



**College of  
Chiropodists  
of Ontario**

**PROFESSIONAL REGULATION  
IN THE  
PUBLIC INTEREST**

**ANNUAL REPORT 2009**

# 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

## TABLE of CONTENTS

	Page
College Council, Staff and Advisors .....	3
Joint Report from the President and Registrar . . . . .	4-5
 <b>Committee Reports</b>	
Executive .....	6
Quality Assurance .....	6-7
Complaints/ICRC .....	7-8
Discipline.....	8
Registration .....	9-10
Patient Relations.....	10 -11
Fitness to Practice.....	11
 <b>Financial Statements</b>	
Auditor's Report.....	12
Condensed Balance Sheet .....	12
Condensed Statement of Operations .....	12

## College Council

### President

Allen Frankel, Podiatrist (until Sept 2009)  
Anna Georgiou, Chiropracist (from Sept 2009)

### Vice President

Anna Georgiou, Chiropracist (until Sept. 2009)  
Esrick Quintyn, Public Member (from Sept. 2009)

### Elected Members

Sally Ciona, Chiropracist (until June 2009)  
Erin Fairbanks Chiropracist (from Sept.2006)  
Allen Frankel, Podiatrist (until Sept. 2009)  
Anna Georgiou, Chiropracist (from Sept. 2004)  
Robert Goldberg Podiatrist (from Sept 2006)  
Colin McQuistan, Chiropracist (from 2007)  
David Roth, Podiatrist (from Sept 2007)  
Stephanie Shlemkevich Chiropracist (from Sept 2006)  
Peter Stavropoulos (from Sept 2009)  
Ruth Thompson (from Sept 2009)  
Dennis Walsh Chiropracist (from Sept 2006)

### Academic Members

Cesar Mendez, Chiropracist (from 2009)  
Meera Narenthiran, Chiropracist (from 2006)

### Public Members

Donna Coyne  
Sarma Donepudi (from 2006)  
Sousan Eissabigloo (from 2006)  
Ray Ferraro (from 2005)  
Wilhelmina Gonzales (from 2005)  
Esrick Quintyn (from 2006)

### Non-Council Committee Members

Sarah Kerwin, Chiropracist  
Sylvia Kovari, Chiropracist  
David Simard, Chiropracist  
Kim Resmer, Chiropracist

## College Staff

### Registrar

Felecia Smith

### Complaints Officer

Marilyn Bartlett (until March 2009)  
Judy Cohen (from March 2009)

### Executive Assistant and Membership Coordinator

Sharon Cole (until May 2009)  
Shirelle Goodman (from May 2009)

## College Advisors

Legal Counsel.....Alan Bromstein  
Auditor.....Clarke Henning LLP  
Government Relations..... CG Group

## THE YEAR 2009 IN REVIEW

### JOINT REPORT FROM THE PRESIDENT AND REGISTRAR

The College of Chiropractors of Ontario has an important role in regulating chiropractors and podiatrists in the public interest. This past year the College had an extremely successful year as it prepared for anticipated future change and moved forward in improving its regulatory processes.

The College welcomed Ms. Donna Coyne, public member to Council as well as three professional members, Ms. Ruth Thompson, chiropractor, Mr. Peter Stavropoulos, podiatrist and Mr. Cesar Mendez. Mr. Mendez is a selected member of Council and is a member of the chiropractic faculty at the Michener Institute.

The College continued to work with the other Canadian provinces regarding labour mobility. The President attended a two day meeting in Montreal early in the New Year in an attempt to reach a Canadian consensus on labour mobility.

The College hired Dr. Michael Beazley Assistant Professor School of Pharmacy, Faculty of Science University of Waterloo to assist the College in reviewing the Michener/George Brown's pharmacology courses since the inception of the program as well as those from international schools our members attended. Based on Dr. Beazley's recommendations Council determined which graduating years would require additional courses approved by the College. College Council approved two courses that members could take in order to meet the standards of practice in the College's Drug Regulation – one course was at the Michener institute and the other at the University of Toronto.

HPRAC was asked by the Minister of Health in 2006 to "review issues relating to the regulation of chiropractic and podiatry and provide advice as to whether and how there should be changes to existing legislation regarding these related professions". The Minister also asked that the Council 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." The College continued its preparation for the HPRAC review including working with the Associations, the OSC and OPMA, as well as other stakeholders. Pursuant to a letter from the Honourable David Caplan, Minister of Health and Long-Term Care, the College was advised that the request for advice on the regulation of chiropractic and podiatry and the foot care model in Ontario would not begin until April 2011, with a report to the Minister expected by March 31, 2012. This College was one of four matters whose review by HPRAC has been delayed due to financial restraints of the Ontario government.

The College met with interested stakeholders in an attempt to garner their views and support and to prepare for the review. These meetings took place with the Fairness Commissioner and the Ontario Medical Association to name a few.

The College amended its general by-law in order to ensure compliance with the amendments to the Regulated Health Professions Act. The amendments also related to the College's election process and specifically how to deal with a seat that continues to be vacant after two calls for nominations. The amendment allows Council to appoint a chiropractor or podiatrist member to Council from across the Province. Council also finally approved amendments to the College's Orthotics Standard of Practice

The College underwent a compliance audit to ensure that the College's registration processes were transparent, objective, impartial and fair pursuant to the *Fair Access to Regulated Professions Act*, 2006. The auditors concluded that the College was in compliance in all material respects with the required standards.

The College was actively involved in the work relating to Bill 179. The *Chiroprody Act*, 1991 was amended to include 'administering, by inhalation, a substance designated in the regulations.'

The Registration Examination working group, assisted by Dr. Dwight Harley, Director of Psychometrics Division of Studies in Medical Education at the Faculty of Medicine and Dentistry, University of Alberta continues to create and complete a new College registration examination. This work is anticipated to be completed by the end of 2011.

College Council approved an increase to the annual fee after many years of no increases. The increase was required as a result of several government mandated projects, HPRAC review, AIT, audit of the College's registration procedures by the Fairness Commissioner's office, the Allied Health Human Resources Database Project, and the College's registration examination. Council discussed the fact that all these projects and programs will deplete the College of a large portion of its revenue on an annual basis and will make it very difficult to manage the College's day-to-day expenses.

It has been a very busy but productive year and we look forward with anticipation to 2010.

## **EXECUTIVE COMMITTEE**

### Members

*Allen Frankel, President (until Sept 2009)*  
*Anna Georgiou, President (from September 2009)*  
*Erin Fairbanks*  
*Ray Ferraro*  
*Stephanie Shlemkevich*  
*Esrick Quintyn*

The Executive Committee (Committee) is a statutory committee that provides leadership to Council and 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 Registrar attends all Executive meetings.

During the year, the Committee had 3 face-to-face meetings and met regularly on an as needed basis by teleconference. The Committee dealt with and finalized one mandatory report, former member practising while under suspension, a matter relating to record keeping course and the need for a practice assessor to follow up and review the member's files and closure of a registrar's investigation by way of a letter of an undertaking.

The Committee oversaw the resignation and departure of a long standing employee and the bi-election of a new councilor.

Members of the Executive Committee met with the Chair of HPRAC, Ms. Barbara Sullivan relating to the postponement of the College's review. A letter was sent to Dr. Joshua Tepper regarding the College's concerns about the delayed review. The Committee recommended to Council the approval of amendments to the College's general by-law. The College put together a package of information which included information about orthotics and footwear as well as the Standards of Practice relating to orthotics, footwear, safety and the manufacturing of orthotic devices and safety and the practice environment.

## **QUALITY ASSURANCE COMMITTEE**

### Members

*Anna Georgiou, Chiropodist (Chair)*  
*Wilhelmina Gonzales, Public Member*  
*Sarma Donepudi, Public Member*  
*Stuart Sackman, Podiatrist*  
*Meera Narenthiran, Chiropodist*

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 2009.

***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***Mandatory Practice Assessment*

There were two mandatory assessments that continued into the 2009 fiscal year.

*Random Practice Assessments*

A roster of members from across the province have been selected as practice assessors and have completed training which will allow them to act as practice assessors throughout the random practice assessment program. One percent of the membership is randomly selected to participate in the random practice assessments. The random practice assessments continue throughout the year. When the assessors completed their reports, the QA committee reviewed them and determined what, if any next steps were required.

**Standards of Practice Revision**

A practice working group continues to review the Standards of Practice. They have completed the Orthotics Standard of Practice and are moving ahead to review and update the Record Keeping Standard of Practice. The draft Record Keeping Standard was reviewed by Council and circulated to stakeholders for comment.

**Quality Assurance Working Group**

The chair of the QA committee continues to participate in the working group with QA representatives from all the regulated health professions. This includes a review of each College's QA program, the sharing of information.

**COMPLAINTS COMMITTEE/ICRC COMMITTEE**

Members

*Sally Ciona, Chiropodist, Chair (until June 2009)*

*Robert Goldberg Chair (from June 2009)*

*Wilhelmina Gonzales, Public Member (until Sept 2009)*

*David Simard, Chiropodist*

*Stephanie Shlemkevich, Chiropodist (from Sept. 2009)*

*Colin McQuistan, Chiropodist (from Sept. 2009)*

*Sarma Donepudi, Public Member*

*Esrick Quintyn, Public Member*

Marilyn Bartlett/Judy Cohen, Complaints Officer



The mandate of the Inquiries Complaints and Reports Committee (“ICRC”) is to investigate and consider complaints filed with the Registrar regarding the conduct of a member of the College. The responsibility of the ICRC is to conduct a thorough investigation and review of all records and documents relevant to a complaint and determine an appropriate action according to the RHPA, 1991

The Committee activity was as follows throughout 2009:

**1. Opened in 2009 and Resolved in 2009 → 6**

- ◆ No Action Taken (1)
- ◆ Letter of Caution (1)
- ◆ Withdrawn (3)
- ◆ Signed Undertaking with College (1)

**2. Opened in 2009 and Unresolved by end of 2009 → 4**

**3. Registrar’s Reports Opened in 2009 and Unresolved by end of 2009 → 2**

**4. Opened in 2008 and Resolved in 2009 → 5**

- ◆ Written Caution citing Standards of Practice: Professional Conduct and Accountability
- ◆ Signed Undertaking; Practice Assessment (Under Appeal HPARB 2010)
- ◆ No Action Taken (Appealed 2009; HPARB supported College Decision 2010)
- ◆ Withdrawn by Complainant
- ◆ Decision and Reason sent out in 2009 and Appealed in 2009 (No decision yet from HPARB)

**5. Opened in 2008 and Unresolved by end of 2009 → 1**

This complaint was very complex. Due to various extenuating circumstances resulting from the Member and/or the Member’s lawyer agreeing to the terms of an Undertaking with the College, the matter was not resolved in 2009.

The ICRC noted some common themes while reviewing the complaints submitted to the College.

In particular the ICRC reminds members of the need to:

- Ensure that information and billing submitted to insurance companies is correct and accurate, and to discontinue providing free footwear.
- Effectively communicate with patients in regards to all treatment and billing practices.
- Maintain appropriate boundaries with clients.

The ICRC also reminds members that the number of complaints received and investigated, contributes to the College’s overall operational costs, which ultimately affects membership fees.

## **DISCIPLINE COMMITTEE**

### Members

*Allen Frankel, Podiatrist (Chair) (until Sept 2009)*

*Meera Narenthiran (Chair)(from Sept 2009)*

*Sarma Donepudi, Public Member*

*Susan Eissabigloo*

*Ray Ferraro, Public Member*

*Wilhelmina Gonzales*

*Sarah Kerwin, Chiropodist*

*Meera Narenthiran, Chiropodist*

*Peter Stavropoulos (from Sept 2009)*

The Discipline Committee is a statutory committee under the *Regulated Health Professions Act*.

The Discipline Committee holds hearings into allegations of a member's professional misconduct or incompetence which has been referred to the Committee by the Executive or Complaints 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.

There were no discipline cases in 2009.

## **REGISTRATION COMMITTEE**

### Members

*Dennis Walsh Chair*

*Sarma Donepudi (Public Member)*

*Esrick Quintyn*

*David Roth*

### **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 one applicant to the Registration Committee pursuant to section 15.1 of the *Regulated Health Professions Act, 1991*. The member had resigned their membership and was seeking re-entry into the profession.

The first applicant was referred to the Committee because the applicant did not graduate from an approved chiropody/podiatry school of education. The Committee ultimately directed the Registrar to issue a Certificate of Registration, General Class, to the applicants upon the applicants' payment of all applicable fees

The second applicant was referred to the Committee because the applicant did not have the appropriate authority under the Immigration and Refugee Protection Act (Canada) to practice the profession in Canada. The Committee ultimately directed the Registrar to issue a Certificate of Registration, General Class, to the applicant upon the applicant's payment of all applicable fees and to impose the following term, condition and limitation on that Certificate of Registration, that the member not engage in the practice of chiropody in Ontario until he satisfies the Registrar of the College that the applicant has received appropriate authority under the Immigration and Refugee Protection Act (Canada) to practise Chiropody in Canada.

### **College Registration Examination**

In 2007, the College Council appointed a Registration Examination Committee whose task is to prepare an independent College registration examination. The College also hired Dr. Dwight Harley, an Adjunct Associate Professor and Director of the Psychometrics Division of Study in Medical Education, Faculty of Medicine and Dentistry at the University of Alberta, to assist with the process. The College continues to complete the registration examination and is planning to have it finished by the spring of 2011.

## **PATIENT RELATIONS**

Members

*Erin Fairbanks, Chiropractor*

*Sylvia Kovari, Chiropractor*

*Ray Ferraro, Public Member*

*Sousan Eissabigloo, 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

*Stephanie Shlemkevich, Chiropractor*

*Colin McQuistan, Chiropractor*

*Esrick Quintyn, Public Member*

*Kim Resmer, Chiropractor (from Sept 2009)*

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 2009.

**COLLEGE OF CHIROPODISTS OF ONTARIO**

**180 DUNDAS STREET WEST,  
SUITE 2102  
TORONTO, ONTARIO  
M5G 1Z8**

**TEL: (416) 542-1333**

**FAX: (416) 542-1666**

**TOLL FREE: 1 877 232-7653**

**E-MAIL: [info@cocoo.on.ca](mailto:info@cocoo.on.ca)**

**WEBSITE: [www.cocoo.on.ca](http://www.cocoo.on.ca)**