirm that fees are in line with other colleges and have not changed in many years.

Action item: To have the Audit/Finance/Risk Committee review professional corporation fees and report back to Council at the September Council meeting.

b. Financial Dashboard: The financial dashboard was circulated prior to the meeting. It was updated to April 30, 2019, including the College’s investment funds and indicates that the College’s financial position continues to be strong with high liquidity for future purposes.

c. Balance Sheet and Income and Expenditure Report to April 30, 2019: The budget surplus is caused by favorability in almost all income types mainly professional corporations, application fees, and recognition of deferred membership revenue from last year. The overall surplus in the expense section caused by under spending/no spending to date in some budget areas.

7. Registration Committee: The proposed motion was circulated prior to the meeting. The motion recommends that Council approve the development of a national competency profile to be jointly

199 developed between the College and Touchstone Institute with input from optometrists from every
200 Canadian province as part of the continued research and investigation into an alternate Canadian
201 entry-to-practice exam at a projected cost of approximately \$45,000.

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203 Council discussed the need for an updated competency profile (the previous profile was completed in
204 2015) as an important first step in the process toward developing an entry-to-practice exam process.

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206 Council also clarifies that the University of Waterloo will be involved as a stakeholder. Guest Dr. Stan
207 Woo clarifies the university's position that it would like to be included as a stakeholder at the outset.

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209 Moved by P. Quaid and seconded by R. Kniaziew **to approve the development of a competency profile**
210 **co-developed with Touchstone Institute.**

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212 **Motion carried**

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214 **8. FORAC Cultural Competency Working Group**

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216 Council revisited the issue of signing the declaration put forward by the FORAC Cultural Competency
217 Working Group first discussed at the April 24, 2019 Council meeting.

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219 As per the April 24 action item, P. Garshowitz confirmed that she and Dr. Paul Chris, Executive Director
220 of FORAC, contacted two First Nations organizations (Anishinabeg Nation and the Chiefs of Ontario) for
221 feedback. Anishinabeg Nation has provided a letter in favour of the declaration. The Chiefs of Ontario
222 have expressed support but have not yet sent its support in writing. P. Chris confirms a third Nation has
223 also expressed support but, due to its governance model, would require additional time to provide
224 written support.

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226 Council agrees the current feedback shows support for the declaration, and clarifies it wants to ensure
227 tangible action takes place going forward.

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229 Moved by J. Van Bastelaar and seconded by Annie Micucci **to adopt the FORAC Declaration of**
230 **Commitment.**

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232 **Motion carried**

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234 **9. Injunction Appeal Decision Update:**

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236 P. Garshowitz provided brief update on the appeal process. The College is seeking leave to appeal, which
237 means the College has asked the Supreme court to hear the case. Council should expect to hear in the
238 fall.

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241 **10. Harry Cayton Report**

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243 P. Garshowitz presented findings from the Harry Cayton report to Council. The Cayton report was
244 written in December 2018 and made public in April 2019. The report served as an inquiry into the
245 College of Dental Surgeons of British Columbia.

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247 The report makes two sets of recommendations: one regarding the College of Dental Surgeons of British
248 Columbia to be implemented immediately; and one set regarding overall regulation in the province of
249 B.C.

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251 The short-term recommendations to the B.C. college touch on issues of best practice, governance, and
252 overall regulatory performance.

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254 Long-term recommendations regarding regulation in the province include rules and conduct
255 expectations for all professions, establishing a single body for discipline hearings, and maintaining a
256 single public registrar.

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258 Council discussed how these recommendations echo changes at the Professional Standards Authority, as
259 well as other regulatory jurisdictions, such as Quebec. Council agreed it is good to be aware of these
260 issues in the overall regulatory world across jurisdictions and professions.

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262 M. Boon suggested Council may want to evaluate its processes against the recommendations, which
263 may reinforce the direction Council is taking on governance issues and allow Council to be proactive in
264 anticipating changes in Ontario.

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266 **11. Legislative Updates - Designated Drugs and Standards of Practice Regulation**

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268 B. Chisholm explained process to Council – the Clinical Practice Panel is looking to provide the Ministry
269 of Health with a response to questions within three to four weeks.

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271 CPP is looking to have support from tripartite stakeholders for category submissions being put forward.
272 Timelines for having submission reviewed, agreed upon and submitted by end of the year is tight. A
273 teleconference meeting may be needed to finalize.

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276 **12. Draft Annual Report**

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278 A draft copy of the 2018 Annual Report was circulated to Council prior to the meeting. P. Garshowitz
279 confirmed that small changes and typos can be submitted.

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281 M. Boon recommended adding information on the strategic planning process. Other small changes to
282 come.

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284 **13. Update on ARBO meeting**

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286 R. Kniaziew provided Council with an update on the Association of Regulatory Boards of Optometry Inc.
287 (ARBO) meeting, which happened in St. Louis, MO, June 16-18. R. Kniaziew and P. Garshowitz attended.

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289 The brief update provided an overview of key issues presented at ARBO, including OE Tracker, telehealth
290 and telemedicine.

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292 **14. Council Member Recognition**

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P. Hemami took time to thank outgoing public member M. Chesney for her service to Council and in the public interest. M. Chesney thanked Council and noted how much she enjoyed her tenure.

P. Hemami also recognized the work of outgoing Registrar P. Garshowitz. Several Council members also thanked P. Garshowitz for her contributions.

P. Garshowitz thanked Council and staff and welcomed new Registrar M. Boon.

15. List of Acronyms

16. Dates of Upcoming Council Meetings

- Friday September 27, 2019
- Friday January 17, 2020
- Monday April 20, 2020
- Thursday June 25, 2020

17. Adjournment: Moved by R. Kniaziew and seconded B. Chisholm **to adjourn the meeting at 12:21 p.m.**

Motion carried