



**College of
Chiropodists
of Ontario**

**PROFESSIONAL REGULATION
IN THE
PUBLIC INTEREST**

ANNUAL REPORT 2014

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

Jamie Maczko, Chiropodist (until Oct. 2012)

Peter Stavropoulos, Podiatrist (from Oct. 2014)

Elected Members

Peter Guy

Julie De Simone

Stephen Haber (from October 2013)

Jamie Maczko, Chiropodist

Ann-Marie McLaren, Chiropodist

Colin McQuistan, Chiropodist (until October 2014)

David Roth, Podiatrist

Peter Stavropoulos, Podiatrist

Ruth Thompson, Chiropodist (until October 2014)

Public Members

Donna Coyne

Khalid Daud

Sousan Eissabigloo

Ray Ferraro

Wilhelmina Gonzales

Sohail Mall

Selected Member

Christine Burton

Cesar Mendez

Non-Council Committee Members

Ruth Avelino

Danielle Bannerman

Sally Ciona

Marcella Cowan

Spencer Farrow

Erin Fairbanks

Anna Georgiou

Kaarina Gorham

Megan Grantham

David Greenberg

Jonathan Haslehurst

Kay Hayles

Martin Hayles

Meghan Hoult

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
Elliot to
Michael Turcotte
Patrician Wong
Tony Zamojc

College Staff

Registrar

Felecia Smith

Complaints Officer

Vicky Graham (until March 2014)

Judy Cohen (March 2014 – October 2014)

Meghan Hault (from October 2014)

Executive Assistant

Sheila Lefkowitz

College Advisors

Legal Counsel.....Alan Bromstein
Legal Counsel to the Inquiries Complaints & Review Committee.....Jill Dougherty & Jordan Glick
Auditor.....Clarke Henning LLP
Government Relations.....CG Management Group
Registration Examination.....Dr. Dwight Harley

THE YEAR 2014 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.

Jamie Maczko was re-elected President for a second year. His term ended in October 2014 when Mr. Peter Stavropoulos became President. Mr. Cesar Mendez was elected Vice-President

This was an extremely busy year for the College, one of the reasons being the chiropody and podiatry review by the Health Professions Regulatory Advisory Council (HPRAC). On June 28, 2007 the Minister of Health and Long-Term Care directed HPRAC to “review issues relating to the regulation of chiropody and podiatry and provide advice as to whether and how there should be changes to existing legislation regarding these related professions. As well HPRAC was asked to include an analysis of the current model of foot care in Ontario, issues regarding restricted titles, and whether the existing limitations on the podiatrist class of members should continue. Work on this project finally commenced by January 1, 2014. The College met with over 18 stakeholders, prepared a written submission and video, kept the membership and others apprised of HPRAC’s progress and responded to 18 additional questions that were asked beyond those found in a scope of practice review.

The College gave final approval for the Spousal Patient Exemption to the Sexual Abuse Provisions found in the Health Professions Procedural Code. 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 as well as the Standards of Practice related to its use. The College 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 College continues to be in contact with the Ministry regarding its proposed amended Registration Regulation, Professional Misconduct Regulation and the Spousal Patient Exemption to the Sexual Abuse Provisions of the Code.

The annual membership fee was increased from \$1,300.00 to \$1,700.00. This was in part a result of the requirements of the HPRAC review. The Professional Corporations by-law was amended in so that the renewal date for all corporations is consistent at September 30th each year.

Council approved of the AGRE principles on transparency. The College responded to the

Minister's request outlining the current initiatives the College has in place regarding transparency. The College also outlined specific steps that will be taken to both strengthen and increase transparency.

The College's Standing Drug Committee reviewed the current Drug Regulation to determine what changes and additions need to be made to the Regulation relating to the prescribing drugs and administering substances by injection into the foot. The proposed Regulation amendments were circulated to members and other stakeholders for at least 60 days for comment. Chiropodists and podiatrists were previously 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 approved a General policy and an Accommodation policy, both relating to the administration of the College's registration examination. 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. The examination consists of a written component as well as an OSCE and is administered on a yearly basis.

The College proposed amendments to the Fees By-law relating to fees for the College's registration examination and the supplemental. 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.

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 busy, exciting and very productive year and we look forward to 2015.

EXECUTIVE COMMITTEE

Members

Jamie Maczko, President (Chiropodist) (until October 2014)

Peter Stavropoulos (Podiatrist) (from October 2014)

Colin McQuistan, Vice-President (Chiropodist) (until October 2014)

Cesar Mendez (from October 2014)

Khalid Daud (Public Member)

Wilhelmina Gonzales (Public member)

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 monitored the approval process for the Regulation dealing with the administering of substances by inhalation, proceeded to finalize the Standard of Practice dealing with inhalation and to move towards finalizing the course and examination. Each member of the College will be required to take and successfully pass the examination before being allowed to use inhalation.

The Executive Committee was involved in preparing a video and the formal submission to HPRAC and the 18 additional questions. The Executive recommended to Council the approval of amendments to the Professional Corporations by-law such that each corporate renewal will be due each year on the 30th of September, the Fees by-law relating to an increase in the fees charged to students for the registration examination including the supplemental, 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 as those applicants will need to have their program approved before proceeding with their application for registration with the College., the annual membership fee, the Spousal Patient Exemption to the Sexual Abuse Provisions of the Code and the authorization of the President and Registrar to sign the 'sealed regulation governing inhalation.

The Executive committee also recommended amendments to the College's Drug Regulation in view of the 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 reviewed the current list and determined what amendments need to be made. The Executive recommended Councils approval of the amended drugs.

The Committee accepted the proposed 2014 budget prepared by the Registrar and recommended it be approved by Council as well as the 2014 audit report.

QUALITY ASSURANCE COMMITTEE

MEMBERS

Anna Georgiou, Chiropodist (Chair)

Khlalid Daud (from October 2014)

Sohail Mall (from October 2014)

Ann-Marie McLaren, Chiropodist

Julie De Simone, Chiropodist

Ray Ferraro, Public Member (until October 2014)

Cesar Mendez, Chiropodist

Millicent Vorkapich-Hill (from October 2014)

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 2014.

CE Log Program

The Committee completed all outstanding matters relating to those members randomly selected to participate in the 2013-2014 continuing education program. This included a review of the members' CE submission and a decision as to whether or not it met the College's CE requirements.

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 was selected as practice assessors and completed training which allows 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. The QA Committee completed their review of the assessment reports that were conducted during this cycle

Standards of Practice Revision

A practice working group continues to review the Standards of Practice. The Committee completed a revision of the Infection Control Standard of Practice and the Orthotics Standard of Practice.

INQUIRIES, COMPLAINTS & REPORTS COMMITTEE

MEMBERS

Peter Stavropoulos, Podiatrist - Chair
Christine Burton, Chiropodist
Donna Coyne, Public Member
Khalid Daud, Public Member
Adrian Dobrowsky, Chiropodist (non-Council member), (from October 2014)
Julie DeSimone, Chiropodist
Ray Ferraro, Public Member
Wilhelmina Gonzalez, Public Member
Sohail Mall (from October 2014)
Colin McQuistan, Chiropodist (until October 2014)
Neil Naftolin, Podiatrist
Barry Noble, Podiatrist
Nat Rave, Chiropodist, (non-Council member) (from October 2014)
David Roth, Podiatrist
Stephanie Shlemkevich, Chiropodist, (non-Council member)
Barbara Sliwa, Chiropodist, (non-Council member), (from October 2014)
Ruth Thompson, Chiropodist
Eddie Yuen, Podiatrist (non-Council member),(from October 2014)

College Staff:

Vicky Graham (until March 2014)
Judy Cohen (March 2014 – October 2014)
Meghan Hoult (from October 2014)

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.

The College received 47 new complaints during the year and conducted 7 Registrar's investigations, for a total of 54. Of these 54 matters the Committee disposed of 15, and referred 4 to the Discipline Committee. There were 35 complaints and 3 Registrar's investigations carried over to 2015.

For the complaints and registrar's investigations that were disposed of in 2014, 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 2014, there were 4 decisions appealed to HPARB – 2 were withdrawn, 1 decision was confirmed by HPARB and the other decision is still pending.

DISCIPLINE COMMITTEE

Members

Wilhelmina Gonzalez, Public Member, Chair

Christine Burton (from October 2014)

Donna Coyne, Public Member

Khalid Daud, Public Member

Julie DeSimone (from October 2014)

Ray Ferraro, Public Member

Stephen Haber (from October 2014)

John Infanti (from October 2014)

Grace King, Public Member (from October 2014)

John Lanthier, Podiatrist (non-Council member), (from October 2014)

James Maczko, Chiropodist

Cesar Mendez, Chiropodist (from October 2014)

Sohail Mall, Public Member

Anna Maria McLaren, Chiropodist

Agnes Potts (from October 2014)

Peter Stavropoulos, Podiatrist

Millicent Vorkapich-Hill, Podiatrist (from October 2014)

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 2014, the ICRC made 1 referral to Discipline. Two discipline hearings also took place.

REGISTRATION COMMITTEE

Members

David Roth, Podiatrist (Chair) (until October 2014)

Jamie Maczko (from October 2014)

Christine Burton (from October 2014)

Stephen Haber (from October 2014)

John Infanti (from October 2014)

Ruth Thompson, Chiropodist (until October 2014)

Donna Coyne, Public Member

Wilhelmina Gonzales, Public Member

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 issue dealt with was the imposition of a term, condition or limitation on the Certificate of Registration for these applicants who must meet the requirement found in s.4.(1) 5 of the Registration Regulation: "The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the Immigration and Refugee Protection Act (Canada) to practice the profession in Canada."

PATIENT RELATIONS

Members

David Roth, Podiatrist (Chair) (until October 2014)

Christine Burton, Selected Member

Donna Coyne, Public Member

Sylvia Kovari, Chiropodist (non-Council member)

Sohail Mall, Public 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, Chiropodist, Chair

Donna Coyne, Public Member (from October 2014)

Wilhelmina Gonzales, (from October, 2014)

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 2014.

COLLEGE OF CHIROPODISTS OF ONTARIO

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