

COLLEGE OF CHIROPODISTS OF ONTARIO

Draft Minutes

Meeting of the Council of the College of Chiropractors of Ontario

180 Dundas Street West

19th Floor Boardroom

Toronto, Ontario

Friday, October 27, 2017

9:00 a.m. - 3:00 p.m.

Present

Professional Members

Ed Chung

Julie DeSimone

Adrian Dobrowsky

Matt Doyle

Stephen Haber

Martin Hayles

John Infanti

Sasha Kozera

Jamie Mandlsohn

Tony Merendino

Millicent Vorkapich-Hill

Public Members

Donna Coyne

Jim Daley

Grace King

Winnie Linker

Aladdin Mohaghegh

Agnes Potts

Regrets:

Pete Guy

Sohail Mall

Staff: Felecia Smith, Registrar and CAO

Legal Counsel: Alan Bromstein & Sarah Yun

Observers:

Bruce Ramsden, OPMA

Guests:

Don Gracey

****THE AGENDA ITEMS MAY NOT NECESSARILY BE DEALT WITH IN THE ORDER THEY APPEAR****

The Registrar opened the meeting. She introduced the three new Council members, Matt Doyle (District 3), Winnie Linker (Public Member) and Aladdin Mohaghegh (Public member). They each introduced themselves to Council and provided a short biography. The Registrar welcomed these new members to Council.

The Registrar reported that there was an election in Districts 3 and 4 this year. Martin Hayles was acclaimed to Council for a second term as the chiropodist member in District 4 and Mathew Doyle was acclaimed for his first 3-year term as the chiropodist member in District 3. In relation to the podiatrist member, there was an election in Districts 3 and 4, combined District 3, for a podiatrist member of Council. No member came forward. The College sent out a second call for nominations and no member came forward. The College then sent a letter to all podiatrist members in Ontario and Millicent Vorkapich-Hill put her name forward.

Part 3

5. For Decision

5.1 Appointment

Podiatrist Member - District 3 & 4

The Executive Committee recommended that Ms. Vorkapich-Hill be re-appointed for a second 3-year term to Council.

Motion

**THAT Council re-appoint Millicent Vorkapich-Hill as a podiatrist member for Districts 3 and 4
CARRIED UNANIMOUSLY**

The Registrar advised Ms. Vorkapich-Hill that she had been unanimously voted back on to Council for a second term.

5.2 Election of President and Vice-President

There was an election for the position of President of the College. Mr. Martin Hayles and Ms. Vorkapich-Hill were nominated. Ms. Vorkapich-Hill was elected President.

MOTION

Moved by: Tony Merendino

Seconded by: Agnes Potts

**THAT Council appoint Felecia Smith and Alan Bromstein as election scrutineers
CARRIED UNANIMOUSLY**

There was an election for the position of Vice-President of the College. Mr. Stephen Haber and Mr. Martin Hayles were nominated for the position of Vice-President. Mr. Martin Hayles was elected Vice-President

5.3 Election of Remaining Positions on Executive Committee

Mr. Pete Guy, Mr. Tony Merendino and Mr. Stephen Haber were nominated for the position of third member of the Executive committee. The successful candidate must receive the majority of the votes cast. If they do not, the person with the lowest number of votes cast comes off the list. There was no winner or loser on the first ballot. Mr. Stephen Haber came off the next ballot. On the second ballot, Tony Merendino was elected for a second term as a professional member of the Executive Committee. Mr. Jim Daley was acclaimed as a public member to the Executive Committee for a second term. Agnes Potts was acclaimed as a public member to the Executive for her first term.

MOTION

MOVED BY: Jim Daley

SECONDED BY: Tony Merendino

THAT Council destroy the election ballots.

CARRIED UNANIMOUSLY

The Registrar handed the Chair back to Ms. Vorkapich-Hill, President....

Part 2

1. Update and Discussion

4.1 Proposed Changes to the Chiropractic Model in Ontario – Update

Mr. Gracey was present. Over the last number of weeks, CG has had discussions at basically every level of government, including with the Premier. Mr. Gracey indicated he is very encouraged. We may be on the cusp of actually accomplishing what this College has been trying to do for a very long time. There was discussion of next steps.

3. Approval of the Minutes of June 23, 2017 Meeting

There were a number of minor corrections that were addressed in the minutes prior to the meeting. A revised amended copy was sent to Council members prior to the meeting.

MOTION

Moved by: Agnes Potts

Seconded by: Jim Daley

THAT Council approve the minutes of the June 23, 2017 meeting of Council, as amended.

CARRIED UNANIMOUSLY

Part 2

4. For Discussion

4.2 Public Health and Infection Control

(i) Meeting in July – Sasha Kozera

There have been two meetings of this group which has looked at reprocessing as well as the core criteria for clinical office practice. These are living documents – Public Health (PH) has updated 10 new protocols. PH understands that it might take a few years for the average practice to make these changes. The purpose of the working group is to determine the best way for PH to share information with the membership of the various Colleges. PH indicated that there is no threshold for a complaint. If they receive one, they will investigate. Their checklists considers all foot care instruments as needing sterilization.

The Registrar reported that similar to the Royal College of Dental Surgeons which has met with Public Health and developed a more specialized checklist, our College intends to do the same. The Registrar has already reached out to Public Health. The purpose of the meeting will be to try to sort out the gap between our standard of practice and their checklists and eventually, this checklist will become integrated into the College's Standard if changes are made.

(ii) Responses to Questions to Regulatory Colleges [see item 5.10 below]

4.3 August Financial Report - Jim Daley

Mr. Daley reported that the College's financial affairs are well managed and in order. It appears that the College should have a healthy surplus and it will be greater than what was budgeted. The Registrar also indicated that at the end of August, there was still \$77,000 remaining for general and legal fees. We may need to top up our sexual abuse therapy fund and we need to discuss how we budget for discipline and ICRC going forward.

4.4 Acupuncture Course

This was a request from the OSC to approve the course outlined in the Council binder. Members are allowed to do acupuncture if they have met the standards and qualifications set by the College and if they do so, it must be in accordance with the standard of practice and within the scope of practice of chiropody. The Executive committee felt that because we do not have a standard of practice and in reviewing the course outline, they were not prepared to say that the course was adequate to allow someone to practice. They felt that the College could not take any position until we had approved a standard of practice or had adopted someone else's standard. In contrast, chiropractors must take 200 hours of formal training. The College of Traditional Chinese Medicine had organized a meeting a few years back where they invited all the Colleges whose members are allowed to use acupuncture to attend. The purpose was to develop one standard of practice. There was one meeting and nothing further happened.

The OSC is planning to offer the course in January 2018. Acupuncture is not one of our authorized acts. However, members are able to do it if they meet the qualifications and standards of the College and currently there are none. The question is whether we want to communicate with members that in the absence of the College setting qualifications and standards that members ought not to be performing acupuncture unless they are authorized to do so under another College such as the College of Traditional Chinese Medicine. There has not been a lot of requests for the standard.

MOTION

Moved by: Mr. Daley

Seconded by: Ms. King

THAT the College advise members that they ought not to be performing acupuncture in the practice of chiropody unless and until the qualifications to do so are approved by the College and the College determines the appropriate standards for use of acupuncture in chiropody.

CARRIED UNANIMOUSLY

The Executive committee should survey the membership in terms of interest in using acupuncture in their practice and then bring back a recommendation to Council as to whether or not there should be a standard prepared.

4.5 Canadian College of Foot Health

The Registrar reported that amongst other things, this group stated on their website that they were accredited by Health Canada which they were not. The College informed Health Canada and Health Canada reached out to this 'college' to advise them that was completely incorrect. This information has now been removed from their website. The only way the 'college' can contact them is through their legal counsel. Council decided that no further action will be taken in relation to this group.

4.6 Incentives – Follow up

The Registrar reported that the list of Colleges and whether they allow incentives found at Tab 8 of the Council binder is for information purposes only. It follows from an earlier discussion at a Council meeting about incentives being given out in Sudbury.

4.7 Approval of Academic programs not on approved list for purposes of registration - suggested new process

The Registrar brought this matter forward. She indicated that when applicants from outside of Ontario apply to the College and their educational program is not on our approved list, Dr. Beazely has compared the international or out-of-province candidates to the Michener program. The question is whether these applicants should be sent to a third party organization to have their program reviewed. This would be done separate and apart from the college. When the applicants apply to the College, they would include a report from this third party provider regarding their program of study. In many ways this would make things easier for the College and any costs related to the review would be fully borne by the applicant. The Executive Committee felt that the College ought not to pursue this new route because other Colleges have found that the reports indicated equivalency in programs that were later found not to in fact be equivalent. When the new registration regulation is approved, the Committee will approve the courses, not Council. It was decided to leave the current process in place for the interim.

Part 3

5. For Decision

5.5 By-law Amendments

By-law No. 5

The College received no comments from stakeholders.

Recommendation

THAT council approve By-law No. 5 as set out in Appendix 10.

CARRIED UNANIMOUSLY

By-law No.1

The College received no comments from stakeholders. This amendment relates to the general by-law which are consequential amendments that are needed as a result of the standard of practice for

inhalation. An example of an amendment is the creation of the sedation committee that will oversee certain aspects of the inhalation certificate. The amendments are found at Tab 10, pages 175-176.

Recommendation

THAT Council approve amendments to By-law No. 1 effective immediately as set out in Appendix 10, Articles 23.3.01 and 23.2.02 and to add paragraphs 24 and 25 to Article 42.06.

CARRIED UNANIMOUSLY

By-law No. 2

The College received no comments from stakeholders. This amendment relates to the fees by-law. In order for the College to charge fees for the certificate and related matters, By-law No. 2 must be amended.

Recommendation

THAT Council approve amendments to By-law No.2, Fees, effective immediately as set out in Appendix 10 to add a definition of an inhalation certificate as Article 1.01 and to add Articles 4.1.01, 4.1.02 and 4.1.03

CARRIED UNANIMOUSLY

5.6 Guideline for Extraosseous Subtalar Joint Implant Procedure

Ms. Vorkapich-Hill suggested that the following amendments be made under part 2. Guideline:

- ii. While performing the ESJIP, a member must:
 1. use Stents that are authorized by Health Canada.
 2. take pre-operative radiographs **or conduct fluoroscopic examination** of the foot and ankle to assess for patient suitability and screen for potential complications.
 3. conduct intra-operative fluoroscopic **or radiograph examination** of the placement of the implant and confirm using a post-operative radiograph.

In the footnote the word 'medicine' is missing from Doctor of Podiatric.

Recommendation

THAT Council approve the guideline entitled Extraosseous Subtalar Joint Implant Procedure as set out in Appendix 11, as amended, effective immediately

CARRIED UNANIMOUSLY

5.4 Formation of Statutory Committees

When the draft committee structure was circulated to Council, one addition was noted - Mr. Tony Merendino should be added under selected members to the Strategic Planning and Registrar's Performance and Compensation Committee. The Registrar asked whether the HPRAC referral committee should continue since we are way beyond the actual referral.

MOTION

Moved by: Tony Merendino

Seconded by: Julie DeSimone

THAT Council delete the HPRAC Referral Committee membership

CARRIED UNANIMOUSLY

MOTION

Moved by: Agnes Potts

Seconded by: Grace King

THAT Council approve the composition of the committees as set out in the document circulated to Council today, as amended.

CARRIED UNANIMOUSLY

5.7 Review of the Standards of Practice*

Recommendation

THAT Council approve amendments to the College's standards of practice for Administration of Injectable Substances as set out in Appendix 12, effective immediately.

CARRIED UNANIMOUSLY

Recommendation

THAT Council approve amendments to the College's standards of practice entitled Assessment and Management as set out in Appendix 12, effective immediately

CARRIED UNANIMOUSLY

Recommendation

THAT Council approve amendments to the College's standard of practice entitled Competence as set out in Appendix 12, effective immediately

CARRIED UNANIMOUSLY

5.8 New Database – Response to the Request for Proposals

The College's IT person, Janice Carson-Golden, helped us compare the two proposals we received to ensure we were comparing apples with apples. This was especially important since there is an enormous price difference. Antidote's response was much more specific to our proposal. Both companies could perform the tasks including online registration, management of members' files, complaint, and quality assurance. However, the difference in proposed costs to do so is enormous. The cost of per unit assistance from Janice as project manager and after supports is considerably lower than it would otherwise be if we used Adoxio's manager. There is no relationship between Visual Antidote and Janice. She knows them through her work with the College of Respiratory Therapists and has worked with the IMIS software for years. Eight or nine other Colleges use the same IMIS software. The annual software fee for Adoxio is nearly \$34,000.00 and for Antidote, not even \$10,000. This includes the annual software updates.

MOTION

Moved by: Grace King

Seconded by: Donna Coyne

THAT the Registrar be authorized to negotiate a contract with Visual Antidote acceptable to the Executive Committee to obtain a new database for the College.

CARRIED UNANIMOUSLY

The Registrar indicated that we budgeted \$100.00.00 this year for a new database and have not used any of those monies.

5.9 Mercer Report

One of the important impetuses for this report was to put in place an emergency plan if the Registrar was unable to continue her duties for a period of time. Mr. Bromstein pointed out to the Executive that the report was not really helpful because our College is so small with so few permanent staff that there is not

anyone who could be backup for the Registrar. The bylaws specifically provide what happens in the event that the Registrar cannot perform and it provides that the Executive Committee appoints an acting Registrar. In the past, colleges have gone out and found individuals who were previous Registrars of other colleges to work on a temporary basis. That is in our by-laws which Mercer did not look at. This is a stock report which did not deal with the circumstances of our College. The first call the Executive would make would be to their lawyers to put them in touch with an interim Registrar or a proper HR firm to do a search. Without the Registrar, there would be no investigations or complaints process. If you are replacing the Registrar, you would do a search.

There is also a request to conduct a marketplace benchmark. There was a question of how often this needs to be done. The Registrar advised that the Federation used to do this type of survey strictly for the Registrars. By going back to Mercer's, they should already have the information ready and not have to start from scratch.

MOTION

Moved by: Jim Daley

Seconded by: Donna Coyne

THAT Council authorize the expenditure of \$10,000 to obtain a benchmark report if the Executive Committee is satisfied that the information will assist Council in its yearend review of the Registrar relating to her compensation.

CARRIED UNANIMOUSLY

5.10 Responses to Questions to Regulatory Colleges [see agenda item 4.2, p.56]

These are questions from the IPAC working group. The Practice Working Group responded to the questions. The Executive reviewed them and were fine with the response. They were forwarded to public health with the caveat that if Council does not agree with the responses or wants to change anything that we will advise them.

MOTION

Moved by: Tony Merendino

Seconded by: Julie DeSimone

That Council approve the responses provided by the College to Public Health Ontario as set out in tab 4 of the agenda material.

CARRIED UNANIMOUSLY

Part 4

6. Other Statutory Committee Reports

(Available from committees that have met since the last meeting of Council)

6.1 ICRC – Millicent Vorkapich-Hill

The Registrar indicated that there are more new complaints than what is listed in the report.

6.2 Discipline – Cesar Mendez

There is nothing to report since the last Council meeting.

6.3 Quality Assurance - Anna Georgiou

There is a meeting scheduled for November 16, 2017 to review the random practice assessment reports.

6.4 Registration - Tony Merendino

There is nothing to report since the last Council meeting.

Part 5

7. Working Group Reports

7.1 Practice Working Group [Anna Georgiou]

7.2 Registration Examination – [Stephanie Shlemkevich & Meghan Hault]

Mr. Hayles reported that at the last committee meeting, they reviewed the last set of requirements for the OSCE portion of the exam. They also reviewed the questions on the multiple choice portion of the exam, removing and modifying the problem questions and began preparing for the 2018 exam.

7.3 HPRAC Referral Committee – (see agenda item 4.1 above) Peter Stavropoulos & Jamie Maczko

7.4 Standing Drug Committee [no report]

The Registrar indicated that she regularly asks the Ministry what is happening with the drug regulation and the same response comes back – they are continuing to review it from a policy perspective. Because the College is currently asking government for big changes, we need to be careful how we approach the amendments to the drug regulation.

7.5 Strategic Planning and Registrar’s Review and Compensation Committee

Please refer to items 5.8 and 5.9

8. In Camera Session [there was no in camera session]

9. Next Meeting

9.1 Items for Agenda – Next Council Meeting

9.2 Next Meeting Date – February 23, 2018

10. Adjournment

Motion to Adjourn

Moved by: Stephen Haber

The meeting be adjourned

CARRIED UNANIMOUSLY