



**COLLEGE OF DENTURISTS OF ONTARIO**  
**78<sup>th</sup> MEETING OF THE COUNCIL**  
**Held at the Hart House, University of Toronto**  
**December 12, 2014- 9am to 3:30pm**  
**7 Hart House Circle, Toronto, ON, M5S 3H3**

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**MINUTES**

**1. Welcome and Introductions**

The President introduced new public member Dr. Ivan McFarlane. Dr. McFarlane is Senior Fellow at Massey College. He is a former part-time Lecturer with Trinity College, University of Toronto and he was a professor teaching sociology and political science courses at Centennial College. Dr. McFarlane was a member of the Council of the College of Psychologists of Ontario from 2005 to May 2014.

The President also invited all Council members and members of the public gallery to introduce themselves.

**2. Call to Order**

The President called the meeting to order at 9:05am and welcomed everyone.

**Note Members Present**

Elected Members: Mordey Shuhendler, Denturist, Vice President  
Gregory Baker, Denturist  
Kenneth Battell, Denturist  
Luc Tran, Denturist  
Patrick McCabe, Denturist  
Peter Cassano, Denturist  
Keith Collins, Denturist

Public Members: Anita Kiriakou, President  
Ivan McFarlane  
Barbara Smith  
Thomas Baulke  
Hanno Weinberger

Regrets: Michael Vout Jr., Denturist

Guests: Rebecca Durcan, Legal Counsel-Steinecke Maciura LeBlanc LLP  
Dawn Stamp, Chair-Qualifying Examinations Committee

Staff: Abena Buahene, Registrar  
Mary Kennedy, Director-Regulatory Programs  
Fraulein Thomas, Recorder

### 3. Approval of Agenda

The Registrar requested that agenda item 6.4 be moved and discussed after the approval of the minutes as the chair of the Qualifying Examination Committee had another College engagement.

**MOTION:** It was moved by K. Collins and seconded by P. Cassano

**THAT:** the agenda of the 78<sup>th</sup> Council Meeting be approved as amended.

**CARRIED** unanimously.

### 4. Declaration of Conflict

No conflict of interest was declared.

### 5. Review and Approval of Minutes

#### 5.1 77<sup>th</sup> Council Meeting Minutes – October 3, 2014

The Registrar noted that under agenda item 7 and 8 it should read Council received the 'committee' reports. Also, under 6.1 paragraph 2 line 2 'were very' should be removed from the second sentence. Under 6.3 paragraph 1 line 2 it should read as- restrict funds would be in 'the' three to six months range and under 6.5 paragraph 1, last line should read as- is a controlled 'act' as well as not 'a' controlled 'act'.

**MOTION:** It was moved by K. Battell and seconded by K. Collins.

**THAT:** the minutes of the 77<sup>th</sup> Council Meeting held on October 3, 2014 be approved as amended.

**CARRIED** unanimously.

#### 5.2 Special Council-Teleconference Meeting Minutes-November 13, 2014

**MOTION:** It was moved by G. Baker and seconded by P. Cassano.

**THAT:** the minutes of the Special Council-Teleconference held on November 13, 2014 be approved.

**CARRIED** unanimously.

### 6. Items for Discussion and Decision

#### 6.4 Qualifying Examination Committee

\* Qualifying Examination Appeals Committee- Mandate & Terms of Reference

\* Qualifying Examination Appeal Policy

Ms. Dawn Stamp, Chair of the Qualifying Examination Committee reviewed with Council the mandate and terms of reference for the Qualifying Examination Appeals Committee (QEAC). Ms. Stamp indicated that this non-statutory committee has always dealt with examination appeals as outlined in the qualifying examination protocol for candidates. Setting out the committee's mandate and terms of reference in writing for Council's formal approval brings it in line with the other non-statutory committees the College has with respect to documentation.

The draft qualifying examination appeal policy presented was developed keeping in mind best

practices in licensure examinations to ensure that the appeals process for a candidate who failed the examination is objective fair and transparent.. The policy is also aligned to reflect the appeal provisions in the new registration regulation.

The Chair indicated that the policy also reflects how appeals have been handled to date by the appeals committee. In order to appeal a failed examination, the candidate has to file an incident report either during or at the end of the examination with the Chief Examiner. The policy sets out three specified circumstances under which an appeal may be initiated. This information is provided to the candidates during the mandatory examination orientation session.

There was a discussion about what remedies the appeals committee can give the candidate. The Committee does not have the authority to change a candidate's score. Based on the grounds for appeal as set out in the policy, the Committee can either grant the appeal or deny it. If the appeal is granted, the candidate's attempt to pass the examination is not counted.

Ms. Stamp also explained that the policy allowed for a review of the decision of the QEAC by the Registration Committee. This would enable a candidate who was not satisfied with the decision of the Registration Committee to appeal it to the Health Professions Appeal and Review Board; this process is also in alignment with the expectations of the Office of the Fairness Commissioner that there be an appeal process.

Council suggested that the timeframe for a candidate to appeal be set out as three working or business days to allow a candidate to seek out a health care professional, given that the examination takes place over a weekend.

**MOTION:** It was moved by H. Weinberger and seconded by B. Smith.

**THAT:** Council approve the Terms of Reference and Mandate for the Qualifying Examination Appeals Committee (QEAC) as presented.

**CARRIED** with one abstention.

**MOTION:** It was moved by B. Smith and seconded by H. Weinberger.

**THAT:** Council approve the Qualifying Examination Appeal Policy as amended.

**CARRIED** with one abstention.

## **6.1 Financial Statements for the Period of April 1 to November 30, 2014**

### **\*Variance Memo**

Council reviewed the variance memo. The Registrar explained that anticipated revenue was lower than expected as at the time the budget was prepared, she did not take into account that there would be resignations (14 members resigned at renewal). Also, an assumption was made that the successful examination candidates would all register at the full fee. However, many of them registered after October 15 when the registration fee decreases significantly. The Registrar indicated that she would take this all into consideration when preparing for the 2015-16 budget.

## **6.2 Advisory Group of Regulatory Excellence (AGRE) Transparency Principles**

### **\*Transparency Principles**

The AGRE Transparency Principles were initially presented to Council at its June 2014 meeting and again discussed during the teleconference meeting in November 2014 when Council reviewed the

College's draft response to Minister Hoskins' transparency inquiry of October 4, 2014. The Principles are intended to guide regulators in their decision making process about what information ought to be made public and will be made public. It was noted that the Principles did take into consideration that there may be regulatory processes intended to improve competency and which may lead to a better outcome for the public if they were dealt with confidentially. It was anticipated that all of the Federation of Health Regulatory Colleges of Ontario and the Transitional Councils will have adopted the Principles by the end of the year.

**MOTION:** It was moved by K. Collins and seconded by L. Tran

**THAT:** Council adopt the AGRE Transparency Principles as presented and then post them on the College's website.

**CARRIED** unanimously.

### 6.3 Registration Committee

The policies brought before Council were as a result of a review of the College's internal registration processes for applicants and recommendations from the Office of the Fairness Commissioner. The proposed policies also take into consideration the proposed registration regulation and are also in line with the current registration regulation as well as registration practices. The policies still require formatting, but follow a template which will enable applicants to better understand the intent of a policy and the process to be adhered to.

#### **\*Access to Registration Applicant Records and Retention Policy**

**MOTION:** It was moved by K. Collins and seconded by K. Battell

**THAT:** Council adopt the Access to Registration Applicant Records and Retention Policy.

**CARRIED** unanimously.

#### **\*Credential Authentication Policy**

**MOTION:** It was moved by K. Battell and seconded by G. Baker

**THAT:** Council adopt the Credential Authentication Policy.

**CARRIED** unanimously.

#### **\*Revised-Criminal Background Check Report Registration Requirement**

'Registration Requirement' was edited out and 'Policy' used instead.

**MOTION:** It was moved by H. Weinberger and seconded by I. McFarlane

**THAT:** Council adopt the Criminal Background Check Report Policy as amended.

**CARRIED** unanimously.

#### **\*Revised-Insufficient and/or Incomplete Documentation Policy**

**MOTION:** It was moved by K. Collins and seconded by P. Cassano.

**THAT:** Council adopt the revised Insufficient and/or Incomplete Documentation Policy.

**CARRIED** unanimously.

**\*Language Proficiency Requirements Policy**

**MOTION:** It was moved by K. Battell and seconded by G. Baker  
**THAT:** Council adopt the Language Proficiency Requirements Policy.  
**CARRIED** unanimously.

**\*Professional Liability Insurance Policy**

Under Process and Procedures, point 2 -10 days be changed to 10 working days. Also, the Registrar noted that under point 6 where it indicates that the Registrar has the ability to suspend immediately, Ms. Buahene currently does not have the ability to do so. Only when the new Registration Regulation is adopted will the Registrar have the ability to suspend a certificate of registration. In the instance where a member did not carry professional liability insurance, section 13.1(1) of the *Code* could be applied and there could be a finding of professional misconduct for not complying with the requirement to carry professional liability insurance.

**MOTION:** It was moved by B. Smith and seconded by P. McCabe  
**THAT:** Council adopt the Professional Liability Policy as amended.  
**CARRIED** unanimously.

**\*Referral of a Registration Application to the Registration Committee Policy**

**MOTION:** It was moved by K. Collins and seconded by B. Smith  
**THAT:** Council adopt the Referral of a Registration Application to the Registration Committee Policy.  
**CARRIED** unanimously.

**\*Registration Appeals Policy**

Under Process and Procedures, point 2 the statement should read as -Registration Committee's decision 'and reasons' to file a notice of appeal.

**MOTION:** It was moved by H. Weinberger and seconded by I. McFarlane  
**THAT:** Council adopt the Registration Appeals Policy as amended.  
**CARRIED** unanimously.

**6.5 Nominating Committee**

**\*Appointment of Public Members**

Currently no public member sits on the Qualifying Examination Appeals Committee.

**MOTION:** It was moved by K. Battell and seconded by K. Collins.  
**THAT:** Council ratify the appointment of Ms. Anita Kiriakou on to the Qualifying Examination Appeals Committee.  
**CARRIED** unanimously.

**MOTION:** It was moved by L. Tran and seconded by G. Baker.  
**THAT:** Council appoint new public member Dr. Ivan McFarlane to the Quality Assurance Committee and Qualifying Examination Committee.  
**CARRIED** unanimously.

## **6.6 Curriculum Advisory Committee Proposal Letter**

### **\*Executive Committee Recommendation**

The Executive Committee and the Registrar had discussed that the Curriculum Accreditation Committee (CAC) Proposal raised a number of financial and conceptual issues that had far-reaching implications beyond the CDO given that it was seeking to be an independent national accreditation body for denturism programs. The registrars of the regulatory bodies for denturism in British Columbia and Alberta had expressed, on behalf of their respective Councils, an interest in reviewing the proposal jointly with Ontario. Furthermore, there was interest in submitting a joint response to the CAC from the perspective of regulators with a sole mandate, i.e. these regulators only have a public interest mandate. The registrars proposed that a taskforce comprising of Council members and the registrars from the three provinces be struck to study the proposal and develop a position paper for their respective Councils.

**MOTION:** It was moved by K. Battell and seconded by G. Baker.  
**THAT:** Council approve that the CDO collaborate with the College of Alberta Denturists and the College of Denturists of British Columbia to review the CAC proposal and prepare a position paper wherein the position paper could guide Council's response to the CAC proposal.  
**CARRIED** unanimously.

**MOTION:** It was moved by K. Battell and seconded by G. Baker that K. Collins (professional member) and H. Weinberger (public member) be appointed to represent the CDO on the tripartite taskforce.  
**CARRIED** unanimously.

## **6.7 Proposed Spousal Exception Regulation**

### **\*Feedback**

Ms. Durcan, the College's legal counsel informed Council that she had reviewed all of the feedback the College had received during the consultation period (a copy of that feedback and Ms. Durcan's comments was presented to Council) and that none of the feedback required any changes to the proposed draft spousal exception regulation. Ms. Durcan pointed out that adding a definition of what constitutes a spouse is not necessary in this proposed legislation as the definition is well established in the Regulated Health Professions Procedural Code. Adding a definition section would not be prudent as, in the event that there is a change; regulations are not easily amended. Guidelines to the regulation could be drafted to assist members on the definition of 'spouse'.

**MOTION:** It was moved by H. Weinberger and seconded by B. Smith.  
**THAT:** Council approve the proposed Spousal Exception Regulation and that it be submitted to the Ministry of Health and Long Term Care.  
**CARRIED** unanimously.

### **6.8 Annual Report**

Council was presented with the 2013-14 Annual Report.

**MOTION:** It was moved by B. Smith and seconded by G. Baker.  
**THAT:** Council approve the 2013-14 Annual Report.  
**CARRIED** unanimously.

### **6.9 Approval of Council Meeting Dates**

**MOTION:** It was moved by T. Baulke and seconded by P. Cassano.  
**THAT:** Council approve the meeting dates as presented.  
**CARRIED** unanimously.

## **7. Committee Reports**

- 8.1 Executive
- 8.2 Inquiries, Complaints and Reports
- 8.3 Qualifying Examination
- 8.4 Professional Practice
- 8.5 Registration
- 8.6 Quality Assurance
- 8.7 Qualifying Examination Appeals
- 8.8 Discipline, Fitness to Practice, and Patient Relations-No Report

Council received the Committee reports.

## **8. Registrar Report**

Council received the Registrar's report.

## **9. Items for Information and Other Business**

- 9.1 Correspondence from Minister Dr. Hoskins and CDO Response
- 9.2 Correspondence from DAO dated October 10, 2014 and CDO Response
- 9.3 Correspondence from DAO dated October 17, 2014 and CDO Response
- 9.4 Correspondence from DGO dated November 5, 2014 and CDO Response
- 9.5 Correspondence from DGO dated October 21, 2014 and CDO Response
- 9.6 Correspondence from GBC dated November 25, 2014

With respect to the College's Executive Committee's invitation to host a joint stakeholder meeting with the Executives of the two associations, Council determined that it might be best to wait for six months before reissuing the invitation.

**10. In Camera Session** under the *Regulated Health Professions Act*, 1991 Schedule 2, section 7(2)(d)

**MOTION:** It was moved by B. Smith and seconded by T. Baulke.

**THAT:** Council go in-camera at 1:50pm.

**CARRIED** unanimously.

**MOTION:** It was moved by B. Smith and seconded by K. Batell that Council come out of in-camera at 2:18pm.

**CARRIED** unanimously.

**11. Next Meeting Date -**

Friday, March 6, 2015

**12. Adjournment**

There being no further business to discuss, the meeting was adjourned at 2:18pm.

**MOTION:** It was moved by K. Batell.

**THAT:** the meeting be adjourned at 2:20pm.

**CARRIED.**