



86th MEETING OF THE COUNCIL

365 Bloor Street East, Suite 1606, Toronto, ON M4W 3L4
December 9, 2016 - 9:00 a.m. to 3:30 p.m.

MINUTES

Members Present:

Mr. Hanno Weinberger	‣ President
Mr. Michael Vout Jr.	‣ Vice President
Ms. Anita Kiriakou	‣ Past President
Mr. Peter Cassano	
Mr. Keith Collins	
Mr. Joey Della Marina	
Ms. Alexia Lanoue	
Mr. Patrick McCabe	
Ms. Wangari Muriuki	
Mr. Ivan McFarlane	
Mr. Mark Fenn	
Mr. Mordey Shuhendler	
Ms. Barbara Smith	
Mr. Luc Tran	

Absent:

Ms. Arnella Csongradi

Guests:

Ms. Cathi Mietkiewicz, Legal Counsel, Steinecke, Maciura and LeBlanc
Ms. Rebecca Durcan, Legal Counsel, Steinecke, Maciura and LeBlanc

Staff:

Dr. Glenn Pettifer, Registrar and CEO
Ms. Fiona Harvey, Recording Secretary

1. Call to Order

The President called the meeting to order at 9:08 a.m.

2. Introduction of New Council Member

The President welcomed Ms. Wangari Muriuki who was appointed to Council by the Lieutenant-Governor in Council.

3. Approval of Agenda

MOTION: That the agenda be adopted.

MOVED: K. Collins

SECONDED: M. Shuhendler

CARRIED

4. Declaration of Conflict

None noted or declared.

5. College Mandate

The President presented the College Mandate and the College Mission.

6. Governance – EPHRO (Education for Health Regulatory Professionals of Ontario) Video Training – Part 2 – The Public Interest

7. Consent Agenda

- 7.1 Minutes of the 85th Council meeting held on September 23, 2016
- 7.2 Executive Committee Report
- 7.3 Inquiries, Complaints and Reports Committee Report
- 7.4 Discipline Committee Report
- 7.5 Quality Assurance Committee – Panel A Report
- 7.6 Quality Assurance Committee – Panel B Report
- 7.7 Qualifying Examination Committee Report
- 7.8 Registration Committee Report
- 7.9 Registrar's Report

Items removed from the Consent Agenda:

- 7.1 **Minutes of the 85th Council meeting held on September 23, 2016**
- 7.2 **Executive Committee Report**
- 7.6 **Quality Assurance Committee - Panel B Report**
- 7.9 **Registrar's Report**

MOTION: That Council approve the Consent Agenda.

MOVED: B. Smith

SECONDED: M. Vout Jr.

CARRIED

7.1 Minutes

Council requested that the meeting minutes accurately reflect Attendance, Regrets or Absent. "Regrets" will identify members who have informed the College they cannot attend the meeting and "Absent" will identify members who did not communicate with the College regarding an absence from a meeting.

Council expressed concern regarding an absentee Council member who was appointed by the Lieutenant Governor in Council and has not attended a Council meeting since 2015 or provided regrets to the College. Council requested packages not be sent to this member unless confirmation of attendance at an upcoming meeting is provided. The Registrar will follow-up regarding the process to be undertaken when a member of Council is absent from a

number of meetings without providing the College with notice of absenteeism or any reasons for such absence.

MOTION: That Council approve the minutes of the 84th Council meeting as circulated.

MOVED: A. Kiriakou

SECONDED: P. Cassano

CARRIED

7.2 Executive Committee Report

MOTION: That Council approve the Executive Committee report.

MOVED: K. Collins

SECONDED: L. Tran

CARRIED

7.6 Panel B Report

MOTION: That Council approve the Quality Assurance Committee – Panel B report.

MOVED: P. McCabe

SECONDED: K. Collins

CARRIED

7.9 Registrar's Report

The Registrar provided Council with information not contained within the written report.

Bill 87, *Protecting Patients Act*, written in part as the MOHLTC's response to the Sexual Abuse Task Force report, has passed 1st reading. On Wednesday December 7, 2016, the Health Regulator Registrars attended a meeting with the MOHLTC where an overview of the Act was provided.

The Act will amend 4 statutes, one of which is the RHPA. The amendments to the RHPA come about as a result of the sexual abuse task force.

The following are some of the suggested amendments:

- Expand the list of acts that will result in mandatory revocation of a regulated health professional certificate of registration.
- Remove the ability for Colleges to impose gender based restrictions on a certificate of registration.
- Increase fines for health professionals and organizations that fail to report an allegation of patient sexual abuse to a College.
- Increased transparency by adding to what Colleges must report on their public registry and websites.
- Establish a minimum time period after the end of a patient and provider relationship during which sexual relations will be prohibited. The minimum time period will be at least 1 year.
- Increase timely access for funding for patient therapy and counseling – individuals will be able to access funding once the complaint has been filed.

The Act also provides the Minister with more powers to make regulations mainly related to the RHPA:

- The Minister would be given the power to create regulations that address the composition of statutory committees.

At this meeting, the Registrar took the opportunity to address the spousal exception regulation. The ADM informed the Registrar they are working on this and are anticipating they will be able to consider requests for regulatory amendments related to the spousal exception in the future. The ADM will communicate with the health regulatory Colleges when they are ready to receive requests.

MOTION: That Council approve the Registrar's Report.

MOVED: A. Kiriakou

SECONDED: M. Vout Jr.

CARRIED

8. President's Report (verbal)

Council accepted the President's Report.

9. Financials

9.1 Financial Report Memo

9.1.1 Financial Statements for the period of April 1, 2016 to October 31, 2016

MOTION: That Council adopt the financial statements for the period of April 1, 2016 to October 31, 2016.

MOVED: K. Collins

SECONDED: M. Fenn

CARRIED

10. Presentation by Ms. Cathi Mietkiewicz, Steinecke, MacIua and LeBlanc, Barristers & Solicitors

Ms. Cathi Mietkiewicz provided Council with a presentation on Accreditation of Education Programs and the Options moving forward.

Action: Council directed the Registration Committee to do more ground work and get a better sense of costs on developing an accreditation program.

Action: Council directed staff and the Registration Committee to find an accreditation consultant.

Action: Ms. Mietkiewicz to provide names of consultants with expertise in accreditation.

Action: Council directed the Registrar to continue communication with the CAC to determine their future plans.

11. Update of National Qualifying Examination

Action: The Registrar will communicate with Registrars of Alberta and British Columbia Denturism Regulatory Colleges to determine interest in a national level qualifying examination. An in-person meeting with representatives from all provincial Denturist Colleges to discuss interest in a National Qualifying Examination. The College may consider hosting this meeting and will look into costs.

12. Posting of Examination Statistics

Action: Council requested that the Registrar bring examples of the performance data from the January Qualifying Examination to the March Council meeting for Council to review. Council will then make a decision on what to post on the website.

Action: The Registrar will engage in conversations with the schools about the possibility of publishing results of the exam on the College website following the summer exams.

13. In-Camera Meeting, pursuant to Schedule 2 (HPPC) of the RHPA, s. 7 ss 2(d)

MOTION: That Council move into an in-camera session at 12:02 p.m. as per Schedule 2, (HPPC) of the RHPA, s. 7 ss 2(d).

MOVED: K. Collins

SECONDED: I. McFarlane

CARRIED

MOTION: That Council adjourn the in-camera meeting at 12:25 p.m.

MOVED: I. McFarlane

SECONDED: M. Fenn

CARRIED

14. HRPB Report on Benchmarking Complaints Data

14.1 Benchmarking Complaints – HRPB Briefing Note

14.2 Benchmarking Report

The Registrar informed Council the Patient Relations Committee has a mandate to educate the public and members and suggested setting up a meeting on how the College can provide education regarding complaints.

Council provided some suggestions on communications the College could provide to the public and the profession:

- Identify any trend in complaints the College receives and then engage in educational efforts directed at these risk areas. These efforts may take the form of webinars that could include:
 - Information regarding the types of complaints the College receives
 - Strategies that could be employed in these risk areas.
 - Information on providing empathy to their patients
 - An exploration of the approach to informed consent conversations between Denturists and their patients.
- Share information on the website of the type of complaints the College receives
- Communicate to members they can call or email the College to ask practice advise questions

Action: Council directed the Registrar to develop a process that identifies areas of risk that are identified in ICRC complaints data. This information would then be provided to the QAC for consideration.

Action: Council directed staff to set up a meeting of the Patients Relations Committee to consider this matter.

15. Standards of Practice

- 15.1 Standards of Practice Briefing Memo

Informed Consent

- 15.1.1 Revised Format – Informed Consent
- 15.1.2 Original Draft Standard of Practice: Informed Consent
- 15.1.3 Guide to the Standard – Informed Consent

Advertising

- 15.1.4 Original Draft Standard of Practice: Advertising
- 15.1.5 MOHLTC Guidelines for Advertising Regulations
- 15.1.6 Self-regulated professions-Balancing competition and regulation, Competition Bureau, Government of Canada
- 15.1.7 Advertising Restrictions, Competition Bureau, Government of Canada
- 15.1.8 Advertising Standard, College of Physiotherapists of Ontario
- 15.1.9 Advertising Guideline, College of Dental Hygienists of Ontario
- 15.1.10 Professional Advertising, Royal College of Dental Surgeons of Ontario

The Registrar noted performance indicator #4 on page 3 of the Advertising standard regarding language that permits the use of testimonials in advertising. Council was informed there has been a prohibition on testimonials by the Ministry and the standard needs to be in line with the Ministry directives.

Action: Council directed staff to delete Performance Indicator #4.

Action: The Registrar will re-format the standards and bring them back to Council for approval.

16. Proposed Amendment to Schedule 7 of the By-laws to include an "Administrative Fee"

- 16.1 By-law Amendments regarding an "Administrative Fee for Notices" Briefing Note
 - 16.1.1 Schedule 7 of the College By-laws

MOTION: That Council approve the draft amendment to Schedule 7 of the College By-laws to include an "Administration Fee for Notices" (\$50 for the first notice and \$100 for subsequent notices) for circulation to the stakeholders for comment.

MOVED: M. Vout Jr.

SECONDED: A. Lanoue

CARRIED

17. Appointments to ICRC by Executive Committee**18. Annual Report 2015-2016**

- 18.1 Annual Report Memo
- 18.2 Annual Report 2015-2016

MOTION: That Council adopt the Annual Report 2015-2016.

MOVED: M. Shuhendler

SECONDED: A. Kiriakou

CARRIED

19. Council Meeting Dates for 2017-2018

MOTION: That Council accept the proposed meeting dates for 2017-2018.

Moved: I. McFarlane

Seconded: K. Collins

20. Strategic Planning Day

20.1 Strategic Planning Day Agenda

21. Confidentiality

The President reminded Council about the importance of confidentiality particularly with *in-camera* meetings. The President read By-law Article 28.01 – Duty of Confidentiality:

28.01 Duty of Confidentiality

Members of the Council and Committees, staff and persons retained or appointed by the College are required to maintain confidentiality of information that comes before them in the course of discharging their duties unless disclosure is authorized by the Council or is otherwise permitted under subsection 36(1) of the RHPA.


22. Next Meeting Date – Friday, March 3, 2017

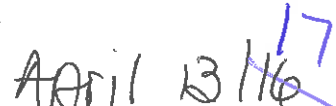
23. Adjournment


MOTION: Adjournment 2:27 p.m.

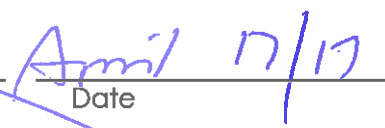
MOVED: M. Vout Jr.

CARRIED.


Mr. Hanno Weinberger
President


Date


Dr. Glenn Pettifer
Registrar and CEO


Date