



College of Chiropodists of Ontario

**Minutes of the Council Meeting
Friday, January 27, 2023 at 9:00 a.m.
66 Wellington St. W., 41st Floor Conference Room**

Council Members in Attendance:

1. Matthew Andrade
2. Melanie Atkinson – via Zoom
3. Chad Bezaire
4. Ed Chung
5. Matthew Doyle
6. Donna Shewfelt
7. Peter Stavropoulos
8. Deborah Loundes, Selected Member
9. Ramesh Bhandari, Public Appointee
10. Jim Daley, Public Appointee – via Zoom
11. Allan Katz, Public Appointee
12. Reshad Nazeer, Public Appointee (from 9:45 a.m.)
13. Jannel Somerville (after appointment) – via Zoom
14. Andrew Klayman (after appointment)

Regrets:

1. Andrew Simmons, Public Appointee
2. Winnie Linker, Public Appointee
3. Orlando Moreno, Public Appointee

Staff in Attendance:

1. Nicole Zwiers, Registrar and CEO
2. Meghan Clarke, Deputy Registrar and Manager, Professional Conduct and Hearings
3. Christine Hickey, Manager, Registration, Examination and Quality Programs
4. Stanley Huang, Executive Assistant

General Legal Counsel:

1. Sarah Yun

Guests:

1. Bruce Ramsden, President, OPMA – via Zoom
2. Jana Charyk, OSC – via Zoom
3. Nanci Harris – Governance Consultant

1. Call to Order

1.1 Call to Order, Appointment of Secretary

P. Stavropoulos called the meeting to order at 9:05 a.m., noting that notice of the meeting was given, and the meeting was properly constituted with a quorum present. Meghan Clarke was appointed as Secretary.

Allan Katz delivered a land acknowledgement.

M. Doyle proposed 3.5 hours of preparation time for professional members.

It was moved by M. Doyle and seconded by P. Stavropoulos to approve the preparation time for professional members of the Council. Motion CARRIED

1.2 Approval of Agenda

It was moved by C. Bezaire and seconded by M. Andrade to approve the agenda. Motion CARRIED.

1.3 Declaration of Conflict of Interest

No conflict of interest was declared.

1.4 Approval of Minutes of October 28, 2022 and November 14, 2022 Council Meetings

It was moved by D. Shewfelt and seconded by C. Bezaire to approve the minutes of the October 28, 2022 and November 14, 2022 Council meetings. Motion CARRIED.

1.5 Presentation by Nanci Harris, Governance Consultant on Third-Party Assessment

N. Zwiers introduced N. Harris who has an extensive background in health regulation and governance. She was selected to conduct a third-party assessment of Council, as required by the College Performance Measurement Framework (CPMF).

N. Harris provided a background of the CPMF, and explained that she will be performing a third-party audit of the governance of the College, including, the material, meeting, effectiveness of decision-making, and how the public interest is considered. The report is intended to provide feedback to the College to help Council improve. It will be appended to the College's CPMF submission.

2. Consent Agenda Items

It was moved by A. Katz and seconded by J. Daley to approve consent agenda items 2.1, 2.2. and 2.3. Motion CARRIED

3. Decision Items

3.1 Election of Chiropodist District 6 and Appointment of Podiatrist Combined District 2

a) Appointment of Podiatrist – Combined District 2

N. Zwiers explained that the College put a call-out to the membership for a podiatrist position on Council. A. Klayman put his name forward. A. Klayman has been practising as a podiatrist for 30 years and has volunteered as an assessor and mentor with the College.

It was moved by D. Shewfelt and seconded by M. Doyle to appoint A. Klayman as the Podiatrist member on Council for combined district 2. Motion CARRIED.

b) Election of Chiropodist – District 6

The College put a call-out to solicit interest from district 6. After two calls, it was opened to any interested chiropractors, and there was significant interest in the position. Candidates provided their bios/resumes for Council's consideration and they are being given the opportunity to speak to Council today for five minutes. Following that, Council will move in-camera to vote.

It was moved by D. Loundes and seconded by E. Chung that Council vote to move in camera pursuant to section 7(2)(b) of the Health Professions Procedural Code on the basis that financial or personal or other matters may be disclosed of such a nature that the harm created by the disclosure would outweigh the desirability. Motion CARRIED.

It was moved by M. Doyle and seconded by C. Bezaire to appoint Jannel Somerville as the Chiropractor member on Council for district 6. Motion CARRIED.

3.2 Motion to Approve Amendments to Bylaw 2: Fees – Examination Fee Increase

N. Zwiers advised that Council approved this fee increase in principle and it was distributed to the membership for feedback, and that feedback was provided to Council. The goal is to move towards cost neutrality for the exam. A. Katz commented that the feedback was editorialized in that it was noted that three members made the same submission rather than simply providing the submissions without comment. A. Katz suggested that there should not be any editorializing of submissions. Also, N. Zwiers suggested that, in the future, feedback should not be anonymized, and names should be included in the submission to Council.

It was moved by E. Chung and seconded by A. Klayman that Council approve the amendment to Bylaw 2: Fees – Examination Fee Increase. Motion CARRIED.

3.3 Motion to Approve Exam Honorarium Policy

M. Doyle raised a concern that the fee for attendance at the OSCE is too low, which could mean the College will struggle to get volunteers. D. Shewfelt read a statement about the fact that there should be equity across committees in terms of per diem rates.

P. Stavropoulos noted that the Policy was supported by the Executive Committee. N. Zwiers noted that, because the College is seeking cost neutrality for the exam, it needs to be mindful of all costs associated with the exam, in that those costs will ultimately be passed on to students. She noted that the per diems/expenses for the OSCE have been outliers in terms of what members have billed, and there was a perception that members were taking advantage.

M. Doyle questioned whether paying OSCE examiners less than other committee members could give the perception to the membership that the OSCE is not as important as the work of other committees. M. Doyle proposed that the full-day rate for the OSCE be \$300 and the half-day rate be \$150.

It was moved by E. Chung and seconded by R. Bhandari that Council approve the Exam Honorarium Policy. Motion DEFEATED.

***In Favour:** E. Chung, M. Andrade and J. Daley*

***Opposed:** R. Bhandari, D. Loundes, P. Stavropoulos, D. Shewfelt, M. Doyle, M. Atkinson, A. Klayman, J. Somerville, A. Katz, R. Nazeer, C. Bezaire*

It was moved by M. Doyle and seconded by D. Shewfelt that Council approve the Exam Honorarium Policy, with the full-day OSCE rate revised to \$300 and the half-day OSCE rate revised to \$150. Motion CARRIED.

3.4 Motion to Approve Election Bylaw Amendment

N. Zwiers explained that the proposed amendment will move election dates to align with the change in Council date from October to September. It also updates the bylaw to account for electronic elections.

It was moved by A. Katz and seconded by M. Doyle that Council approve the amendments to the election bylaw as proposed. Motion CARRIED.

3.5 Motion to Approve Key Performance Indicators (KPIs)

N. Zwiers noted that the Strategic Planning Committee brought the Strategic Plan to Council in 2022. To satisfy the CPMF, the College needs key performance indicators to measure the College's success in trying to meet its objectives/goals in the plan. The Committee met and developed the KPIs, which are now before Council.

It was moved by A. Katz and seconded by J. Daley that Council approve the Key Performance Indicators. Motion CARRIED.

3.6 Motion to Approve College 2023 Operating Budget

N. Zwiers advised that the operating budget is normally brought before the Audit Committee and the Executive Committee, before coming to Council, but that did not happen in this case. N. Zwiers proposed that Council can either discuss the budget today and then it can go before the Audit Committee and back to a special Council meeting, or Council can vote on the budget because the Audit Committee members are on Council and have reviewed the material.

It was moved by D. Shewfelt and seconded by J. Daley that Council approve the 2023 operating budget. Motion CARRIED.

3.7 Motion to Approve Declaring Clinical Practice Hours Guideline

The College's regulation requires that members/applicants complete three months of practice in two years to declare currency of practice on application/renewal. The Standards and Guidelines Committee considered what is clinical practice and how many hours are required to achieve the three months in two years requirement.

It was moved by C. Bezaire and seconded by E. Chung that Council approve the Declaring Clinical Practice Hours Guideline. Motion CARRIED.

3.8 Motion to Approve Social Media Standard of Practice

N. Zwiers explained that this new standard is intended to replace the current Social Media Advisory.

It was moved by M. Andrade and seconded by A. Klayman that Council approve the Social Media Standard of Practice. Motion CARRIED.

3.9 Motion to Approve Amendments to Bylaw 3: Professional Health Corporation

N. Zwiers explained that the fees for professional health corporations have not been updated since 2014 when it was enacted. The increase is intended to reflect inflation.

It was moved by D. Shewfelt and seconded by M. Doyle that Council approve the amendments to Bylaw 3: Professional Health Corporation. Motion CARRIED.

3.10 Motion to Approve Amendments to Bylaw 1: General – Elections Eligibility

N. Zwiers explained that the intent is to have Council and committee members who are members in good standing – the bylaw changes outline criteria that would make a member ineligible to serve on Council or College committees. It also provides a mechanism for ineligible members to appeal to the Elections Committee.

It was moved by A. Katz and seconded by J. Daley to approve the amendment to Bylaw 1: General – Elections Eligibility. Motion CARRIED.

4. Education Session – Position Paper

N. Zwiers presented the position paper to Council, which uses Ontario-based data to show the correlation between access to chiropodists and podiatrists and lower rates of diabetes and lower limb amputation. The position paper builds on the submission to HPRAC and includes a proposal to move towards a full-scope podiatry model, which includes a name change (College of Podiatrist of Ontario) and the development of Ontario-based podiatry program(s).

N. Zwiers discussed two announcements from the Ontario government that may impact the College’s work – the announcement that private surgical suites can be used for OHIP funded surgery and the “as of right” legislation that allows out of province members to practice in Ontario without registering with the College. The College has submitted a letter to the Premier with its position on these two proposals.

5. Discussion Items

5.1 Registrar’s Report

N. Zwiers advised that the College has not had a profile among other regulators. She has been trying to remedy that by being visible at HPRO and other conferences. Staff will be attending the CNAR and CLEAR conferences. Now that the KPIs have been passed by Council, N. Zwiers will be looking to measure the College’s success against those benchmarks.

Yesterday, there was a business meeting for the Quality Assurance Committee, ICRC and the Discipline Committee. It was an opportunity for the College to provide education to committee members, and to contribute to the College’s goal of sustainability.

The College will be working to complete the CPMF, which is due March 31.

In terms of collaboration, N. Zwiers has developed good working relationships with other RHPA registrars. The town hall in December 2022 was well received. That outreach is important to the College, and another town hall will be scheduled this year. N. Zwiers also works closely with the presidents of the two associations.

The College is looking to modernize, which includes being as transparent as possible. For example, the membership practice survey was new for this College, but it is not uncommon in regulation. The goal is to embed that data into the annual renewal. N. Zwiers explained that this data helps inform the work of the QA Committee.

N. Zwiers advised that she provided her written report in advance and offered to answer any questions – there were no questions from Council.

5.2 In-Person versus Online Proctored Exam

N. Zwiers said this is being brought to Council for discussion – the question is whether the College should return to an in-person exam, versus the online proctored exam.

D. Shewfelt said she is in favour of returning to an in-person proctored exam. She noted that the online proctored exam is more expensive. M. Doyle explained the College moved to online exams because the College could not rent

out enough space during covid (six feet of space was required between writers). M. Doyle also noted that the cost to students is more to write in-person exams because they have to be downtown for three days.

C. Hickey explained that the College pays \$40/per student (per test) for online proctored exams. This year, those costs will increase because the core competency and jurisprudence exam will be held separately. C. Hickey is working on costing out the in-person exams. N. Zwiers noted that the boardroom in the College's office could be used for the exam, depending on the numbers. She also noted that not all students have the internet speed to facilitate online exams.

D. Loundes noted that in-person exams are likely the most effective in terms of exam security.

D. Shewfelt and M. Doyle stated that the exams should be held back-to-back.

C. Bezaire noted that in-person exams are more equitable for all writers in terms of avoiding internet connectivity issues. C. Hickey clarified that, if a writer has technical issues, the exam is paused. She also outlined the security measures in place to mitigate cheating.

N. Zwier said the College will conduct a cost comparison between online and in-person exams. Any changes to the exam administration will be implemented in 2024.

5.3 Draft Registration Regulation

N. Zwiers explained that the College is required to update its Registration Regulation because of Bill 106 to include an emergency class of registrant – it would apply to an emergency declared by government or by Council. As part of the draft changes, the College is proposing the removal of the podiatry cap in emergency situations. S. Yun reviewed the proposed changes with Council.

In terms of timeline, the College needs to provide the draft regulation to government by May 1, 2023.

6. In Camera

It was moved by D. Shewfelt and seconded by C. Bezaire to move in camera pursuant to section 7(2)(b) of the Health Professions Procedural Code on the basis that financial or personal or other matters may be disclosed of such a nature that the harm created by the disclosure would outweigh the desirability of adhering to the principle that meetings be open to the public. Motion CARRIED.

Council moved in camera at 2:48 p.m.

7. Next Meeting

7.1 Council Meeting Dates for 2023

- May 12, 2023
- September 22, 2023

7.2 Council Survey Reminder

7.3 Proposed Agenda Items for Next Meeting

8. Adjournment

It was moved by M. Doyle and seconded by D. Loundes that the meeting be adjourned. Motion CARRIED.

The meeting was adjourned at 3:40 p.m.

