



**College of
Chiropodists
of Ontario**

**PROFESSIONAL REGULATION
IN THE
PUBLIC INTEREST**

ANNUAL REPORT 2011

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

Robert Goldberg, Podiatrist (until October 2011)
Peter Stavropoulos, Podiatrist (from October 2011)

Elected Members

Erin Fairbanks Chiropodist
Anna Georgiou, Chiropodist (until Oct. 2010)
Robert Goldberg, Podiatrist
Jamie Maczko (from October 2011)
Ann-Marie McLaren, Chiropodist
Colin McQuistan, Chiropodist
Cesar Mendez, Chiropodist
David Roth, Podiatrist
Stephanie Shlemkevich Chiropodist
Peter Stavropoulos, Podiatrist
Ruth Thompson, Chiropodist
Dennis Walsh, Chiropodist (until June 2011)

Public Members

Donna Coyne
Khalid Daud
Sarma Donepudi
Sousan Eissabigloo
Ray Ferraro
Wilhelmina Gonzales
Esrick Quintyn

Selected Member

Cesar Mendez

Non-Council Committee Members

Melanie Atkinson
Ruth Avelino
Kaarina Gorham
Anna Georgiou
Peter Guy
David Greenberg
Jonathan Haslehurst
Martin Hayles
Andrew Klayman
John Infanti
Sarah Kerwin, Chiropodist
Sylvia Kovari, Chiropodist
John Lanthier
Cindy Lewis
Irv Luftig
Neil Naftolin
Khaliq Nizami
Barry Noble, Podiatrist
Tracy Oliver
Kim Resmer, Chiropodist
Anamelva Revoredo
Tony Zamojc, Podiatrist

College Staff

Registrar

Felecia Smith

Complaints Officer

Judy Cohen

Executive Assistant

Sheila Lefkowitz

College Advisors

Legal Counsel.....	Alan Bromstein
Legal Counsel to the Inquiries Complaints, Review Committee.....	Bernard LeBlanc
Auditor.....	Clarke Henning LLP
Government Relations.....	CG Management Group
Registration Examination.....	Dr. Dwight Harley

THE YEAR 2011 IN REVIEW**REPORT FROM THE PRESIDENT AND REGISTRAR**

The College of Chiropractors of Ontario has an important role in regulating chiropractors and podiatrists in the public interest. This past year the College had an extremely successful year as it prepared for anticipated future change and moved forward in improving its regulatory processes.

The College welcomed Mr. Jamie Maczko, chiropractor, as a new Council member and bid farewell to Mr. Dennis Walsh. Mr. Colin McQuistan, Ms. Ruth Thompson and Mr. David Roth were acclaimed to Council for a second term.

The College continued to work with Dr. Michael Beazely, Assistant Professor School of Pharmacy, Faculty of Science University of Waterloo, to assist the College in reviewing those individual members who asked that their pharmacology programs and courses be reviewed. The College also retained Dr. Beazely to undertake a study and make recommendations as to what competencies members would require in order to administer oxygen and nitrous oxide by inhalation. Based on his recommendations, the College approved a final draft Inhalation Regulation which was forwarded to the Ministry of Health and Long Term Care.

The College approved an amended and improved Registration Regulation and Professional Misconduct Regulation for circulation to stakeholders. The College's general by-law was also amended to in relation to the Executive Committee's membership structure. The Record Keeping Standard was amended and competencies relating to pharmacotherapy were approved for inclusion in the College's Profile of Competencies document. The College also amended its standard practice requiring members to be certified or re-certified in CPR at least every three years. The College also began work on an Emergency Medicine Guideline and updating of its Infection Control Standard of Practice. The College monitored the progress of the New Class of Practitioners Regulation

The Registration Examination working group, assisted by Dr. Dwight Harley, Psychometrist continued to create and complete a new College registration examination. This work was completed by the spring 2011. The College launched the written component of its new Registration Examination. In 2012, the College will assume responsibility for all components of the

examination, including the OSCE and clinical. In conjunction with this endeavour, the College updated the information it provides to applicants in relation to the Registration Examination booklet to reflect the changes to the new examination.

In preparation for the upcoming HPRAC review, the College began working with Professional Examination Services in order to complete a review of all our members' current competencies. The College also created an ad hoc Technical Advisory Committee to review the efficacy of new modalities and practice procedures and emerging practice procedures. College began worked with e-health on their diabetes provider registry project.

The College also worked with the Ministry of Health in Kingston to improve and ensure the continuous and up-to-date data feed of information regarding members.

A very sincere thank you goes out to our Council and Committee members for their commitment and dedication and to the Registrar and staff for their tireless efforts. It has been a very busy, exciting and productive year and we look forward to 2012.

EXECUTIVE COMMITTEE

Members

Bob Goldberg, President (until Oct 2011)

Donna Coyne

Khalid Daud (from Oct 2011)

Erin Fairbanks (until Oct 2011)

Colin McQuistan

David Roth (from Oct 2011)

Stephanie Shlemkevich (until Oct 2011)

Peter Stavropoulos (from Oct 2011)

Esrick Quintyn (until Oct 2011)

Dennis Walsh (until June 2011)

The Executive Committee (Committee) is a statutory committee that 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.

During the year, the Committee had 3 face-to-face meetings and met on a regular basis by teleconference. The Committee dealt with stakeholder comments relating to the proposed amendments to the Registration Regulation. Further amendments were made to the draft copy in response to stakeholder input. The Committee also continued to work on an amended Professional Misconduct Regulation. It reviewed stakeholder comments and also recommended that because a long period of time had elapsed since the draft was first circulated, that it be circulated a second time.

Pursuant to Bill 179, members of the College were given the authorized act of 'administering, by inhalation, a substance designated in the Regulations.' Dr. Beazely, Assistant Professor in the School of Pharmacy at the University of Waterloo, prepared a draft report for the College entitled 'Recommendations on standards and competencies for the Administration of Oxygen and Nitrous Oxide. Discussion also focused on what training should be required for members in order to administer inhalation. The Executive reviewed the draft report and made suggestions for amendments prior to it being presented to Council. It also approved a draft Inhalation Regulation to be recommended to Council for approval. Recommendation was made to amend the Standard of Practice so that CPR re-certification be undertaken on a 3-year basis rather than yearly.

The Committee approved terms of reference for a new ad hoc 'Technical Committee. It also recommended to Council that a draft policy dealing with the Registration Examination be approved. The Executive Committee recommended that the College continue to work with Dr. Dwight Harley not only in relation to the written component of the examination but also in relation to the OSCE and clinical components. A review began of an amended Standard of Practice dealing with orthotics

The Executive Committee recommended to Council that the services of Professional Examination Services be engaged for the purpose of conducting a competency review of all of our members. Work began on putting together a steering committee of subject matter experts who would help with the data collection. In order to ensure accurate and up-to-date data for the HPRAC review

another element to the collection was added in the form of a survey which was sent to members with their annual renewal package. The Committee began working with an expert to develop an Emergency Medicine policy.

Members of the Executive committee responded to a survey and participated in a teleconference relating to the Expert Committee on drugs at the Ministry. In order to be prepared for possible changes to the College's drug regulation, it was recommended to Council that the College's Standing drug committee be reconstituted.

The Committee accepted the proposed 2011 budget from the Registrar and recommended it be approved by Council.

QUALITY ASSURANCE COMMITTEE

Members

Anna Georgiou, Chiropodist (Chair)

Wilhelmina Gonzales, Public Member (until October 2011)

Sarma Donepudi, Public Member

Ann-Marie McLaren, Chiropodist

Cesar Mendez (from Oct 2011)

Tony Zamojc, Podiatrist

Meera Narenthiran, Chiropodist (until Oct 2011)

The primary objective of the Quality Assurance Program is to provide members of the College of Chiropodists 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 2011.

CE Log Program

The Committee completed all outstanding matters relating to those members randomly selected to participate in the 2009-2010 continuing education program.

Declaration of Completion

Members of the College are required to execute a Declaration of Completion on the Member's Annual Renewal form which states that "I have reviewed my practice and completed the Quality Assurance Self-Assessment Tool. I have created a plan to address the continued professional developmental objectives I have identified in this Self-Assessment Tool. I understand that I must retain the completed Self-Assessment Tool and Continuing Education log in my files.

Practice Assessment Program

Random Practice Assessments

A roster of members from across the province have been selected as practice assessors and have completed training which will allow them to act as practice assessors throughout the random practice assessment program. One percent of the membership is randomly selected to participate in the random practice assessments. The random practice assessments continue

throughout the year. When the assessors complete their reports, the QA committee reviews them and determines what, if any next steps are required.

Standards of Practice Revision

A practice working group continues to review the Standards of Practice. The Committee is currently updating the Infection Control Standard of Practice and the Orthotics Standard of Practice.

INQUIRIES, COMPLAINTS & REPORTS COMMITTEE

MEMBERS

Colin McQuistan, Chiropodist- Chair
Khalid Daud, Public Member (from October 2011)
Sarma Donepudi, Public Member
Erin Fairbanks, Chiropodist (from October 2011)
Barry Noble, Podiatrist
Esrick Quintyn, Public Member
David Roth, Podiatrist (from October 2011)
Stephanie Shlemkevich, Chiropodist
Ruth Thompson, Chiropodist

College Staff:

Judy Cohen, Complaints Officer

The Inquiries Complaints and Reports Committee (“ICRC”) is responsible for the investigation of complaints, as well as the approval and disposition of Registrar’s Investigations with respect to the conduct and competence of members. It is also responsible for inquiries into whether or not a member is incapacitated. As required by statute, every matter is considered by a panel of the Committee comprised of at least two professional member of the Committee and one member of the Committee appointed to the College by the Lieutenant Governor in Council. After the panel considers all of the relevant information in a matter, it renders a decision.

If either party to a complaint is dissatisfied with the adequacy of the Committee’s investigation or believes the decision is unreasonable, he or she can request a review by the Health Professions Appeal and Review Board (HPARB). The HPARB is an adjudicative tribunal under the Regulated Health Professions Act, 1991 (RHPA). Through reviews, the HPARB monitors the activities of the ICRC to ensure it fulfills its duties in the public interest and as mandated by legislation.

Activities:

At the beginning of the year there were 8 outstanding complaints, and 1 matter considered to be a Registrar’s Investigation, which were brought forward from the previous fiscal year. The College received 33 new complaints during the year and 1 Registrar’s Investigation. Of the 41 total complaint matters and 2 Registrar’s Investigation, the Committee disposed of 22 in 2011. There were 21 complaints carried over to 2012.

For the complaints that were disposed of in 2011 the issues related to Standards of Practice, Billing and Record Keeping, and Advertising. One complaint was an allegation of Incapacity.

The Panel disposed of the complaints as follows:

- Referral to the Discipline Committee- 2
- Take No Further Action-5
- Written Caution- 8. [2 were also given an Undertaking and 1 was also given Advice.]
- Frivolous and Vexatious- 1
- Withdrawn by the Panel- 6

The ICRC noted some common themes while reviewing the complaints submitted to the College. In particular the ICRC reminds members of the need to:

- Ensure that information and billing is documented accurately.
- Effectively communicate with patients in regards to all treatment and billing practices and ensure patients understand treatment options.
- Ensure all advertising adheres to the Advertising Regulations and Guidelines

DISCIPLINE COMMITTEE

Members

Meera Narenthiran, Chiropodist (Chair) (until May 16, 2011)

Susan Eissabigloo, Public Member

Ray Ferraro, Public Member

Wilhelmina Gonzales, Public Member (until October 2011)

Sarah Kerwin, Chiropodist

Peter Stavropoulos, Podiatrist

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

The Discipline Committee holds hearings into allegations of a member's professional misconduct or incompetence which has been 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.

There were no discipline cases in 2011.

REGISTRATION COMMITTEE

Members

Dennis Walsh, Chiropodist (Chair)

Donna Coyne, Public Member

Sarma Donepudi, Public Member

Esrick Quintyn, Public Member

David Roth, Podiatrist

Mandate

The Registration Committee is a statutory committee under the *Regulated Health Professions Act, 1991* with the mandate to consider referrals from the Registrar relating to 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(2)(c) of the *Regulated Health Professions Act, 1991*. The Committee ultimately directed the Registrar to issue a Certificate of Registration, General Class, to the applicant upon payment of all applicable fees. The Committee also finalized an application for reinstatement. Two other applications for reinstatement were withdrawn.

PATIENT RELATIONS

Members

David Roth, Podiatrist (Chair)

Donna Coyne, Public Member

Sousan Eissabigloo, Public Member

Sylvia Kovari, Chiropodist (non-Council member)

The Patient Relations Committee is a statutory committee under the provisions of the *Regulated Health Professions Act, 1991*. 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

Stephanie Shlemkevich, Chiropractor (Chair)

Colin McQuistan, Chiropractor

Cesar Mendez, Chiropractor

Esrick Quintyn, Public Member

Kim Resmer, Chiropractor (non-Council member)

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 2011.

COLLEGE OF CHIROPODISTS OF ONTARIO

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