



COLLEGE OF CHIROPODISTS ONTARIO

PUT YOUR BEST FOOT FORWARD

NEWSLETTER ~ SPRING ~ 2014



## *Table of Contents*

President’s Message	3
Council - Additional Members	4
Regulations – Update	
Administering Substance by Inhalation	4
Regulation to allow members to treat their spouses (Spousal Abuse Exception)	4-5
Amendments to the College Drug Regulation	5-6
CE Credit and CE Supplies	7
Assistive Devices Program	7
Peacock Award	8
Registration Examination	8-9
Amendment to College’s By-Law No. - 2 Fees	9
Standard of Practice for Record Keeping	9-10
Radio Frequency Ablation	10-11
Infection Control Update	11
Possible Annual Fee Increase	11-12
Membership Information Update	12
Discipline Decisions	13-18
HPRAC Update	18
Council and Committee Members	18-20
Upcoming Election to Council	21
Upcoming Council Meeting Dates	21

## A MESSAGE FROM YOUR COUNCIL PRESIDENT - JAMIE MACZKO

Welcome to the College of Chiropractors e-newsletter, [Summer](#) edition!

I have had the honour and privilege to serve as President of the College of Chiropractors of Ontario, since October 2012. It has been an exciting and eye opening experience, and it is incredible how complex and busy our College is!

During the past ten years, this College has worked very hard and continues to evolve forward. We have developed a good working relationship with, and are respected by, our fellow Colleges of Health as well as Ontario's Ministry of Health. This tremendous progress was made possible by the hard work of numerous volunteers who have served our College either as Council Members or as non-Council Members, or on one or more of our various committees. All of our volunteer members have sacrificed their family and personal time, and often their business interests, to contribute to the continued development of our profession and to ensure for the provision of the best foot care possible and protection of the residents of Ontario. For this commitment and service, I would personally like to Thank-you!

Please also remember that we continue to seek and recruit new volunteer members who are willing to give back to our profession and ensure sustained protection and growth. Please contact the College for more information.

I would also like to thank our Registrar, Felecia Smith, for her strong leadership and the incredible job that she has done over these past ten years. We have come a long way, as Felecia continues to direct and develop our College into the "best it can be".

I am proud of the College Council and it's Executive. This group of volunteers, both our professional and public members, undoubtedly form the strongest, diverse, and co-operative Council that this College has ever seen. The integrity and honour of each individual has allowed Council to move forward in a cohesive way which has helped to unite chiropractors and podiatrists together, especially in relation to the HPRAC review.

As you are aware, the HPRAC review for our profession has been underway since January 2014. I would like to encourage everyone to access the HPRAC portal on the College's website and stay informed of future developments.

In closing, I would encourage every member of the College to be proud of our profession and ensure conduct that reflects professionalism, honesty and empathy towards all patients, their families and fellow health professionals. We are on the verge of great changes in our profession and I encourage everyone to become involved and stay well informed.

Have a wonderful and safe summer.

## **Council – Additional Members**

In the spring of 2013, Mr. Stephen Haber was appointed to College Council as a Podiatrist member and joined the Council in October 2013. He replaced Bob Goldberg who had served his full 6 year term on Council. The College also welcomed a new public member to Council, Mr. Sohail Mall. Mr. Mall was appointed to Council by the Lieutenant Governor in Council for a 3 year term which began August 7, 2013.

## **Regulations**

### **1. Administering Substances by Inhalation - REGULATION UPDATE**

This Regulation is finally nearing final draft form by the Ministry of Health. The College believes that the Regulation will be sealed in the near future. Once a Regulation is sealed, it means that the policy division of the Ministry of Health and Long term Care believes that it is ready to be finally approved. Once final approval is given by the government, we will advise our members.

Before members will be permitted to safely administer inhalation in their offices, members will be required to take the College's approved course which will include both a didactic and clinical component. Members will also be required to successfully pass an examination before being able to safely use inhalation in their office.

The College is working with Dr. Peter Nkansah, who is recognized as a specialist for Dental Anaesthesia by the Royal College of Dental Surgeons in Ontario. Cesar Mendez has agreed to assist with this process. The College has asked Dr. Nkansah to develop the clinical and didactic course and examination whereby successful completion would ensure that a member has the required competencies to be able to provide sedation to their patients. We will keep you informed as matters progress in relation to the course.

### **2. Regulation to Allow Members to Treat their Spouses (Spousal Abuse Exception)**

An amendment to the *Health Professions Procedural Code of the Regulated Health Professions Act, 1991* was approved which would allow Colleges, whose members have historically treated their spouses, to effectively exempt them from the definition of sexual abuse in the Act. In order to provide an exemption, the College must first approve the Regulation which allows the exemption.

Council approved, in principle, the following Regulation, pursuant to the provisions of 95(1)(0.a) of the Health Professions Procedural Code of the Regulated Health Professions Act, as amended, (the Code)

Conduct, behaviour or remarks that would otherwise constitute sexual abuse of a patient by a member under the definition of sexual abuse under subsection 1(3) of the Code shall not constitute sexual abuse if

- (a) the patient is the member's spouse; and
- (b) the member is not engaged in the practice of the profession at the time the conduct, behaviour or remarks occur.

Council further approved that the proposed Regulation be circulated to members and other stakeholders for at least 60 days for comment. Council will, if appropriate, finally approve this at their June 20, 2014 meeting. If approved, the Regulation will then be forwarded to the Ministry for approval.

### 3. Drug Regulation

Many members have asked the Registrar why the College is not amending the drug regulation and the list of drugs and substances that it contains. The most important reason is that the *Regulated Health Professions Statute Law Amendment Act, 2009* amended the *Regulated Health Professions Act, 1991* (RHPA) and relevant health professions Acts to allow for a new framework for amending lists of individual drugs/substances that regulated health professions may prescribe/administer in Ontario. This amendment to the RHPA provides for the creation of a drug authorities approval framework that:

- a. Avoids the requirement for frequent regulation amendments to change lists of individual drugs for professions with drug-related authorities (i.e., prescribing, administering, dispensing, selling, compounding and/or using) by allowing that only classes of drugs be specified in regulations;
- b. Mitigates risk from identifying only classes of drugs in regulation by establishing Drug Lists outside of regulation that would specify individual drugs within the classes of drugs; and
- c. Gives the Drug List the force of law through 'incorporation by reference' of the Drug List into the regulation (i.e., the Drug List is named in the regulation).

A key component of this framework is the establishment of an Expert Committee (EC) that will create or approve the Drug List outside of the regulations. The EC would be established/named under section 43.2 of the RHPA. While the EC's purpose will be to create or approve the Drug List outside of regulations, consideration is being given to also recommending that the EC provide expert advice to the ministry regarding drugs and substances which may be set out in regulations.

In August, 2011, the Ministry of Health and Long Term Care was looking to set up a working group with health regulatory colleges to help inform the structure of the EC that will be established under section 43.2 of the RHPA. This meeting was not to actually set up the Expert Committee but rather to set up a working group which would include:

- EC members' qualifications;
- The frequency of EC Drug List reviews;
- College Drug List submission requirements;
- The Drug List submission and review process; and
- Any additional functions of the EC in support the new drug authorities approval framework.

Two of the College's Council members - Colin McQuistan and David Roth - attended an initial meeting hosted by the Ministry in 2011. This was an inaugural meeting of the working group. Nothing further has occurred since then as it is the Ministry's responsibility to move forward with this initiative.

In addition to convening this RHPA working group consisting of representatives of relevant regulatory colleges, the ministry was also supposed to conduct a jurisdictional scan and literature review of regulated health professional drug authority approval processes across Canada and internationally. An overview of the findings of the jurisdictional scan and literature review was to be shared with the working group once the results were compiled. This was to have occurred in early fall 2011. The College has heard absolutely nothing further. Until this new process is put into place, the government will not entertain amendments to any drug lists as there is no mechanism to approve amendments to any College's list of drugs and substances.

Therefore, the fact that amendments have not been made to the drug list is not due to the College. In fact, the College's Standing Drug Committee has created an amended list of drugs and substances but until there is an approval mechanism in place at the government, we have nowhere to go with these proposed amendments. The College would be happy to proceed with an amended list and rather than have the drugs listed individually, to list them according to classes. The government has not approved classes of drugs and still only accepts individual drugs.

**Remember:** If a drug or substance is not on the drug list, you can neither prescribe the drug nor inject the substance into the foot. This includes topical drugs.

FORMULA 3 officially became available in Ontario as of December 2013. It will only be offered in professional offices, so our members can prescribe it and sell it. The components are on our drug list.

**CAUTION:**

*If a drug does not have a DIN number you cannot sell, dispense, use or administer it in Canada. If you do so, you can be fined and it would also be deemed to be professional misconduct. An example of such a drug is FFNctf.*

### **CE CREDITS and CE Supply**

CE Supply Ltd provides distance learning for professionals. ***It came to the College's attention that CE Supply had sent out information to our members indicating that their courses*** had been accepted by the College as Category A courses. This was not in fact the case and the College clarified this fact with CE Supply Ltd.

The College does not pre-approve programs for Category A credits. If you attend a conference and you are randomly selected to provide your CE log to the College, the QA committee will determine if a course on your log is appropriately within the Category A list of credits.

### **ASSISTIVE DEVICES PROGRAM (ADP)**

This program deals with prescribing or providing ankle foot orthoses (AFO's). Many members are already providing these braces but not having their costs covered by the government program. Patients are also referred to other health professionals which makes it cumbersome for the patient and difficult for our members. One of the biggest concerns in relation to AFO's is under serviced communities where there are no professionals to provide the AFO's. The OSC has provided some thoughts and processes that indicate the importance of the profession moving towards becoming prescribers for AFOs.

The College corresponded with the Manager of the Assistive Devices Program to determine what must be done so that the members can be eligible to participate in the ADP. In order to consider our request, the following type of information needs to be submitted;

- Details of what the College sees as the role that chiropodists and podiatrists could be performing within the service delivery model of the specific device category;
- An explanation of how chiropodists and podiatrists would carry out their proposed role(s) in accordance with ADP policies;
- The legislative authority, scope of practice and current training that would qualify chiropodists and podiatrists to perform this role (Training for these devices has not been part of the educational program at the Michener);
- A list of the different classes of membership at the College of Chiropodists and how each one relates to their practice and role with the ADP; and
- Identification of which sections of the application form and therefore which devices the College is proposing chiropodists and podiatrists be able to deal with.

There is a great deal of work that must be done in order to put the submission together for acceptance into the program. The College will explore whether the Associations might be able to assist with this initiative.

## Peacock Award

The Registrar was awarded the Peacock Award by CG Group for demonstration of a level of leadership and excellence that goes beyond everyday 'normal' and for the courage and ability to help the HPRAC team 'Strut Its Stuff' and hopefully make a difference to the public.

## REGISTRATION EXAMINATION

The Registration Examination took place this year on Thursday, May 29<sup>th</sup> (written component) and Friday, May 30<sup>th</sup> (OSCE).

Currently, under the Examination Regulation, if an applicant fails the written or the OSCE, s/he can take a supplemental examination which usually takes place in August. If the candidate fails the supplemental, s/he must wait for the following year and complete both components of the examination again.

When the new Registration Regulation takes effect, candidates will only be able to write the registration examination a maximum of three times.

The Co-Chairs of the Registration Exam Committee, Stephanie Shlemkevich and Meghan Hoult, wish to thank its members for their hard work, dedication and commitment to the continued development of the written and OSCE components of the registration exams. Their ongoing support of this initiative is greatly appreciated. Special thanks especially to Sally Ciona, Martin Hayles, Andrew Klayman and Ruth Thompson for their incredible work and contributions towards the OSCE and written components this year. The co-chairs also wish to thank Spencer Farrow, Suzanne Lu, Tracy Oliver, Anamelva Revoredo, Kareem Salem and Michael Turcotte for their significant contributions to the written exam. We look forward to continued involvement of our members and encourage others in our profession to inquire regarding assisting with this very important component of our College.

Stephanie and Meghan also wish to thank the following members who helped with the Angoff process for the written exam and the execution of the OSCE for this year's examination: Marcella Cowan, Anna Georgiou, Martin Hayles, Kay Hayles, Andrew Klayman, Irv Luftig, Christine Mercer, Cynthia Micciola, Tracey Oliver, Anamelva Revoredo, Kareem Salem, David Shaw, Ruth Thompson, Eliot To. Michael Turcotte.

Finally a thank you also goes out to Judy Cohen and Shirelle Goodman who assisted at the examination and Sheila Lefkowitz who not only assisted at the examination but also coordinated the tremendous number of details that goes into running this examination each year.



Council approved the addition of Meghan Hoult as Co-chair of the Registration Examination Committee. The College welcomes Meghan to this position. The College also wishes to sincerely thank Meghan and Stephanie for their dedication, time, effort and tireless work in ensuring that the examination runs smoothly each year.

### By-laws

#### **Amendments to College's By-Law NO. 2, Fees**

As you will recall, in November 2013, the College circulated proposed changes to the Fees by-law. These amendments related to the College's **Registration examination**. At their February 2014 meeting, Council finally approved the amendments to the College's By-Law No. 2, Fees, including the following:

#### Article 3.01

A person who submits an application for a certificate of registration shall pay an application fee, which fee shall be submitted along with the application of (a) \$200.00 where the application is based upon the applicant having competed an educational program which was approved by Council at the time the application is submitted; and (b) \$500.00 where the application is based upon the applicant having completed an education program which has not been approved by Council and therefore must, in accordance with Council policy, be assessed before Council considers approving the program.

Council also finally approved the revocation of \$1,000.00 for the examination fee and the substitution of \$1,300.00 for the fee effective April 1st, 2014 and \$1,600.00 effective April 1st 2015; the revocation of \$75.00 for the supplemental written portion of the examination and the substitution of \$500.00; the revocation of \$220.00 for the supplemental OSCE component and the substitution of \$1,300.00 effective April 1, 2014 and \$1,600.00 effective April 1, 2015 and the revocation of the reference to the clinical examination as there is no longer a clinical examination.

Council also finally approved the revocation of article 5.01 which deals with people who only write the jurisprudence examination and the substitution of the following;

A person that applies to attempt the College's jurisprudence exam without applying to attempt the other examinations required for a certificate of registration shall pay a fee of \$250.00.

#### **REMINDER: The Standard of Practice for Record Keeping requires:**

Records must be stored and destroyed in accordance with current legislation and:

- 1) Be retained for at least ten years in the following circumstances:
  - a. after the patient's last visit or,

- b. if the patient was less than 18 years old at the time of the last visit, the day the patient became, or would have become, 18 years old.
- 2) Be retained for at least 7 years after a patient is deceased
- 3) Stored securely.
- 4) Destroyed in a manner that ensures confidentiality.

### Radio Frequency Ablation

The College received an inquiry from a member regarding the use of radio frequency nerve ablation for the treatment of recalcitrant heel pain. The member was inquiring if the procedure was a breach of the Act, by-laws, Standards of Practice, Guidelines or Policies.

Section 27 of the RHPA directs that no person shall perform a controlled act as set out in subsection (1) in accordance with providing healthcare services to an individual unless;

- “(a) the person is a member authorized by a health profession Act to perform the controlled act; or
- (b) the performance of the act has been delegated to the person by a member described in clause (a).”

Under subsection (2) a controlled act is defined to include [by virtue of paragraph 2];

2. Performing a procedure on tissue below the dermis, below the surface of a mucous membrane, in or below the surface of the cornea, or in or below the surfaces of the teeth, including the scaling of teeth”

It also includes [by virtue of paragraph 7];

“7. Applying or ordering the application of a form of energy prescribed by the regulations under this Act.”

There is no doubt that the insertion of a “very small thread-like probe” into the foot in order to ablate a nerve is within the controlled acts of “performing a procedure on tissue below the dermis.” The insertion of the probe is a procedure below the dermis which is not encompassed within the “cutting into subcutaneous tissues of the foot and/or bony tissues of the forefoot” which our Act currently authorizes. As a result, our members would only be able to perform that action if the act of “performing a procedure on tissue below the dermis” was authorized to them which it is currently not.

Therefore, a court having to consider whether a member has the authority to perform procedures below the dermis, would likely say that those procedures would be limited to “cutting into” tissues as detailed in the authorized acts section of the Chiropractic Act (i.e.

not performing procedures below the dermis). A court would likely conclude that the authorized acts which our members can perform would not include performing a procedure involving the placement of a probe. Therefore, this would not include a procedure such as radiofrequency ablation even though it seems somewhat strange that our members are authorized to perform what one might refer to as surgery but not to insert a probe. Radiofrequency Ablation is a procedure which is **not** currently authorized to our members.

**INFECTION CONTROL STANDARD**

*Infection control is considered an integral part of patient care. Concerns regarding the possible spread of blood-borne diseases have prompted practitioners to reassess and update their infection control measures,*

*The College of Chiropodists of Ontario has revised its infection control standards to meet the needs of the profession and to provide the public of Ontario with safe foot care. As professionals it is your responsibility to review the revised Infection Control Standard and ensure your infection control standards meet these minimum standards.*

*The updated Standard of Practice can be found on the College's website.*

**Note This...**

**Possible Fee Increase:**

The College Council will be discussing the possibility of a fee increase at their next meeting in June. The Executive Committee has had no choice but to recommend raising the membership fees to \$1,700.00 annually. The College has been operating in a deficit position for the past 2 years. Luckily, the reserves that had been built up over the previous years have been sufficient to cover these deficits. However, if the fee remains the same as it is currently at \$1,300.00, the reserves will be depleted by the end of 2014. This is not a position the College wishes to be in. If the fee increase is approved in principle, the draft amendment to the fees by-law will be circulated to you for your comment. The reason for the fee increase is directly related to the general increase in costs in running the College. Specifically, the Complaints & Discipline processes are extremely costly and are an important component of our core business. The greater the number of complaints and referrals to discipline, the higher the College's costs. The Regulated Health Professions Act mandates that the College must process every complaint that is received – we have no discretion to not process a complaint. It is up to the ICRC to determine what happens with the complaint.

The HPRAC referral process is also very expensive and given the fact that HPRAC now foresees completing the review in 2015 as opposed to 2014, our costs in relation to the review will continue into the next budget year. If we are successful in the review, the

costs will continue as we work with government to change the legislation to reflect any of the changes suggested by HPRAC.

The College watches its finances very closely. It does not take an increase lightly. However, given the size of the membership and the work that the College is currently dealing with, the recommendation of the Executive Committee to Council is totally unavoidable.

### College Membership Information

**563 Chiropractors**

**65 Podiatrists**

#### Please Note The Following Changes To The Membership

Childs, Mark	Resigned
Hopper, Pamela	Resigned
Murphy, Lara	Resigned
Pollack, Elliot	Resigned
Roberts, Andrew	Resigned
White, Alan	Resigned
Ziv Feldman	Suspended
Richard Galperin	Suspended
Kevan Orvitz	Suspended
Gayathri Yogarajah	Suspended

With regret, the College learned of the passing of two of its members:

#### **Bucci, Christopher (860200)**

Christopher Bucci, D. Ch became a chiropractor in 1986 and practised in both Oakville and in Hamilton. He passed away on January 20, 2014. His father, Ivan Bucci, is a retired podiatrist.

#### **Stewart, James (720844)**

James Stewart, DPM, graduated from Ohio College of Podiatric Medicine in 1972 and began practising in Sudbury, Ontario. He passed away on January 14, 2014

College Council and staff send their condolences to the families of both our members.

## Discipline Decisions

In coming to a decision, Discipline Panels consider five principles of sentencing to be apposite in the circumstances:

- Public protection
  - General deterrence
  - Specific deterrence
  - Rehabilitation of the member
  - Mitigation
- 

### Pamela Brown-Vezeau

On August 13, 2013, a Panel of the Discipline Committee found Pamela Brown-Vezeau, chiropractor, guilty of professional misconduct. In respect of several of her patients, Ms. Brown-Vezeau's records were inaccurate, in that they did not accurately record the services provided or products dispensed.

#### **In particular:**

- Ms. Brown-Vezeau did not properly record proper diagnoses, biomechanical examinations and gait analyses.
- Billing and charting records for three patients indicated that invoices were issued without corresponding treatment.
- Neither the invoices issued by Ms. Brown-Vezeau nor her chart specified the casting techniques used.
- Ms. Brown-Vezeau's clinical notes and records were inadequate, in that they failed to include adequate information with respect to:
  - a. patient history,
  - b. examinations and tests,
  - c. consultations,
  - d. clinical findings, assessments and diagnoses,
  - e. treatment,
  - f. advice provided to patients,
  - g. information concerning informed consent,
  - h. treatment plans, and,
  - i. follow up visits.

#### **Decision**

Based on the admissions set out in the Agreed Statement of Facts and the Member's admission, the panel found that the Member engaged in professional misconduct as set out in the Agreed Statement of Facts.

**Penalty**

The member appeared before the Panel of the Discipline Committee to be reprimanded, the fact of which has been recorded on the public register of the College.

The Panel of the Discipline Committee directed the Registrar to suspend the member's certificate of registration for a period of one (1) month, such suspension itself to be remitted in its entirety in the event that the member complies with the terms of the decision. In the event that the suspension must be served, it shall commence on a day to be fixed by the Registrar, although such date shall be before December 1, 2013.

The Panel of the Discipline Committee directed the Registrar to impose a specified term, condition and limitation on the member's certificate of registration requiring that the member successfully complete, at her own expense and to the satisfaction of the Registrar, a record keeping course, or a minimum one day individualized remediation program addressing record keeping, by no later than October 31, 2013. The course or program must be pre-approved by the Registrar. The member was also ordered to pay the College its costs fixed in the amount of \$5,000.00 within ninety (90) days of the date of the hearing.

**Reasons for Decision**

The Panel was satisfied that the facts as admitted to revealed a pattern of poor and inadequate record keeping by the Member. This conduct is contrary to the College's standard of practice, as acknowledged by the Member.

\*\*\*\*\*

**Charles MacMull**

On **November 5, 2013** a Panel of the Discipline Committee found **Charles MacMull**, chiropodist, guilty of professional misconduct.

Mr. MacMull failed to maintain appropriate standards in respect of sterilization and infection control. Among other things, Mr. MacMull:

- a. Failed to properly sterilize instruments;
- b. Failed to use proper equipment to sterilize instruments;
- c. Used instruments that had not been properly sterilized in the course of providing care to patients;
- d. Failed to use biological indicators to ensure proper sterilization;
- e. Failed to properly monitor sterilization systems in his practice;
- f. Failed to make or maintain proper records with respect to sterilization in his practice;
- g. Failed to properly store medication; and,
- h. Failed to provide proper or adequate facilities and equipment such as appropriate flooring, an autoclave, proper sinks, protective clothing and

equipment, proper cleaning solutions, an oxygen tank, and fire extinguishers.

Mr. MacMull thereby engaged in professional misconduct within the meaning of paragraphs 2 (failing to meet or contravening a standard of practice of the profession) and 33 (engaging in conduct or performing an act, in the course of practicing the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional) of O. Reg. 750/93 under the Chiropractic Act, 1991.

The Member's conduct certainly fell below the standards for sterilization and cleanliness expected for members of this profession. The Member acknowledged at the hearing that he was not familiar with the newest standards required for sterilizing equipment. This did not excuse the Member from his conduct or the state of his office and would certainly be viewed by others in the profession as disgraceful, dishonourable or unprofessional.

**Penalty**

The member appeared before the Panel of the Discipline Committee to be reprimanded, the fact of which was recorded on the public register of the College.

The Panel of the Discipline Committee directed the Registrar to suspend the member's certificate of registration for a period of one (1) month, such suspension itself to be remitted in its entirety in the event that the member complies with all relevant infection control standards by no later than December 31, 2013, failing which the suspension shall commence on a date to be set by the Registrar, such date to be no later than February 1, 2014.

The Panel of the Discipline Committee directed the Registrar to impose a specified term, condition and limitation on the member's certificate of registration whereby the member's practice will be inspected, without notice and at the member's expense, up to a maximum of four (4) occasions in the next twelve (12) months. Following each inspection, a report shall be provided to the Registrar with a copy to the member.

The member shall pay to the College its costs fixed in the amount of \$5,000.00 within twelve (12) months of the date of the hearing.

\*\*\*\*\*

**Omar Qureshi**

**Hearing Dates - October 3, 4 and 5, 2012; April 16, 17, 18 and 19, 2013**

In or about October, 2009, Mr. Qureshi organized and presented "Lunch and Learn" sessions for teachers at various schools, including schools in Durham Catholic School Board.

As inducements for receiving Mr. Qureshi's services and purchasing orthotics prescribed by Mr. Qureshi, Mr. Qureshi, directly or indirectly, offered a free pair of orthopaedic shoes to attendees.

Mr. Qureshi purported to perform chiropody assessments for attendees, and issued prescriptions for orthotics for attendees, without:

- a. taking an adequate history;
- b. performing an adequate chiropody assessment;
- c. providing adequate privacy or confidentiality; or
- d. making adequate records.

Mr. Qureshi used foam box impressions or paper tracing to cast orthotics.

Mr. Qureshi prescribed two (2) pairs of orthotics for approximately thirty (30) patients rather than prescribing one (1) initially, and later following up to determine whether a second pair was required after the patient tried the first pair.

Mr. Qureshi submitted receipts for insurance claim purposes indicating that the client paid for the services and/or products when in fact the client had not yet done so. Rather, the client only paid for the services and/or products once they received cheques from their insurer. The client would therefore receive the service and/or product before paying for it. In addition, Mr. Qureshi knew or ought to have known that false records were being submitted to insurers.

**Discipline: Findings and Orders - Found guilty of Professional Misconduct because Mr. Qureshi:**

- Failed to meet or contravened a standard of practice of the profession.
- Provided treatment to a patient where the member knew or ought to know that the provision of the treatment was ineffective, unnecessary or deleterious to the patient or was inappropriate to meet the needs of the patient.
- Failed to keep records as required by the regulations.
- Failed to notify the patient of the fees charged for the member's services prior to rendering the services to the patient.
- Engaged in conduct or performed an act, in the course of practising the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

**Penalty:**

The member was required to appear before the Panel on a date to be set by the Registrar in order to be reprimanded, the fact of which will be recorded on the College's register.



The Registrar was directed to suspend the Member's certificate of registration for a period of (4) months, commencing on a date to be set by the Register but in any event must begin no later than ten (10) months from the date on which the Panel's order becomes final. The fourth month of this period of suspension will be suspended in the event that the Members successfully completes the courses specified below, prior to the beginning of the third month of the suspension.

The Registrar was directed to impose the following terms, conditions, and limitations on the Members certificate of registration:

For a period of two (2) years following the completion of the suspension the Member's practice shall be supervised. The terms of the supervision are as follows:

- 1 The supervisor shall be appointed by the Registrar and shall be a professional member of the College of Chiropractors of Ontario;
- 2 The supervisor shall visit with the member every four (4) months at the Members site (s) of practice or via telephone, a total of six visits. There must be no less than four (4) site visits.
- 3 The supervisor shall determine the length of each visit;
- 4 In conducting site visits, the supervisor shall engage the Member in discussions regarding jurisprudence, ethics and ethical issues arising, practice management, record-keeping, chart audits, orthotic and footwear regulation compliance, and practice site overview;
- 5 The Member shall pay the costs of the supervision and shall fully reimburse the College for these costs within 30 (30) days of receiving an invoice from the College for the supervision; and
- 6 This term, condition or limitation shall be removed from the Member certificate of registration when it has been complied with.

Within six (6) months of the completion of the suspension the Member shall successfully complete, at his own cost, courses acceptable to the Registrar in relations to (i) Ethics and Jurisprudence, (ii) Practice Management and (iii) Record-keeping. This term, condition or limitation shall be removed from the Member's certificate of registration when it has been complied with.

The Member shall pay to the College costs in the amount of \$38,000 payment of which must be made in full within sixteen (16) months of the completion of the period of suspension. Payment shall be made monthly for sixteen (16) consecutive months in increments of no less than \$2375.00, and the first of these monthly payments shall be made no later than the first day of the month following completion of the period of suspension, and subsequent payments shall be made no later than the first day of the following month.

The member appealed the decision of the Discipline panel to the Divisional Court. The member's appeal to Divisional Court was dismissed. Costs of the appeal were ordered to be paid by the member to the College in the amount of \$15,000.00. The court also put a cap of \$5,000.00 on the total cost of the practice assessments. A motion by the member for leave to appeal to the Court of Appeal is pending.

\*\*\*\*\*  
The full Discipline Decisions can be found on the College website: [www.cocoo.on.ca](http://www.cocoo.on.ca)

.....

### HPRAC

Members are encouraged to access the portal through the **Members Only Section** on the College's website for the most recent update of the **HPRAC review**. *This section requires a user name and password.*

It is also important to periodically visit the College website: [www.cocoo.on.ca](http://www.cocoo.on.ca) to ensure that you are up-to-date on a multitude of topics such as *Guideline for Dealing with Office Medical Emergencies in the Podiatry and Chiropractic Office Setting*.

### College's COMMITTEE MEMBERS

#### **Executive**

Jamie Maczko - **President**  
Colin McQuistan –Vice-President  
Peter Stavropoulos  
Khalid Daud  
Wilhelmina Gonzalez

#### **ICRC**

Peter Stavropoulos - <b>Chair</b>	
Julie DeSimone	Colin McQuistan
David Roth	Ruth Thompson
Donna Coyne	Khalid Daud
Ray Ferraro	Christine Burton
Neil Naftolin	Sohail Mall
Stephanie Shlemkevich	

#### **Discipline**

Wilhelmina Gonzalez - **Chair**  
Stephen Haber

Jamie Maczko  
Ann-Marie McLaren  
Khalid Daud  
Ray Ferraro  
John Lanthier  
Cesar Mendez

Peter Stavropoulos  
Donna Coyne  
Sohail Mall

**Fitness To Practice**

Pete Guy - **Chair**  
Wilhelmina Gonzales  
Cesar Mendez  
Kim Resmer

**Patient Relations**

David Roth – **Chair**  
Donna Coyne  
Christine Burton  
Sylvia Kovari  
Sohail Mall

**Quality Assurance (QA)**

Anna Georgiou **Chair**  
Julie DeSimone  
Cesar Mendez  
Ann-Marie McLaren  
Ray Ferraro  
Tony Zamojc

**Registration**

David Roth **Chair**  
Ruth Thompson  
Donna Coyne  
Wilhelmina Gonzales

**AD HOC COMMITTEES**

**Practice Working Group**

Anna Georgiou **Chair**  
Peter Guy  
Stephen Haber  
Cindy Lewis  
Anamelva Revoredo

**Registration Examination**

Stephanie Shlemkevich **Co-Chair**

Meghan Hoults **Co-Chair**

Ruth Thompson  
Spencer Farrow  
Martin Hayles  
Suzanne Lu  
Anamelva Revoredo  
Michael Turcotte

Sally Ciona  
Megan Grantham  
Andrew Klayman  
Tracy Oliver  
Kareem Salem  
Patricia Wong

#### **HPRAC Referral Committee**

Jamie Maczko **Co-Chair**  
Peter Stavropoulos **Co-Chair**  
John Infanti  
Ann-Marie McLaren  
Ray Ferraro  
John Lanthier  
David Roth

#### **Education Committee**

Colin McQuistan **Chair**  
Pete Guy

#### **Standing Drug Committee**

Colin McQuistan **Chair**  
David Roth Cesar Mendez  
Meera Narenthiran Anamelva Revoredo

#### **Technical Committee**

Colin McQuistan **Chair**  
Christine Burton  
Ruth Avelno  
Jonathan Haslehurst  
John Lanthier  
Tracy Oliver

#### **Elections Committee**

Donna Coyne **Chair**  
Ray Ferraro  
Sohail Mall

**The College wishes to thank all our members who contribute their time and effort on these committees and help to ensure that the College fulfills its mandate of protecting the public.**

## Upcoming Election for Council

Please be advised that the Spring election will take place in the following districts;

District 3 – Chiropodist

District 4 – Chiropodist

Districts 3&4 – Combined District 2 – Podiatrist

If you are interested in becoming a member of Council, please look for the information that will be mailed out to members in these districts in the next couple of weeks. Being a Council member is a critical role in which you have the opportunity help the College protect the public. There are many excellent candidates who have perhaps not been involved in College activities in the past and would like to do so now. We are always looking for new perspectives and different experience. Please put your name forward.

### UPCOMING COUNCIL MEETINGS:

**Friday June 20, 2014**

**October 20, 2014**

All Council meetings of the College of Chiropodists of Ontario are open to both the membership and the public. Since space is limited, if you wish to attend please contact Sheila at ext. 226. The Council meetings are generally held in the Conference Room: 19<sup>th</sup> Floor at 180 Dundas Street West in Toronto.

**Please Note:** Complete Council Minutes are posted on the College website once they have been approved at the following Council meeting.