



COLLEGE OF CHIROPODISTS ONTARIO

PUT YOUR BEST FOOT FORWARD

NEWSLETTER ~ SPRING ~ 2013



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## A MESSAGE FROM YOUR REGISTRAR Felecia Smith LL.B

It is a very busy and exciting time at the College. We continue to prepare for the HPRAC review and equally important, fulfil our regulatory mandate. I want to personally thank the many members of the College who have assisted with many matters including the HPRAC Working groups, the Registration Examination Committee, the first ever College OSCE Examination, our Quality Assurance random practice program, compliance follow up for ICRC matters, the Practice Working Group and Standing Drug Committee and all our members who have responded to our surveys. I would be remiss in not acknowledging the ongoing time commitment, thoughtful decision making and leadership of our Council members. Without the collaborative effort of all our members, the College's goals would be much more difficult to achieve. I have received many positive comments about the work of the College and I see a renewed interest and support for the initiatives and undertakings of the College. I personally would like to thank everyone who has taken time out of their personal and professional lives to assist. When asked to help out, it is rare that a person refuses. I am personally thrilled with this new vigour and focus. We have positively accomplished many things and as we move forward, we will continue to work together to achieve even more.

Have a very happy and safe summer.



**This edition of the College's newsletter will be the final one sent in paper copy. On a going forward basis, the newsletter will be sent electronically. Please remember to notify the College of any change to your e-mail address.**

### Amendments to the Infection Control Standard

College Council asked the Practice Working Group to review and make the necessary amendments to the College Standard of Practice on Infection Control. Following the mandate of the College's Practice Working Group, the Committee is very pleased to inform all members of the completion of amendments to the Infection Control Standard of Practice.

The review of this Standard has been a challenging endeavour. The committee was required to review this standard to ensure that our members are practising to the highest level of Infection Control required for health care professionals in clinical

settings as per the current scientific knowledge of infection transmission and disease process.

The committee members extensively reviewed relevant and current infection control practices and measures to update the standard. Submissions and various input was received from our members, Toronto Public Health, commercial industry, and other stakeholders. All the feedback was considered by the committee and many suggestions were incorporated into the current document.

After several presentations to College Council, the Infection Control Standard was amended and modified and received final Council approval at its meeting on March 1, 2013.

I would like to thank all our members and stakeholders for the helpful and valuable suggestions, the committee members for all their hard work, and our Registrar for coordinating the information for this project.

The new Infection Control Standard, 2013 meets or exceeds all the currently required practices for Infection Control in a clinical setting for our profession. This not only protects patients, but also members and clinical staff.

**Each member must review this document to ensure that all the requirements are being met within their clinical setting, especially with respect to sterilization/reprocessing. Please note the mandatory use of biological indicators as well as the instrument wrapping protocols. Also note that blades are single use only, as indicated by the manufacturer, and must be disposed safely after each patient treatment.**

Thank you again for your co-operation and assistance on this very important task.

Anna Georgiou, Chair, Practice Working Group

Committee Members:

Peter Guy

Cindy Lewis

Neil Naftolin

Karl Nizami

Anamelva Revoredo

**The amended Standard of Practice for Infection Control is found as Appendix I to this newsletter.**

## Practising Through a Health Profession Corporation (“HPC”)

...From the College website:

“As a result of amendments to the *Regulated Health Professions Act (RHPA), 1991* (including regulations), the Health Professions Procedural Code and the *Business Corporations Act (BCA)*, regulated health professionals are permitted to incorporate for the purpose of practising a health profession, providing they obtain a Certificate of Authorization from their respective health profession College:

Where the practice of a profession is governed by an Act, a professional corporation may practise the profession if:

- (a) That Act expressly permits the practice of the profession by a corporation and subject to the provisions of that Act; or
- (b) The profession is governed by an Act named in Schedule 1 of the Regulated Health Professions Act, 1991, 67.

Regulation 39 to the *Regulated Health Professions Act* outlines the requirements for establishment and renewal of a HPC. The provisions outline the conditions and requirements that must be met in order to obtain a Certificate of Authorization from the College and include:

- All of the issued and outstanding shares of the corporation shall be legally and beneficially owned, directly or indirectly, by one or more members of the same profession, who hold a certificate of registration issued by the College;
- All officers and directors of the corporation must be shareholders of the corporation;
- The articles of the professional corporation must provide that the corporation cannot carry on a business other than the practice of the profession governed by the College and activities related to or ancillary to the practice of the profession;
- The name of the corporation must include the words "Professional Corporation" or "Société professionnelle" in one continuous phrase and comply with the rules respecting the names of professional corporations set out in the regulations and with the rules respecting names set in the regulations or by-laws under the Act governing the profession.

An example of an acceptable name of a corporation:

Member’s Last Name Chiropody Professional Corporation

Member’s Last Name Podiatry Professional Corporation

College’s General By-law in relation to Health Professional Corporations:

(5) Every member of the College shall, for every professional corporation of which the member is a shareholder, provide in writing the following information on the application and annual renewal forms for a certificate of authorization, upon the written request of the Registrar within 30 days and upon any change in the information within 30 days of the change:

- (a) The name of the professional corporation as registered with the Ministry of Consumer and Business and Services,
- (b) Any business names used by the professional corporation,
- (c) The name, as set out in the register, and registration number of each shareholder of the professional corporation,
- (d) The name, as set out in the register, of each officer and director of the professional corporation, and the title or office held by each officer and director,
- (e) The principle practice address, telephone number, facsimile number and email address of the professional corporation,
- (f) The address and telephone number of all other locations, other than residences of clients, at which the professional services offered by the professional corporation are provided, and
- (g) A brief description of the professional activities carried out by the professional corporation.

There is a “Professional Corporation” tab on the College website that has additional information you may need as well as application forms. The College currently has 72 Certificates of Authorization for a Health Professional Corporation registered with the College.

### **Registration Examination**

The College’s Registration Examination consists of a written and an OSCE component. The written component of the exam took place on May 30, 2013 and the OSCE on May 31, 2013. This was the first year that the College administered its own OSCE examination. The College wishes to acknowledge and thank those members who acted as examiners for the OSCE as well as the members of the Registration Examination Committee. The latter group has been working diligently so that the College is proud to advise that it has its own Registration Examination. The College would like to specifically thank Ms. Erin Fairbanks and Ms. Stephanie Shlemkevich, the co-chairs of the Registration Committee. Their dedication, time commitment, determination and perseverance was critical to the success of this project.

### **Inhalation Regulation**

The College continues to work with the Ministry to ensure that the College’s Inhalation Regulation is finally approved. The College is investigating an education program that would assist our members to meet the requirements in the proposed Regulation. Until

such time as the Regulation has been approved and passed by the government, members are reminded that they are not allowed to use inhalation in their offices.

### eHealth Electronic Records Project

eHealth Ontario and the College have been working together toward the goal of using information technology to improve health care in the province. This relationship has focused on improving provider care and patient outcomes by using information technology tools and ehealth services to create and deliver electronic health records (EHRs) in support of the Ministry of Health and Long-Term Care's (MOHLTC) health strategy. All colleges that regulate health care professionals are being solicited to participate in the eHealth Ontario Provider Registry. The goal is to have all health care providers that are regulated by a college contained in the Provider Registry. The planned roll out of electronic health records for Ontarians is by 2015. The provider registry is the first consolidated repository of health care provider information from authorized sources. It ensures data privacy and security, enhances patient care by enabling electronic communications between providers and supports health information custodians (HICs) with 24/7 access to eHealth Ontario's solutions.

The importance of including data from our College is essential to the success of the Provider Registry. To ensure that accurate and complete information is used to improve patient care, safety and access, eHealth Ontario has leveraged member information from the College to populate the provider registry. The information that has been provided is only that which is in the public domain, is found on the College's website and is a matter of public record.

A brief update on a few eHealth Ontario initiatives is included for your reference.

1. The **drug profile viewer (DPV)** is a secure, Internet-based application that provides authorized health information custodians across the province with prescription drug claim information of 2.6 million Ontario Drug Benefit (ODB) and Trillium Drug Program (TDP) recipients. The DPV system is operational in all hospitals in Ontario and providing value on a daily basis.
2. Laboratory test results are now available to health care providers at The Ottawa Hospital, as well as 11 hospital sites in the Grey and Bruce counties through the Ontario laboratories information system (OLIS). OLIS connects hospitals, community laboratories, public health laboratories and other health care providers to allow the exchange of secure electronic laboratory test results. The ability to electronically share this information helps providers make faster and more informed decisions about patient care.

3. eHealth Ontario provides funding and other support to community-based health care providers to adopt electronic medical record (EMR) systems. EMR systems allow doctors and clinicians to collect, store and share patient health records electronically. The majority of health information is collected in physicians' offices. The ability to electronically exchange information between physicians and other health care providers will allow for enhanced patient care safety.

For more information on eHealth Ontario initiatives you can visit their website at [www.ehealthontario.on.ca](http://www.ehealthontario.on.ca).

### **Possible Amendments to the Healing Arts Radiation Protection Act (HARP)**

The Ministry of Health and Long-Term Care is undertaking a preliminary review of the *Healing Arts Radiation Protection Act* (HARP Act). They are in the early stages of their review as they are currently gathering data from stakeholders. The results of a survey that was sent to select entities, including the College, will further inform the Ministry's review of the HARP Act. A follow up meeting with stakeholders will take place in mid-August. The Ministry has advised that it has not yet been determined what, if any, changes might be necessary to the legislation, regulation, or policies.

### **Amendments to the College's Drug Regulation - Standing Drug Committee**

The Standing Drug Committee has begun to review the current Drug Regulation and to make suggestion to Council for expansion of the drug list. The Committee wishes to thank all the members as well as the OSC and OPMA for taking the time to recommend to the College the drugs or substances that should be added to the drug list. The submissions that were received were well thought out and supported. The Committee is reviewing every suggestion and will bring back suggested amendments to Council at their October meeting.

### **Narcotics Legislation**

The New Classes of Practitioners Regulations (NCPR) lists possible drugs that can be added to our Drug Regulation under the Controlled Drugs and Substances Act and the Food and Drug Act. **The Committee will be reviewing these drugs and will determine which drugs, if not all those that are listed, should be included with the other amendments to the Drug Regulation.** There are some drugs that are included and others that are excluded from the federal Act. The College will also have to determine what training programs will be necessary for people to be able to prescribe those drugs.

There is always the question as to whether or not additional training will be necessary each time a new drug is added to the Regulation. While it will be up to the College to determine whether or not more training is necessary, it is the responsibility of every member who has the privilege to prescribe to ensure that s/he has the requisite knowledge, skill, and training do so. . The thrust of these amendments to the



Regulation will be to assist you the member to be able to practice more effectively and advance the public interest.

**Therefore, until such time as the Drug Regulation is amended and approved by government, members are reminded that they can only prescribe those drugs or inject those substances that are on the current list. This does not include any of the drugs that were recently included in the New Classes of Practitioners Regulations (NCPR) under the Controlled Drugs and Substances Act and the Food and Drug Act.**

### **Preparing for the HPRAC Review**

The most up-to-date information relating to all aspects of the HPRAC review can be found on the HPRAC Review portal. Members are reminded to visit the portal regularly for new information. The College would also like to remind everyone to complete the online survey monkey by July 31, 2013. Approximately 480 members completed the survey in February 2013. Results of that survey will be available after the next Council meeting that is taking place on October 18, 2013.

### **Results of the Spring Election**

#### ***Chiropodist Members***

District 1 – - Ann –Marie McLaren acclaimed for a second 3 year term

District 2 – Jamie Maczko acclaimed for a second 3 year term.

#### ***Podiatrist Member***

District 1 & 2 – No podiatrist member having come forward, a second call for nominations has been sent out ads required by the College’s by-law.

### **Public Register**

#### s. 42.06 Registration Numbers Displayed on College’s Website

A number of members have approached the President because they were concerned that because their registration numbers are publicized on the website. They believed that it is easier for people to promote fraud by using their number. Most Colleges publicize members’ registration numbers.

According to the College’s General by-law:

- s. 42.06 In accordance with the authorization provided by paragraph 14 of subsection 23(2) of the Code and subject to Article 41.07, the following additional information shall be kept in the register of the College:

## 2. Each member's certificate of registration number.

Members are also reminded that they must take responsibility in protecting their registration number in their practice. It is important to know and trust front line staff. A member must always need to be aware of exactly what billings are being sent out in your name and ensure that they properly and accurately reflect the services provided.

### Cautions & ICRC – Toronto Star Article

An article appeared in the Toronto Star dealing with the powers of the Investigations, Complaints and Reports Committee (ICRC) to issue CAUTIONS. A caution ordered by the ICRC can be either written or oral. A written caution is stronger than simply 'offering advice'. An oral caution requires a member who is the subject of a complaint or investigation to attend before a Panel to receive an admonition. It is a stronger message of concern, given the fact a member is required to face his peers. In both cases, the caution is recorded internally at the College and not accessible by the public.

The series of articles that appeared in the Toronto Star was pushing the Ministry of Health to make the cautions part of the public register so that they are available to the public. The Ministry took the position that there is sufficient flexibility in the provisions of the Regulated Health Procedural Code to include cautions as part of the public register and thus available to the public and on the College's website.

Once on the register, the next question is how long should it should remain on the register? Any decision in this area must center on fairness to all concerned and what is in the public interest. Once a caution becomes public, there is an argument that it has becomes more punitive than remedial. The public will agree that it is information that it should have in order to make an informed choice about a health care provider. The College continues to discuss this matter.

### **ICRC**

Very often, **Advertising Complaints** are brought to the attention of the College. As noted in previous newsletters, advertising regulations and guidelines can be found on the College website. Incentives such as free initial assessments, free shoes, coupons, and other enticements are prohibited.

The **Orthotic Standard of Practice** describes in detail each component in the process that is necessary to ensure that the correct approach, procedure and follow-up with patients is undertaken when prescribing, fitting and dispensing orthotics. It is each member's responsibility to ensure that they are familiar with this Standard and that their practice meets the criteria. You can reference the Orthotic Standard on the College website.

**Building a website** can be problematic especially if you hire a US based company to design it for you. Please note that it will most likely contain references to the protected title 'podiatrist', use of the title Dr. and references to surgical procedures that are not within the 'authorized acts' for chiropractors. Please review your website for any such inclusions prior to its anticipated launch.

### **Remember...**

It is your responsibility to ensure that all communications and advertising to the public or other health care professionals accurately conveys your education, training and credentials and uses terminology that reflects consistency among health professionals. One example that has been brought to the College's attention is the misapplication of the term 'Residency' (training) when an upgrade course has been taken by a member that is not a truly accredited or recognized residency program. The College's Professional Misconduct Regulation says that "An advertisement with respect to a member's practice must not contain anything that is false, misleading or self-laudatory."

### **Discipline Proceedings**

*The Discipline Committee of the College holds hearings into allegations of professional misconduct and/or incompetence. Full proceedings of a discipline panel can be found on the College's website at [www.cocoo.on.ca](http://www.cocoo.on.ca). The following are brief summaries of disciplinary proceedings that have taken place since publication of the last newsletter.*

#### **Mr. Omar Qureshi**

A Discipline Hearing was held on October 3, 4 and 5, 2012 and April 16, 17, 18 and 19, 2013. The Panel Members for this Hearing were Mr. Jamie Maczko (Chair), Ms. Wilhelmina Gonzales and Ms. Sousan Eisabigloo. The college prosecutor Mr. Bernard LeBlanc presented the case for the College. Mr. Qureshi was represented by counsel.

The Panel found that Mr. Qureshi had committed Professional Misconduct. Please visit the College's website for the Decisions and Reasons.

**Please Note: This matter is currently under appeal.**

#### **Mr. Paul Scotti**

A Discipline Hearing was held on Thursday, May 16, 2013 for Paul Scotti. The Panel Members for this Hearing were Mr. Peter Stavropoulos (Chair), Ms. Donna Coyne and Mr. Khalid Daud. The college prosecutor Mr. Bernard LeBlanc presented the following Agreed Statement of Facts and a Joint Submission on Penalty. Mr. Scotti was represented by Counsel.

The Panel found that Mr. Scotti had committed Professional Misconduct. Please visit the College's website for the Decisions and Reasons.

### Statistics

**As at July 11, 2013:**

<b>Total Number of Members</b>	<b>633</b>
Podiatrists	69
Chiropractors	564

## **Council Meetings**

**Friday, October 18, 2013**

**9: 00 a.m. – 5:00 p.m.**

**This meeting will be held at the 180 Dundas Street West,  
19<sup>th</sup> floor boardroom  
Toronto, Ontario**

**All Council meetings of the College of Chiropractors of Ontario are open to the membership and to the public. If you would like to attend the meeting, please call the College at 416 452-1333 ext. 226 and speak to Sheila to R.S.V.P.**

**Upcoming Meetings for 2014 are:**

**Friday, February 21, 2014**

**Friday, June 20, 2014**

**Friday, October 17, 2014**

**Locations to be announced – Check the College's Website**