



# College of Chiropodists of Ontario

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## Welcome to Footprint

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# President's Message

Peter Stavropoulos, DPM

Podiatrist



Ask not what your College can do for you, but ...

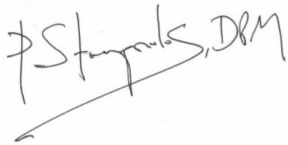
Let me take this opportunity to extend my heartfelt welcome to new Councillors Andrew Klayman and Jannel Somerville. As you likely read in their introductory biographies, both Andrew and Jannel come to Council after years of serving the College in a variety of capacities. As practice assessors, as mentors and as multi-committee, non-council members. They each personify what it means to give selflessly of your time in service of the public, through your regulatory body.

Council was very pleased to see the number of applicants put their name forward to be considered for appointment to Council to fill the chiropodist vacancy position. However, as suggested by the example Andrew and Jannel have demonstrated, service to the College takes many forms beyond sitting on Council. In addition to a willingness to commit your time, the College seeks members to serve as mentors, practice assessors, registration exam question writers and examiners. If selected to serve, you will receive the orientation all councillors and committee members receive to appropriately understand the College's mandate of service to the public. Further, you will be trained to fulfill the specific duties of the committee or role you will be taking on. The College has implemented a competency framework that applicants will be asked to complete so that consideration can be given by the Executive Committee when appointing members to committees based on the competencies of prospective members with a view to ensuring that no conflict of interest exists, complementing the skill set required on the College's committees. Our committees require diverse members from all corners of the province. On the various committees, and in these various roles, we also have a need for greater representation by DPMs, particularly those with surgical residency training, as well as members with wound care expertise and full scope practice.

If you think this is something that you would be interested in pursuing, feel free to reach out to the Registrar to enquire further. She can discuss with you what opportunities exist. I think that you will find one thing in common with those that have had the privilege of serving the College: you will undoubtedly come away with a much greater appreciation and understanding of the responsibility that self-governance carries with it, but also you will gain the satisfaction and reward that comes from serving alongside other like-minded peers with common purpose.

Give it some thought ...

Fraternally yours,

A handwritten signature in black ink that reads "P Stavropoulos, DPM". The signature is written in a cursive style with a long horizontal stroke extending from the end of the name.

Peter Stavropoulos, DPM

President

# A Word from the Registrar



With a new year well upon us, we have already held our first Council meeting of 2023 with a packed agenda and a number of key decisions made by Council. It bears mentioning that the College Council was assessed by a third-party at its January 27, 2023 Council meeting in order to meet the College's obligations under the College Performance Measurement Framework (CPMF). The results demonstrate that our Council is governing as it should and, in a manner expected of a regulator. We were very pleased to receive important feedback and suggestions for improvement and have posted the third-party review on our website. Our next review will occur in three years as required by the Ministry of Health of all the health regulators.

Council also passed a motion to adopt a new Guideline to specify the requirements of every member to maintain membership in good standing with the College. The Guideline sets out in detail what constitutes clinical practice to satisfy the requirements within a two year period. The College's Standards and Guidelines Committee conducted an extensive review of minimum practice requirements of other RHPA regulators' members and settled on the new Guideline for recommendation to Council. I encourage all professional members to review the new Guideline to understand how to maintain membership in good standing with the College.

Council also passed a motion to approve a new exam honoraria that sets out the amounts the College pays professional members who assist with the College's registration examination. Council considered that the College is no longer subsidizing the registration examination as the true cost is now being funded through the examination fees. Council also considered the importance of ensuring the College provides proper oversight and management of costs incurred relating to the exam.

Additionally, it is well worth mentioning and recognizing that the College had an unprecedented number of candidates who expressed interest in being appointed to Council to fill the chiropody vacancy. We enjoyed hearing from members at the January 2023 Council meeting who attended to explain their relevant experience and interest in serving on Council. Council had the difficult task of appointing one successful candidate to Council and we are very pleased to welcome Jannel Sommerville. Council encouraged all of the candidates to look for opportunities to become involved in the College's work through committees, mentorship, assisting with the OSCE and registration examinations and engaging as an assessor. As the Registrar, it was a pleasure to see this level of engagement and to hear about the important work members are doing to serve the public.

Finally, as we are now into the month of March, College staff are completing the CPMF, the annual report to the Ministry of Health that all Regulated Health Professions Act regulators must complete by March 31st. We are pleased to note that in 2022, the reporting year for this most recent CPMF, the College has continued to successfully fulfill its obligations as a regulator. We will be posting the CPMF on our website by March 31st and invite everyone to review the CPMF and the significant work the College has done in 2022.

I look forward to seeing many of you at the OSC conference at the end of April. Also, please stay tuned for an announcement about the next Town Hall, anticipated for late spring.

A handwritten signature in blue ink, appearing to read 'Nicole Zwiers', with a stylized, cursive script.

Nicole Zwiers, Registrar/CEO

College of Chiropodists of Ontario



### **Meet Andrew Klayman**



Andrew attended Dr. William M. Scholl College of Podiatric Medicine in Chicago and graduated magna cum laude after completing his undergraduate Bachelor of Science degree at the University of Toronto. After attending a podiatric residency at Stanford University/Livermore VA to further Andrew's surgical and clinical training as a Podiatrist. This experience of working in the hospital enlightened him on the importance of the podiatry profession, working together in a multidisciplinary team toward a goal of best outcome for the patient foot health and thus gaining respect from fellow colleagues on the importance of the podiatry profession. Andrew has established a podiatry practice in Toronto focusing on podiatric surgery and biomechanics for almost 30 years and counting. He has participated as a mentor /supervisor for many years for the College of Chiropodists of Ontario as well as a non-council member on the examination committee.

### **Meet Jannel Somerville**



Jannel Somerville is a Chiropodist from Stayner, Ontario. Jannel is the owner and operator of her clinic in Stayner. She has always taken great care in providing the best possible care to the members of her community. She is excited to bring this dedication to the College and expanding her efforts to ensuring that the individuals of Ontario receive the best in podiatric care.

# Election Update

At the January 2023 Council meeting, Andrew Klayman was appointed as the podiatry member on Council for Combined District 2. The College put a call-out to solicit interest from District 6. After two calls, it was opened to any interested chiropodists, and there was significant interest in the position. Candidates provided their bios/resumes for Council's consideration and they were given the opportunity to speak to Council. After a vote, Jannel Somerville was elected as the chiropody member for District 6.



## Update to Bylaw 1: General – Elections Eligibility

In January 2023, Council voted to amend Bylaw 1 to require that members running for election on Council or volunteering for College committees are in good standing. For example, members with an outcome on the public register (i.e. caution, specified continuing education or remedial program, interim order) and/or members who have been found by Council to have breached the Code of Ethics are ineligible to serve on Council or committees. The Bylaw amendment also provides a mechanism for ineligible members to appeal to the Elections Committee.

## Clinical Practice Hours Guideline – NEW

To obtain and maintain a general certificate of registration, an applicant or registrant “must have engaged in clinical practice for a total of at least three months during the two years immediately preceding” the date of application or renewal. The College developed this new Guideline to define the number of hours required to declare currency of practice, and to define what clinical practice is/is not. Members are encouraged to refer to this Guideline when completing the declaration on their annual renewal form.

[Review Clinical Practice Hours Guideline](#)

## Social Media Standard of Practice – NEW

In February 2021, Council adopted a Social Media Advisory to assist members with social media best practices. As a result of increased use of social media by the membership, the Standards and Guidelines Committee elevated the Advisory to a College Standard, which Council voted to adopt in January 2023. The Standard sets out how members should effectively use various social media platforms, which have become sources of information and innovative ideas for clinical practice, networking, and social support.

[Review Social Media Standard of Practice](#)



## Update to Bylaw 2: Fees – Increase to Examination Fees

At its October 2022, Council approved, in principle, amendments to the College's Registration Examination Fees By-Law. The proposed amendments were circulated to the membership on November 2, 2022, with a request to provide feedback by January 4, 2023. The purpose of the proposed amendments to the bylaw was to work towards achieving cost neutrality in respect of the Registration Examinations, meaning that the College collects the full cost of the exams from applicants. It has been, and continues to be, the case that the cost of the Registration Examinations is subsidized by the general membership and is considerably below the cost of other, comparable, RHPA College Registration Examinations.

The feedback from the consultation was provided to Council, and on January 27, 2023, Council voted to approve the amendment to Bylaw 2 to increase examination fees.

[Review Bylaw 2: Fees](#)

## Update to Bylaw 3: Professional Health Corporations

In January 2023, Council voted to raise the fees for professional health corporations to reflect inflation. The fees had not been updated since 2014 when the bylaw was enacted.

[Review Bylaw 3: Professional Health Corporations](#)

## Proposed Update to the College's Registration Regulation – Feedback

The Provincial Government enacted the Pandemic and Emergency Preparedness Act, 2022 to improve health resource planning in emergency situations. Under this Act, the Ministry is requiring all of Ontario's health regulatory Colleges to develop a new emergency class certificate of registration, with the aim of reducing barriers for new applicants in emergency situations (e.g., in response to a new pandemic). The Colleges have been asked to move quickly and have a draft regulation amendment ready as soon as possible.

The College of Chiropractors of Ontario has drafted regulation amendments, which would create a new emergency class certificate of registration. There are specific requirements that individuals must fulfill to be eligible for an emergency class of licensure. Importantly for patients, chiropractors or podiatrists licensed under this class will be required to practice under the supervision of a COCOO member who holds a general certificate of registration and who has been approved by the Registrar to supervise a member in the emergency class.

The College is required to circulate the proposed revised regulation for 60 days to members and stakeholders. If you have feedback on the proposed changes, please send it by April 11, 2023 to [info@cocoo.on.ca](mailto:info@cocoo.on.ca).

[Review the Revised Registration Regulation](#)





## Recruitment for Mentors & Supervisors

The College is recruiting mentors (also called “Supervisors” or “Educators” or “Coach”) to be added to its roster. Mentors are assigned to perform site visits and work with members to ensure that they meet the College’s standards after the Quality Assurance Committee (“QAC”), the Inquiries, Complaints and Reports Committee (“ICRC”) orders a Specified Continuing Education or Remediation Program (“SCERP”) or the Discipline Committee orders supervision of the member’s practice.

The eligibility criteria to act as a Mentor is as follows:

1. Mentors/supervisors must be members in good standing with the College and must not have any disciplinary or conduct history, other than a decision by the ICRC to take no action on a complaint or report.
2. Members currently under investigation by the College are not eligible.
3. Current members of the ICRC or Discipline Committee are not eligible.
4. Past members of the ICRC or Discipline Committee may be eligible if a reasonable cooling off period has passed (six months or more) since the member was on the committee, and if the past member did not sit on a case involving the member whose conduct is being remediated or supervised.
5. The College has the discretion to exclude potential mentors/supervisors if in the Registrar’s opinion it would not be appropriate for the applicant to act as a mentor for reasons including (but not limited to) the member having been charged with or found guilty of an offence in any jurisdiction, or the member having a finding of professional misconduct, incompetence or incapacity in another jurisdiction, or the member having a leadership position with an Association.

If you are interested in being added to the roster of College Mentors, please email your resume and a brief statement of interest outlining your areas of expertise to [mclarke@cocoo.on.ca](mailto:mclarke@cocoo.on.ca).



## Recruitment for Practice Assessors

With an increase in the number of practice assessments being conducted annually, the College’s Quality Assurance program needs qualified registrants to expand its practice assessor roster. Assessor training is provided, an honorarium of \$475 (+ expenses in accordance with the College’s honorarium policy), and continuing education credit hours. If you have been in practice for 5 or more years, and are interested in this excellent opportunity to give back to your profession, please contact Christine Hickey, Manager, Registration, Examinations & Quality Programs at [chickey@cocoo.on.ca](mailto:chickey@cocoo.on.ca).



## Nitrous Oxide Sedation Course

The College will be offering a Nitrous Oxide Sedation course in 2023 (date to be determined). If you would like to receive a nitrous oxide administration certification or need to re-new your existing training, please contact Christine Hickey, Manager, Registration, Examinations & Quality Programs at [chickey@cocoo.on.ca](mailto:chickey@cocoo.on.ca).

## Practice Advisory Services Update

The Practice Advisor's role is to assist members with challenges in their clinical practice who require guidance, particularly with respect to the COCOO standards, guidelines, and policies. Additionally, the practice advisor responds to queries from stakeholders, including, but not limited to, members of the public or their caregivers, other regulated healthcare professionals (for example, pharmacists, physicians, and RNs), other regulated health colleges (for example, College of Nurses of Ontario), clinic managers and third-party health insurance providers. In responding to the wide range of inquiries, the Practice Advisor relies primarily on the standards and guidelines developed by the College. As required, the Practice Advisor may consult with staff or others to ensure that any advice is as complete as possible and consistent with the College's governing legislation. When a member contacts the Practice Advisor for guidance, if the Practice Advisor consults with other staff or externally, the member's name and information are kept confidential.

**The Practice Advisor is not permitted to provide legal advice on any matters including employer-employee disputes or other obligations on a member as an employer. Members will be advised to seek independent legal counsel when seeking legal advice as distinct from practice advice.**

The practice advisory services can be reached at: [practice@cocoo.on.ca](mailto:practice@cocoo.on.ca)

Local (416) 542-1333 or Toll-free 1 (877) 232-7653 Ext. 230.

The following advisories are provided in response to member and stakeholder inquiries, requests for clarification and/or guidance received by the Practice Advisor.



**Prescription Orthotics – Recurring Themes**

The PA service continues to receive a disproportionate number of queries from insurance carriers, as well as from members, on the particulars of this aspect of patient care. I provide for you here a summary of several recurring themes, but this is not an exhaustive list. Members would do well to review the Standard for guidance relating to the provision of these medical devices to patients. (See the link provided below):

- 1. Members may only recommend treatment for orthotics to a patient when there exists a justifiable, medical need for them. Alternate forms of treatments should be considered and attempted by the member rather than a demonstrable pattern of default/reflex prescribing of an orthotic for a given clinical presentation. All such findings and treatments must be documented in the chart.
- 2. Members may not provide prescriptions for orthotics to be fabricated and/or dispensed by other health care professionals or individuals.
- 3. The cost for the orthotics, as well as any other ancillary charges, should be provided to the patient in advance of undertaking any such treatment. It is prudent that these costs be provided in writing, along with all other requirements to comply with the provisions of informed consent to treatment.
- 4. Any billing documentation provided to the patient pertaining to treatments and/or services rendered must identify the member by name, class of registration (chiroprapist or podiatrist) as well as the practice location contact information.
- 5. Members are obligated to fit and dispense the orthotics to the patient for which they prescribed the orthotic in person. It is also permissible for another member of the College to dispense the orthotic to that patient.
- 6. Members are obligated to schedule a follow-up appointment post dispensing to assess the patient’s progress with the orthotics.

[https://www.cocoo.on.ca/pdf/standards/standard\\_orthotics.pdf](https://www.cocoo.on.ca/pdf/standards/standard_orthotics.pdf)

**Professional Boundaries/Sexual Abuse**

The College takes very seriously the complex issues around the topics of professional boundaries and sexual abuse. It is incumbent upon our members to always comport themselves in a professional manner when interacting with patients. This resource is available in the Members section of the College website to help the membership to better familiarize themselves with these important topics.

<https://cocoo.on.ca/professional-boundaries-and-sexual-abuse-resources/>





### **Prescribing Concern**

The College was contacted by a pharmacist enquiring whether members are permitted to prescribe Jublia (efinaconazole). The pharmacist reviewed the drug list from the College website to note that this drug was not included on the posting. When it was confirmed to the pharmacist that this drug is not approved for use by our members, the pharmacist expressed concern and frustration that they have been receiving prescriptions for this drug by multiple members in that community. This put the pharmacist in the unenviable position of appropriately declining the dispensing of this drug to the clients of this pharmacy.

Members are cautioned against prescribing any medications that are not on the current drug list. Such action could lead to a complaint against the member for breach of the Standards of Practice. Here is the link to the drugs that members are currently permitted to prescribe:

[https://www.cocoo.on.ca/pdf/Member\\_Communication/Current\\_Drug\\_Regulation.pdf](https://www.cocoo.on.ca/pdf/Member_Communication/Current_Drug_Regulation.pdf)

### **Orthotic Provider/ Laboratory Conflict of Interest (COI)**

The PA service has received several enquires from members pertaining to the use of a pedorthist or orthotist to fabricate the orthotics that they prescribe. Additionally, members have enquired as to whether they are in a conflict of interest (COI) if they have a direct financial interest with the orthotic provider/lab. That financial interest might take the form of ownership, business partnership, profit sharing, referral fees, sharing of office space, tenant to member owned or leased space and so on.

The College standards are very clear in the obligations of a member in such circumstances:

2. *A member shall be deemed to be practising the profession while the member is in a conflict of interest where a member, or a related person or related corporation, directly or indirectly,*
  - (d) makes a recommendation or a referral to a supplier of any service, device, or product in which the member or a related person or related corporation has a financial interest, unless the member at the same time,*
    - i. *fully discloses the financial interest;*
    - ii. *provides the patient with the name of at least one other supplier in the same geographical area if one exists;*
    - iii. *informs the patient that he or she has the option of using an alternative supplier; and*
    - iv. *assures the patient that choosing an alternative supplier will not affect the quality of health care services provided by the member;*



Additionally, as part of the annual registration, members in such business relationships are obligated to attest to this fact:

- 1. Do you have an interest in any entities that would give rise to a conflict of interest as it is defined in the Conflict of Interest Policy?

*A member has a conflict of interest for the purposes of paragraph 10 of section 2 of O. Reg. 750\93 where the member or a related person or a related corporation has a relationship as a result of which a reasonable person could conclude that the personal interests of the member, the related person or related corporation could improperly influence the member’s professional judgment or conflict with his or her duty to act in the best interests of the patient.*

The link to the entire College COI policy is provided below:

<https://cocoo.on.ca/conflict-of-interest-policy/>

It is strongly recommended that members have documentary evidence within the medical file that the above requirements regarding transparent communication to the patient relating to any such business ties with the orthotic provider/laboratory, as well as the options available to the patient, have been met.

**Lab Specimen Collection and Testing for Fungal Nail Infections**

The PA service was contacted by a third-party insurance carrier to enquire as to whether members are permitted to conduct in-office analyses for fungal infection of toenails of patients. College legal counsel was consulted on the matter, and they advised that the following activities are controlled acts only authorized for certain regulated health professions in Ontario.

Further, our members do not have authority to:

- 1. Collect tissue or fluid specimens, or
- 2. Submit specimens for lab analysis.

Members are encouraged to contact the College on matters pertaining to the scope of practice when they have questions or are uncertain about a matter to ensure that they are in full compliance with the Standards of Practice.



[Click here for information about the PA Service and links to resources](#)

# ICRC & Discipline Committee Update

## Complaints and Reports

Between November 2022 and January 2023, the College received two complaints, opened ten Registrar’s investigations, and received one referral from the Quality Assurance Committee, which is much higher than the numbers last year. By comparison, in the same period in 2021-2022, the College received one complaint and opened one Registrar’s investigation.

Between November 2022 and January 2023, ICRC panels disposed of four complaints matters as follows:

- 2 cases – no further action was taken
- 1 case – caution and SCERP
- 1 case - SCERP



There are currently 18 matters waiting to be disposed of by panels of the ICRC.

## Discipline Committee

There are currently three cases that have been referred to the Discipline Committee and are waiting to be heard.

[Referrals are posted on the College’s website](#)

Disciplinary matters are resolved by way of uncontested or contested hearings. Matters are resolved or disposed of when:

- All allegations are withdrawn or dismissed;
- No findings of professional misconduct and/or incompetence are made by a panel;
- Findings of professional misconduct and/or incompetence are made and a penalty is ordered;
- Reinstatement requests are granted, not granted or abandoned; and
- Removal of information requests are granted, not granted or abandoned.

Between November 2022 and January 2023, the Discipline Committee disposed of three matters.



## Summarized Discipline Committee Decisions

### COCOO v. Jason Liu

The Member admitted that he engaged in professional misconduct in that he failed to meet or contravened the College's standards, practised the profession in a conflict of interest, practised in the employment of or in association with a commercial business, contravened the Chiropractic Act and its regulations, and engaged in conduct that was disgraceful, dishonourable and unprofessional. Based on the Member's admissions, the Panel found that the Member engaged in professional misconduct.

The College and the Member presented the Panel with a Joint Submission on Penalty requesting that the Panel make an order that included the following:

- Oral reprimand
- 4-month suspension
- Completion of the ProBe Ethics Course
- A requirement to provide any chiropractic educational institution that retains him to teach students and/or provide clinical placements for students with the discipline panel's decision;
- A requirement to inform the Registrar that he has been retained by a chiropractic educational institution to teach students and/or provide clinical placements for students and confirm that he has provided the educational institution with the discipline panel's decision.

The Panel accepted the Joint Submission on Penalty, concluding that the proposed penalty was reasonable and in the public interest.

The Member was ordered to pay \$15,000 in costs to the College.

### COCOO v. Eddie Chan

The Member was found to have engaged in professional misconduct, in that he:

- failed to meet or contravened the College's standards,
- practised the profession in a conflict of interest,
- failed to keep records as required by the regulations,
- signed or issues, in his professional capacity, a document that contained a false or misleading statement;
- submitted an account or charge for services that he knew was false or misleading;
- charged a fee that was excessive in relation to the services or devices charged for;
- contravened the Chiropractic Act and its regulations, and
- engaged in conduct that was disgraceful, dishonourable and unprofessional.

The College and the Member presented the Panel with a Joint Submission on Penalty requesting that the Panel make an order that included the following:

- Oral reprimand
- 9-month suspension (2 remitted for completing courses)
- A prohibition on imaging, casting, prescribing, constructing, fitting, dispensing and/or ordering the fabrication of orthotics for a period of six (6) months
- A prohibition on prescribing, fabricating, fitting, dispensing and/or ordering prescription footwear modifications for a period of twelve (12) months
- Supervision of practice upon return to work.

The Panel accepted the Joint Submission on Penalty, concluding that the proposed penalty was reasonable and in the public interest.

The Member was ordered to pay \$85,000 in costs to the College.

**COCOO v. Paul Ginsberg**

The Member admitted that he engaged in professional misconduct in that he failed to meet or contravened the College’s standards, failed to keep records as required, signed or issued (in his professional capacity) a document that contained a false or misleading statement, charged a fee that was excessive in relation to the services charged for, and engaged in conduct that was disgraceful, dishonourable and unprofessional. Based on the Member’s admissions, the Panel found that the Member engaged in professional misconduct.

The College and the Member presented the Panel with a Joint Submission on Penalty requesting that the Panel make an order that included the following:

- Oral reprimand
- 8-month suspension (3 remitted for completing courses)
- Completion of the ProBe Ethics Course
- A prohibition on imaging, casting, prescribing, constructing, fitting, dispensing and/or ordering the fabrication of orthotics for a period of 12 months;
- Supervision of practice.

The Panel accepted the Joint Submission on Penalty, concluding that the proposed penalty was reasonable and in the public interest.

The Member was ordered to pay \$35,000 in costs to the College.

[Discipline decisions can be found on the College’s website](#)

# Registration Exam Update

The 2023 Registration Examination dates have been confirmed and are as follows:



## Spring 2023

June 3, 2023 – OSCE at the Michener Institute

June 6, 2023 – Written Jurisprudence and Core Competencies (remote, proctored)

## Fall 2023

October 28, 2023 – OSCE at the Michener Institute

November 2, 2023 - Written Jurisprudence and Core Competencies (remote, proctored)

The Jurisprudence Exam will be increased from 30 multiple choice questions (MCQs) to 80 MCQs and will be written separately from the Core Competencies exam. In previous years the jurisprudence and core competencies were written as one exam. Starting in 2023, these two exams will be separated but written on the same day.

# Quality Assurance Committee Update

In late March/early April notifications will be sent out to those members who have been randomly selected for an on-site practice assessment. The College’s goal is to conduct an on-site assessment of 5% of registrants, annually. If you are interested in volunteering for an assessment of your practice, please contact Christine Hickey at [chickey@cocoo.on.ca](mailto:chickey@cocoo.on.ca).



# Member Communication & Social Media

Please ensure your email on file with the College is current and accurate, and that you regularly check your spam folder for emails from the College. Members may update their information anytime via the Member Portal.

The College is committed to increasing its presence on social media. Please follow the College on LinkedIn and Twitter for important updates about changes to standards and guidelines, renewal deadlines, important decisions arising from Council meetings, and other important updates.

[Click here to visit the Member Portal](#)

