



**College of  
Chiropodists  
of Ontario**

**PROFESSIONAL REGULATION  
IN THE  
PUBLIC INTEREST**

**ANNUAL REPORT 2013**

# 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

Peter Stavropoulos, Podiatrist (until Oct. 2012)

Jamie Maczko, Chiropodist (from Oct. 2012)

### Elected Members

Peter Guy

Julie De Simone

Stephen Haber (from October 2013)

Jamie Maczko, Chiropodist

Ann-Marie McLaren, Chiropodist

Colin McQuistan, Chiropodist

David Roth, Podiatrist

Peter Stavropoulos, Podiatrist

Ruth Thompson, Chiropodist

Christine Burton

Cesar Mendez

### Public Members

Donna Coyne

Khalid Daud

Sousan Eissabigloo

Ray Ferraro

Wilhelmina Gonzales

Sohail Mall (from August 2013)

### Selected Member

### Non-Council Committee Members

Melanie Atkinson

Ruth Avelino

Sally Ciona

Marcella Cowan

Spencer Farrow

Erin Fairbanks

Anna Georgiou

Kaarina Gorham

Megan Grantham

David Greenberg

Jonathan Haslehurst

Martin Hayles

Meghan Hault

John Infanti

Andrew Klayman

Sarah Kerwin

Sylvia Kovari

John Lanthier

Cindy Lewis

Suzanne Lu

Irv Luftig

Lara Murphy

Meera Narenthiran

Neil Naftolin

Khaliq Nizami

Barry Noble  
 Tracy Oliver  
 Kim Resmer  
 Anamelva Revoredo  
 Kareem Salem  
 Stephanie Shlemkevich  
 Michael Turcotte  
 Patrician Wong  
 Tony Zamojc

## College Staff

### Registrar

Felecia Smith

### Complaints Officer

Vicky Graham

Judy Cohen (until September 2013)

### 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 2013 IN REVIEW

### REPORT FROM THE PRESIDENT AND REGISTRAR

The College of Chiropodists of Ontario has an important role in regulating chiropodists and podiatrists in the public interest. This past year the College had an extremely productive year as it prepared for anticipated future changes and moved forward in improving its regulatory processes in order to serve the public.

The College welcomed Ms. Julie De Simone, Chiropodist, as a new Council member and bid farewell to Public Members Mr. Esrick Quintyn, Ms.Sousan Eissabigloo and Mr. Sarma Donepudi. The College welcomed Mr. Sohail Mall as a new public member. Jamie Maczko was re-elected President for a second year. Mr. Colin McQuistan was also re-elected Vice-President for a second year.

The College finalized its work with Professional Examination Services, a company that was reviewing our members' current competencies and preparing a gap analysis in anticipation of the HPRAC review scheduled to commence January 2014. A final report entitled 'Final Report of the Competency Assessment Project' was provided to Council and will assist with bridging programs and the updating of education if needed as a result of the HPRAC review. The College also continued its preparatory work for the review including the launch of an interactive website which will provide up-to-date information about the review.

The College consulted with members and other stakeholders in amending and finally approving an expanded and improved Infection Control Standard of Practice.

The College continued to work with the Ministry of Health and Long Term Care to finalize the Regulation dealing with Administering Substances by Inhalation and Standards of Practice. The College also engaged the services of Dr. Peter Nkansah to assist with the design of a course and examination that members will be required to successfully complete in order to be permitted to use inhalation in their practice.

The Standing Drug Committee was reconstituted. The Committee has the task of reviewing the current Drug Regulation to determine what changes and additions need to be made to the Regulation in terms of prescribing drugs and administering substances by injection into the foot. Chiropodists and podiatrists were granted expanded prescribing rights under the New Classes of Practitioners Regulations which include amendments to the Regulation existing under the Controlled Drugs and Substances Act and the Food and Drug Act.

The College confirmed with the Ministry that the College has had in place, since the establishment of the College, a by-law requiring members to carry professional liability insurance.

The College made inquiries in relation to members becoming providers under the assistive devices program in relation to ankle foot orthosis. This would result in better service for patients, especially in small communities or in Northern Ontario.

The College proposed amendments to the Fees By-law relating to fees for the College's registration examination. It also approved an amendment to the application fee to take into account those applicants who seek registration with the College and who have been educated at an institution that is not one of the approved schools.

The College was invited by the Ministry to a stakeholder meeting to deal with the review of the *Healing Arts Radiation Protection Act*, its regulation and the x-ray safety code.

The Registration Examination Working Group continued to be assisted by Dr. Dwight Harley, Psychometrist, and the ongoing updating of the data bank of examination questions. In 2013, the College launched its own OSCE component of the examination.

Council voted to discontinue the clinical portion of the examination commencing in 2013.

The College renewed its lease of premises for a further 5 year term commencing July 1, 2013.

A very sincere thank you goes out to our Council and Committee members for their commitment, dedication and hard work 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 2014.

## **EXECUTIVE COMMITTEE**

### **Members**

Jamie Maczko, President (Chiropodist)  
Colin McQuistan, Vice-President (Chiropodist)  
Khalid Daud (Public Member)  
Wilhelmina Gonzales (Public member)  
Peter Stavropoulos (Podiatrist)

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.

The Committee had 3 face-to-face meetings and met on a regular basis by teleconference.

The Executive committee recommended that Council seek input from stakeholders, including the OSC and OPMA, as to what amendments to the College's Drug Regulation would be appropriate in light of the recent Federal amendment to the legislation respecting controlled drugs and substances. The New Classes of Practitioners Regulations (NCPR) are amendments to the Regulation existing under the Controlled Drugs and Substances Act and the Food and Drug Act. Given this amendment and other deficiencies in the current list, the College's Standing Drug Committee will need to review the current list and determine what amendments need to be made. The Executive recommended final approval of the amended Infection Control Standard.

Focus began on creating a course and examination regarding inhalation to ensure members are competent to use inhalation in their practice once the Regulation is finally approved.

The Executive Committee reviewed and worked closely with Professional Examination Services to finalize its report in relation to competency. This report will assist with the upcoming HPRAC review.

The Executive recommended that the College's Registration Examination continue with the written component as well as introducing the OSCE component. The Committee recommended that the clinical component be discontinued.

A recommendation was also made to amend the application fee for all applicants to the College to take into account those applicants who have been educated at an institution that is not one of the College's approved list of out-of-province educational programs. Those applicants who attended a program not on the approved list will need to have their program approved before proceeding with their application for registration with the College.

The Executive Committee began work on amendments to the College's Health Professions Corporation by-law.

The Committee accepted the proposed 2013 budget prepared by the Registrar and recommended it be approved by Council.

## **QUALITY ASSURANCE COMMITTEE**

### **MEMBERS**

Anna Georgiou, Chiropodist (Chair)

Ann-Marie McLaren, Chiropodist

Julie De Simone, Chiropodist

Ray Ferraro, Public Member

Cesar Mendez, Chiropodist

Tony Zamojc, Podiatrist

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 2013.

### ***CE Log Program***

The Committee completed all outstanding matters relating to those members randomly selected to participate in the 2011-2012 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. The random practice assessments continue on a 2-year cycle. 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, Chair, Chiropractor (Until October 2013)

Peter Stavropoulos, Podiatrist (From October 2013)

Christine Burton, Chiropractor

Donna Coyne, Public Member

Khalid Daud, Public Member

Julie DeSimone, Chiropractor

Ray Ferraro, Public Member

Wilhelmina Gonzalez, Public Member

Neil Naftolin, Podiatrist

Barry Noble, Podiatrist

David Roth, Podiatrist

Stephanie Shlemkevich, Chiropractor

Ruth Thompson, Chiropractor

### **College Staff:**

Judy Cohen, Complaints Officer (until September 2013)

Vicky Graham, 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.

At the beginning 2013, there were 26 outstanding complaints which were brought forward from the previous fiscal year. The College received 22 new complaints during the year and 3 new Registrar's Investigations for a total of 51. Of these 51 matters the Committee disposed of 26, and referred 1 to the Discipline Committee. There were 22 complaints and 2 registrar's investigations carried over to 2014.

For the complaints and registrar's investigations that were disposed of in 2013, the issues related to Standards of Practice, Billing, Record Keeping, and Advertising.

In every complaint/Registrar's investigation, there is more than one issue. As a result, the Panel investigates each issue separately. The dispositions included: Take No Further Action and/or Offering Advice and/or giving a Written Caution and/or requiring the Member to take a Specified Continuing Educational or Remedial Program (SCERP) (Ethics Course) and/or having a practice assessment.

In addition, the Panel disposed of certain complaints as follows:

- Referral to the Discipline Committee- 1
- Oral Caution -0
- Frivolous and Vexatious- 0
- Withdrawn by the Panel-
- Signing an Undertaking

In 2013, there was 1 decision appealed to HPARB.

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 submitted to insurance companies 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

Robert Goldberg, Podiatrist (Chair) (until October 2013)  
Wilhelmina Gonzalez, Public Member (from October 2013)  
Donna Coyne, Public Member  
Khalid Daud, Public Member  
Susan Eissabigloo, Public Member (until June 2013)  
Ray Ferraro, Public Member  
Sarah Kerwin, Chiropodist (until October 2013)  
James Maczko, Chiropodist  
Anna Maria McLaren, Chiropodist  
Peter Stavropoulos, Podiatrist

The Discipline Committee is a statutory committee under the *Regulated Health Professions Act, 1991*. The Discipline Committee holds hearings into allegations of a member's professional misconduct or incompetence which has been referred to the Committee by the ICRC 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.

In 2013, a Discipline Decision from 2013 was under Appeal to Divisional Court. The ICRC made 1 referral to the Discipline Committee which was completed.

## REGISTRATION COMMITTEE

### Members

David Roth, Podiatrist (Chair)  
Ruth Thompson, Professional Member  
Donna Coyne, Public Member  
Wilhelmina Gonzales, Public Member (from Oct. 2012)

**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 4 applications for registration to the Registration Committee pursuant to section 15(2)(c) of the *Regulated Health Professions Act, 1991*. The issues dealt with included removal of terms, conditions and limitations on a Member's certificate of registration, an application for reinstatement and 2 applications dealing with the imposition of a term, condition or limitation on the Certificates of Registration relating to the obtaining of appropriate immigration authority before being allowed to engage in the practice of chiropody.

**PATIENT RELATIONS****Members**

David Roth, Podiatrist (Chair)

Donna Coyne, Public Member

Sousan Eissabigloo, Public Member (until June 2013)

Christine Burton, Selected 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**

Peter Guy, Chair

Sousan Eissabigloo, Public Member (until June 2013)

Cesar Mendez, Chiropodist (selected member)

Kim Resmer, Chiropodist (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 2013.

**COLLEGE OF CHIROPODISTS OF ONTARIO**

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