



**College of
Chiropodists
of Ontario**

**PROFESSIONAL REGULATION
IN THE
PUBLIC INTEREST**

ANNUAL REPORT 2005

COLLEGE OF CHIROPODISTS

MISSION STATEMENT

The College of Chiropractors of Ontario regulates Chiropractors and Podiatrists in the public interest. The College ensures that the public receives competent care from Chiropractors and Podiatrists by:

- Regulating the practice of the profession and governing the members in accordance with the Chiropractic Act, the Regulated Health Professions Act and the regulations and by-laws
- Establishing standards of practice
- Establishing educational requirements for entry to practice and continuing competence
- Addressing concerns from the public

Educating and providing information to the public about Chiropractic and Podiatry

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College Council

President

Bruce Ramsden, Podiatrist

Vice President

Norm Kew, Chiropracist

Elected Members

Sally Ciona, Chiropracist (from 09/05)

Allen Frankel, Podiatrist

Anna Georgiou, Chiropracist

David Greenberg, Podiatrist

J. Craig Hunt, Chiropracist

John Infanti, Chiropracist

Norm Kew, Chiropracist

Julie Levesque-DeSimone, Chiropracist

Bruce Ramsden, Podiatrist

Academic Members

Steven Cassel, Chiropracist

Diane Tyczynski, Chiropracist

Non-Council Committee Members

Sarah Kerwin, Chiropracist

Sylvia Kovari, Chiropracist

Kim Resmer, Chiropracist

Giovanna Riolo, Chiropracist

Stuart Sackman, Podiatrist

Public Members

Norm Baker

Mary Ann Christie (to 09/05)

Ray Ferraro (from 05/05)

Wilhelmina Gonzales (from 09/05)

Dan Houssar

Barbara Major (to 09/05)

Penny McGregor (to 05/05)

Other Committee Members

Meera Narenthiran, Chiropracist

Sylvia Kovari, Chiropracist

Anamelva Revoredo, Chiropracist

College Staff

Registrar

Felecia Smith

Complaints Officer

Marilyn Bartlett

Executive Assistant and Membership Coordinator

Sharon Cole

College Advisors

Legal Counsel.....Alan Bromstein

Auditor.....Clarke Henning LLP

THE YEAR 2005 IN REVIEW

Joint Report from the President and Registrar

The College of Chiropractors of Ontario, through Council and its statutory and ad-hoc committees, continues to fulfill its mandate of ensuring accountability, ethical, knowledgeable and competent practice of its members in order to protect the public. The College is committed to ensuring that the citizens of Ontario continue to be provided with the highest quality foot care.

This has been a very rewarding and productive year in the life of our College. We have passed the *Red Tape Reduction Act* amendments which will allow greater flexibility in dealing with College business and affairs.

Our College is now focused on moving to a podiatry model of foot care with a single class of Podiatrist members with one title, one scope of practice and one set of authorized acts. We ratified this goal by passing a unanimous motion at Council on May 27, 2005 which said that "we agree to one title of Podiatry with terms, limitations and conditions, where applicable, with academic courses in place to upgrade to the DPM level, or equivalent, and the removal of the podiatric cap." The College moved forward with this motion by forwarding a letter to the Honourable Minister Smitherman asking that the matter be referred to HPRAC. We communicated openly with all of our stakeholders to ensure that everyone understood the reasons and rationales for moving our profession forward to better serve the Ontario public.

We have continued to focus a great deal of our energies on the drug submission so as to ensure that the drug regulation will enable our members to provide efficient, cost saving and proper care for the public we serve.

We worked with Manulife Insurance Company to create a template for orthotics and orthopaedic and off the shelf shoes. Other insurers and concerned parties may now use the template. We also addressed Greenshields preferred provider agreement and shared our experience and responses with the Ontario Society of Chiropractors and the Ontario Podiatric Medical Association. The purpose of our work was to ensure that our members were able to adhere the College's Standards of Practice and properly care for the Ontario public while dealing with the requirements of the preferred provider agreement.

There is much work in progress and we as a college continue to move forward. The work of our College is challenging and we are constantly adapting to the evolving healthcare needs of the Ontario public. On behalf of Felecia Smith and myself, I wish to gratefully acknowledge and thank all members of Council, non-council members and staff for their unwavering commitment, hard work and dedication to this College. I would like to thank the work of our associations and our members for their input, insightful comments and viewpoints. Our College continues to move forward with the help of all involved.

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We have had a very busy and productive year and we look forward to the coming year with a great deal of excitement and anticipation. The over arching theme of protecting the public through the use of regulated professionals with the highest standards and competencies will benefit the public.

Respectfully submitted,

Bruce Ramsden, D.P.M.
President

Felecia Smith
Registrar

EXECUTIVE COMMITTEE

Members

Bruce Ramsden, Podiatrist (Chair)

Norm Baker, Public Member

Dan Houssar, Public Member (from October 2004)

J. Craig Hunt, Chiropodist (from October 2004)

Norman Kew, Chiropodist

The Executive Committee is a statutory committee that provides leadership to Council and makes decisions between Council meetings. It has all the powers of the Council with respect to any matter that in the Committee's opinion requires immediate attention, other than the powers to make, amend or revoke a regulation or by-law. The Registrar attends all Executive meetings. The committee deals with cases referred by the Complaints Committee and the Registrar regarding members who might be incapacitated as a result of a mental health disorder or substance abuse. The Committee also refers members to discipline as a result of professional misconduct allegations.

In 2005, the Executive Committee met 8 times. During the year, the Executive continued to deal with matters that fell within the College's statutory objectives as outlined in the *Regulated Health Professions Act*.

1. In 2005, the Executive Committee accepted the lawyer's recommendation relating to the successful outcome of the TradeMark case and the College settled the costs owing from the CPMA to the College for \$17,000.

2. AIT Labour Mobility

To date, there has been two full meetings and one working group meeting. The President initially met with the Occupational Analysis Steering Committee on February 5 and 6, 2005 at the Toronto Marriot. The purpose of this meeting was to:

- a) Receive an update on the current regulation and on the history and the importance of AIT
- b) To Review information on relevant educational programs.
- c) Identify a competency-based framework to compare regulatory requirements and programs
- d) Discuss the work necessary to complete the comparison.
- e) Ensure a mechanism for ongoing communication.

The comparative analysis of the regulatory requirements and educational programs would be based on a process which would be structured on a competency-based analysis of Podiatry/Chiropody educational programs relevant to Canada, and by implication, Canadian jurisdictional regulatory standards. The working committee would create a comparative framework of an Occupational Competency Profile.

The key features of the profile would be:

- It is competency-based
- It would cover all components of the broadest Canadian Podiatry Scope of Practice

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- It would provide enough detail to differentiate between significant program learning outcomes.

A competency is based on three components which are didactic, clinical and ethical.

The three programs that will be focused upon will be the Canadian (Michener), US, and UK models. A working group composed of one D.P.M., one D.Pod.M., and one D.Ch. was formed with a substitute for each primary member.

The Consortium had a teleconference on February 21 to ratify the process and to confirm both the timelines and the funding proposal that is to be submitted to the Federal government committee, the HRSDC.

On April 30 the working group held their first meeting in Winnipeg. Their prime objective was to develop a complete Occupational Competency Profile. To date, that committee has not reported to the Steering Committee which your president participates in.

3. The Executive Committee met on Friday April 15, 2005 with an external facilitator to help determine a Podiatry model for Ontario. The result of the facilitation session was reported to Council at their fall meeting, 2005.

4. Green Shield's Preferred Provider Agreement

The College's Executive Committee solicited a legal opinion relating to the issue of whether or not the Green Shield Preferred Provider Agreement contravenes the Competition Act (Canada). This legal opinion supported our Registrar's and Executives' belief that the agreement was in breach of the Competition Act. The legal opinion was sent to both the OSC and the OPMA in order that they could determine if they wished to take any further steps.

5. Manulife Meeting on Feb.28, 2005 regarding orthotics

Bruce Ramsden, Felecia Smith and David Kerbl represented the College as well as representatives from the OSC, OPMA, CPMA and the CFPM. This was a very important meeting. An excellent, cohesive, direct, and informative presentation and discussion took place. The College and our Ontario and federal associations worked in a synergistic way to state that podiatrists and chiropractors are the most qualified practitioners in assessing and diagnosing foot conditions, providing orthotic therapy and in medically treating and preventing diseases disorders or dysfunctions of the foot. Subsequent to this meeting, the College and all the stakeholders received a very lengthy and detailed survey requesting voluminous definitions, clarifications, and explanations relating to orthotics, custom made shoes and orthopedic shoes. Your executive with the assistance of council member David Kerbl completed and forwarded the College response to Manulife Financial Insurance Company.

6. Interdisciplinary Collaboration in Primary Care

Norm Kew has attended two meetings as our College representative in an interdisciplinary grouping of national associations. Even though we are not a national organization, it was felt necessary to show our presence and voice so that chiropractic and podiatry would not be left off the radar. Norm will be continually informed of matters. Many of these federally funded meetings continue to take place across Canada.

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7. Human Resources Policy

The Executive Committee finally completed and passed the College's Human Resources Policy after two-years of sporadic attempts.

QUALITY ASSURANCE COMMITTEE

Members

Diane Tyczynski, Chiropractor (Chair)

Anna Georgiou, Chiropractor (from November 2004)

Karlene Harry, Public Member (from October 2005)

Giovanna Riolo, Chiropractor

Stuart Sackman, Podiatrist

The primary objective of the Quality Assurance Program is to provide members of the College of Chiropractors of Ontario with the opportunity to enhance their knowledge base and clinical skills so as to encourage excellence in the delivery of foot care to the public.

The following reflects the work of the committee during 2005:

Continuing Education Program

CE Log Program

The College has sent a final letter to the members who have not yet submitted their CE Logs for the CE cycle ending December 31, 2003. If the submission deadline is not met, the Registrar clearly stated in her letter that a practice assessment will be initiated for the recalcitrant members.

Self-Assessment Tool

The tool was developed on the basis of Standards of Practice, Competencies, Code of Ethics, Regulations and Practice Guidelines. The QA committee believes that regardless of experience, education or competence, all members should expect that some areas of their practice would require educational growth. Members are required to complete a minimum of one self-assessment during each CE cycle and retain the completed Self Assessment Tool in their files.

Declaration of Completion

Members of the College are required to submit the Declaration of Completion form in accordance with:

O.Reg. 203/94 – 29. (1): "A member shall maintain a record of his or her self-assessments and continuing education activities, and submit them to the College upon request."

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Practice Assessment Program

The Registrar will request Council members nominate 2-3 volunteers that will be trained to be peer assessors. The time line for the selection of the district practice assessors is November 2005.

Standards of Practice Revision

A draft of Standard of Practice on Footwear was circulated to the OPMA and OSC for their input. The College waits input from the OPMA. An important concern around the category "functional footwear" as it relates to sandals requires more attention. We anticipate that this Footwear Standard will be sent to Council for approval by the June 2006 meeting.

Referrals from Executive Committee

No new referrals have been received since the report.

COMPLAINTS COMMITTEE

Members

John Infantj, Chiropodist (Chair)
Ray Ferraro, Public Member
Wilhelmina Gonzales, Public Member
David Greenberg, Podiatrist
Kim Resmer, Chiropodist

Marilyn Bartlett, Complaints Officer

The mandate of the Complaints Committee is to investigate and consider complaints filed with the Registrar regarding the conduct of a member of the College. The responsibility of the committee is to conduct a thorough investigation and review of all records and documents relevant to a complaint and determine an appropriate action according to the RHPA, 1991.

In 2005, the Complaints Committee met five times. Seven complaints received in 2005, six complaints still under consideration.

The Complaints Committee noted some common themes while reviewing the complaints submitted to the College. In an effort to decrease the number of complaints being submitted to the College, the committee would like to remind members to review the Standards of Practice for patient relations, record keeping, and the new Standards of Practice for orthotics.

In particular, the committee reminds members of the need to:

- Conduct a full and complete examination before determining the most appropriate treatment plan for a client,
- Ensure that the results of the examination and treatments are documented,
- Ensure that the proposed treatment, its expected results, and any other treatment options available, are explained to the client before treatment is started, and
- Ensure that office staff brings any concerns identified by clients (regarding problems with products supplied, fees charged for service etc.) to the member's attention, so that the clinician has the opportunity to resolve the matter informally.

The Complaints Committee reminds members that the number of complaints received and investigated, contributes to the College's overall operational costs, which ultimately affects membership fees.

The following table outlines the number of complaints received each year since 1999:

Year	Total Complaints
2005	7
2004	17
2003	16
2002	9
2001	16
2000	11
1999	9

Summary of Complaints Committee Activity for the Year 2005:

Number of Oral Cautions Delivered	2
Voluntary Undertaking	1
Voluntarily Withdrawn	1

Decisions

Referral to Discipline Committee	1
No Further Action	2

DISCIPLINE COMMITTEE

Members

David Kerbl, Chiropractor (Chair)

Norman Baker, Public Member

Allen Frankel, Podiatrist

Dan Houssar, Public Member

Sarah Kerwin, Chiropractor

The Discipline Committee is a statutory Committee under the *Regulated Health Professions Act*.

The Discipline Committee holds hearings of allegations of a member's professional misconduct or incompetence referred to the Committee by the Executive or Complaints Committees. If a panel of the Discipline Committee finds a member has committed an act of professional misconduct it may make orders doing any or more of the following:

- Directing the Registrar to revoke or suspend a member's certificate of registration or to impose terms, conditions and limitations on the member's certificate of registration;
- Requiring the member to appear before the Committee to be reprimanded;
- Requiring the member to pay a fine not exceeding \$35,000.00 to the Minister of Finance.
- Requiring a member to pay all or a portion of the College's costs related to the matter brought before the discipline committee.

A panel of the Discipline Committee was formed on November 8, 2005 to hear a matter regarding a member, Cameron McArthur.

The hearing consisted of an Agreed Statement of Fact and a Joint Submission on Penalty and Costs. The Panel accepted the Agreed Statement of Facts as modified. The matter related to misconduct involving inappropriate conduct.

The panel wishes members of the College of Chiropractors of Ontario to clearly be aware that the RHPA and the Government of Ontario have very strong views regarding matters which involve inappropriate conduct relating to sexual issues and that the College views any instances of inappropriate conduct relating to sexual misconduct and issues in association with a member's professional practice to be a very serious act of professional misconduct which warrants significant penalties including a potential lengthy suspension of the member's right to practice. The panel believes that any penalty must be sufficiently onerous to be a deterrent to any member who might consider acting in this fashion. Therefore, members can expect penalties to include periods of suspension, in addition to other terms and conditions.

REGISTRATION COMMITTEE

Members

Norm Baker, Public Member (Chair)
Steven Cassel, Chiropractor (Academic Member)
Mary Ann Christie, Public Member (to September 2005)
Wilhelmina Gonzales (from September 2005)
Bruce Ramsden, Podiatrist

The Registration Committee is a statutory committee under the RHPA with the mandate to consider referrals from the Registrar of applications for a certificate of registration. After considering an application for registration the committee may direct the Registrar to:

- Issue a certificate of registration;
- Issue a certificate of registration if the applicant successfully completes examinations set or approved by the committee;
- Issue a certificate of registration if the applicant successfully completes additional training specified by the committee;
- Impose specified terms, conditions and limitations on a certificate of registration of the applicant and specify a limitation on the applicant's right to apply for an order removing or modifying any term, condition or limitation imposed on a member's certificate of registration as a result of a committee proceeding; and/or
- Refuse to issue a certificate of registration.

The committee also considers members' applications for an order removing or modifying any term, condition or limitation imposed on a member's certificate of registration as a result of a Committee proceeding.

Applications for Registration

The Registrar referred one applicant to the Registration Committee pursuant to section 15(1) b of the RHPA. The committee continued the process of the applicant's request for re-instatement of the certificate of registration.

Regulation and Policy Review

The committee has deferred further review of the registration and examination regulations until possible legislative changes arising from the College of Chiropractors of Ontario agreement to move the direction of foot care in Ontario towards a podiatry model of practice.

College Entrance Examination

The Executive Committee has appointed David Shaw, Podiatrist and former College President to strike a committee to assist in preparing a College entrance examination.

PATIENT RELATIONS

Members

Norm Kew, Chiropractor (Chair)

Ray Ferraro, Public Member

Dan Houssar, Public Member

Sylvia Kovari, Chiropractor

The Patient Relations Committee is a statutory committee under the provisions of the RHPA. The role of the Committee is to advise Council regarding the College Patient Relations Program. The Patient Relations Program must include measures for prevention and dealing with abuse of patients. These measures must include:

- Educational requirements for members;
- Guidelines for the conduct of members with their patients;
- Education of College Council and staff; and
- The provision of information to the public.

The Patient Relations Committee also administers the College program on the maintenance and administration of a fund for therapy and counseling for persons, who while patients, were sexually abused by members.

FITNESS TO PRACTICE COMMITTEE

Members

Julie Levesque-DeSimone, Chiropractor (Chair)

Dan Houssar, Public Member

Meera Narenthiran, Chiropractor

The Fitness to Practice Committee is a statutory committee. The Committee holds hearings relating to a member's incapacity that has been referred to the Committee by the Executive Committee. If the Committee finds that a member is incapacitated, it must make an order directing the Registrar to do any one or more of the following:

- Revoke the member's certificate of registration.
- Suspend the member's certificate of registration.
- Impose terms, conditions and limitations on the member's certificate of registration.

There were no matters brought before the Fitness to Practice Committee in 2005.

COLLEGE OF CHIROPODISTS OF ONTARIO

**180 DUNDAS STREET WEST,
SUITE 2102
TORONTO, ONTARIO
M5G 1Z8**

TEL: (416) 542-1333

FAX: (416) 542-1666

TOLL FREE: 1 877 232-7653

E-MAIL: info@cocoo.on.ca

WEBSITE: www.cocoo.on.ca