

(Draft) COUNCIL MEETING MINUTES
Tuesday, January 29, 2017 9:30 am – 3:45 pm
COO Boardroom | 90-300 Adelaide St. W., Toronto

Council Members Present:

Mr. David Milne, Public Member
Ms. Ingrid Koenig RO, Elected Member
Mr. Omar Farouk, Public Member
Mr. Joseph Richards, Public Member
Ms. Neda Mohammadzadeh RO, Elected Member
Mr. Edward Viveiros RO, Elected Member
Ms. Peggy Dreyer RO, Public Member
Ms. Trudy Mauth, Public Member
Mr. Gordon White, Public Member
Mr. Rob Vezina, RO, Elected Member
Mr. Balbir Dhillon RO, Elected Member

Ms. Jacalyn Cop-Rasmussen, Public Member via teleconference

Administration:

Mr. Fazal Khan RO, Registrar
Ms. Bev Sloan, Deputy Registrar
Ms. Amy Stein, General Counsel
Carolyn Robertson, Executive Assistant (meeting recorder)
Ms. Farrah Kamani, Executive Assistant

Guests:

Mr. Malcom Vaz, of Sevitt and Associates

1.0 Introduction

1.1 Introductions and Announcement

Mr. Khan opened the meeting and welcomed all. Mr. Khan explained that the meeting would be 45 minutes followed by a recess for the rest of the day. Council would then have an Orientation session and the council meeting would resume the following day at 9:30.

Mr. Khan then introduced Mr. Vaz who presided over the elections. Roll call then took place around the council table and in the gallery.

1.1.1 Submission of Acknowledgement and Consent Regarding Confidentiality Of Personal Information and Acknowledgement and Undertaking Regarding Fiduciary Duties

Two documents, the Submission of Acknowledgement and Consent Regarding Confidentiality Of Personal Information and the Acknowledgement and Undertaking Regarding Fiduciary Duties were distributed to all council and appointed members. The forms were then signed and collected.

1.2 Approval of Council Member participation remotely

Mr. Khan explained to council that Ms. Cop-Rasmussen wished to join the council meeting remotely via teleconference and was not currently in attendance by phone. Council's approval was needed for her participation. It was proposed that the bylaws needed to change to allow remote participation without a motion from council.

Motion: To approved Ms. Cop-Rasmussen's participation remotely.

Moved: I. Koenig

Seconded: D. Milne

VOTE: CARRIED

A discussion of Ms. Cop-Rasmussen's participation in the executive election followed. It was confirmed that the election would take place by secret ballot. Mr. Khan noted that Ms. Cop-Rasmussen's vote would be received by Malcom Vaz, a neutral third party, via email.

Motion: To approve Ms. Cop-Rasmussen casting her ballots in the Executive Committee elections by email to the neutral election chair, Mr. Vaz?

Moved: P. Dreyer

Seconded: B. Todd

VOTE: CARRIED

Ms. Cop-Rasmussen was then contacted by phone and joined the council meeting.

1.3 Conflict of Interest Declaration

No conflicts of interest were declared.

1.4 Adoption of Agenda

Motion: To adopt the agenda as presented.

Moved: T. Mauth

Seconded: E. Viveiros

VOTE: CARRIED

2.0 Executive Election Procedure

Mr. Khan remarked that a number of people had put themselves forward for the five positions: President, Vice President, Third, Fourth and Fifth position on the Executive. Council was also advised that the bylaws require two public and three professional members on the Executive. It was noted by Mr. Khan that in the past the COO has had 13 members. With the addition of Ms. Cop-Rasmussen Council has 14 people for 2018 which creates the very real possibility that there could be a tie. Precedent exists for the Chair to have the authority to break the tie. The College bylaws are silent as to how many rounds of voting and silent as to the instrument to break the tie. The question was put to Council – how many rounds of voting do you feel are appropriate? Is there a preference as to the instrument to break the tie?

Suggestions were made as to the number of rounds.

Motion: To limit the voting for the Executive Committee to five rounds.

Moved: R.Vezina

Seconded: N. Mohammadzadeh

CARRIED

It was proposed that drawing lots would be an appropriate way to break a tie. Other ways of breaking a tie were discussed.

Motion: In the event of a tie, for the Meeting Chair to break the tie by the drawing of lots.

Moved: R.Vezina

Seconded: N. Mohammadzadeh

CARRIED

Mr. Vaz then reviewed the election procedure with Council before the voting commenced.

It was confirmed that the voting would elect five positions: President, Vice President, and Third, Fourth and Fifth positions. It was further explained that the floor would be opened to nomination, a seconder would be needed for any nominations and then the voting would be done by secret ballot with the winner being decided by a majority of the vote. Mr. Vaz opened floor to questions.

2.2 Election of the President

The floor was opened to the position of president.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
David Milne	O. Farouk	P. Dreyer

Mr. Milne accepted the nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
Robert Vezina	B. Todd	E. Viveiros

Mr. Vezina accepted the nomination. Ballots were distributed by Ms. Sloan. Mr. Khan verbally confirmed with Ms. Cop-Rasmussen that she would vote by email. Mr. Vaz then collected ballots. Ballots were then counted by Ms. Sloan and Mr. Vaz. Malcom announce that Mr. Milne is the new president.

2.3 Election of Vice President

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
Ingrid Koenig	D. Milne	P. Dreyer

Ms. Koenig accepted the nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
Bryan Todd	E. Viveiros	T. Mauth

Mr. Todd accepted the nomination.

Mr. Vaz asked for other nominations. Seeing none the floor was closed to nominations after second call. Ballots were then passed out by Ms. Sloan and collected by Mr. Vaz. Mr. Khan verbally confirmed that Ms. Cop-Rasmussen would vote electronically for Vice President. Ms. Cop-Rasmussen confirmed.

Ms. Sloan and Mr. Vaz then counted the ballots and discovered a tie vote. The vote remained a tie for the second round. The third, and fourth rounds of voting also resulted in a tie. Following the fourth round the candidates each said a few words. Round 5 also resulted in a tie vote. The tie was broken by the drawing of lots and Bryan Todd was announced as the new Vice President of the College.

2.4 Election of Three Remaining Executive Members

The floor was opened to nominations for public third member of the Executive Committee.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
Omar Farouk	J. Richards	I. Koenig

Mr. Farouk accepted the Nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
Trudy Mauth	P.Dreyer	E.Viveiros

Ms. Mauth accepted the nomination.

Mr. Vaz called for further nominations and there were none. Nominations were then closed.

Ms. Sloan distributed ballots which were then collected by Mr. Vaz. Mr. Khan then verbally confirmed with Ms. Cop-Rasmussen that she would vote for the third position by email. Once the ballots were counted Mr. Vaz announced Ms. Mauth as the third position on the Executive Committee.

The floor was then opened to nominations for Fourth position.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
Peggy Dreyer	E. Vivieros	T.Mauth

Ms. Dreyer accepted the nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
Ingrid Koenig	B. Dhillon	J. Richards

Ms. Koenig accepted the nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
Robert Vezina	B. Todd	B. Dhillon

Mr. Vezina accepted the nomination.

After the voting Ingrid was announced as the Fourth member of the Executive.

Elections for Fifth position began with Mr. Vaz opening the floor to nominations.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
Peggy Dreyer	D. Milne	I. Koenig

Ms. Dreyer accepted the nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
Robert Vezina	B. Todd	E. Viveiros

Mr. Vezina accepted the nomination.

Ms. Sloan distributed ballots which were then collected by Mr. Vaz. Mr. Khan verbally confirmed with Ms. Cop-Rasmussen that she would vote for fifth position.

Ms. Dreyer was announced as the Fifth member of the Executive. Mr. Vaz then passed the meeting back to Mr. Khan.

2.5 Appointment of the 2018 Executive Committee

Motion: To appoint the Executive Committee as voted. Council has elected: President: David Milne, Vice President: Bryan Todd, Third position: Trudy Mauth, Fourth position: Ingrid Koenig, Fifth Position: Peggy Dryer.

Moved:	G. White
Seconded:	O. Farouk

CARRIED

3.0 Recess Public Session

Mr. Khan then recessed the Council meeting, scheduled to resume on Tuesday January 30th at 9:30.

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Mr. Balbir Dhillon RO, Elected Member

Administration:

Mr. Fazal Khan RO, Registrar
Ms. Bev Sloan, Deputy Registrar
Ms. Amy Stein, General Counsel
Carolyn Robertson, Executive Assistant (*meeting recorder*)
Ms. Farrah Kamani, Project Manager

4.1 Introductions and Announcement

Mr. Dunston, the Independent Meeting Chair, opened the meeting with roll call.

4.2 Conflict of Interest

No conflicts of interest were declared.

4.3 Adoption of Agenda

It was put forward by the Registrar, Mr. Khan, that one item would be added to the agenda, the presentations from the COO Managers.

Motion: To approve the agenda with the addition of the presentations from the managers.

Moved: P. Dreyer

Seconded: J. Richards

CARRIED

5.0 Minutes

Motion: To adopt the December 5, 2017 Council meeting minutes as presented.

Moved: I. Koenig

Seconded: O. Farouk

CARRIED

6.1 Presentation by staff on each Committee and their function

1. Laura Briard, Manager Professional Programs and Chantelle Dias, Coordinator Professional Programs presented an overview of their roles at the College.
2. Katya Shtrachman, Manager Registration Services and Daniella Bellabarba, Coordinator Registration Services, and Maureen Szeto, Receptionist, provided an overview of their roles at the College.
3. Deidre Brooks, Manager Professional Conduct and Chevonne Cordle, Coordinator Professional Conduct provided Council with an overview of their roles at the College.

6.1 Council Effectiveness Self-Evaluation Report and Action Plan

Ms. Fryday-Field of Meridian Edge Consulting presented the survey results to Council. 20 out of 21 people responded to the survey providing robust answers. The results were posted the previous week. Ms. Fryday-Field noted areas where members did not understand the questions and a discussion followed.

Ms. Fryday-Field divided the council up into groups to discuss the 11 sections of the Key Observations and Themes by Council.

Ms. Fryday-Field noted that Council engagement has increased significantly since 2016. The question was put to Council: Are you comfortable putting out the information to the public?

It was noted by Ms. Fryday-Field that posting everything would be very transparent. This is the first year that the COO is mandated to post everything publicly. If Council is restricting access to information we need to be mindful of what the reasons are.

No motion was required for this item but a consensus was reached.

Consensus: Before release of the survey, Council would take the next planning session to review the information in detail, taking into consideration that the numeric survey has already been shared with public. To share the full survey with the appointed members at the end of the council meeting.

6.2 Council Strategic Agenda/ Work Plan Concept and Policy

Ms. Fryday-Field of Meridian Edge Consulting presented the Council Strategic Agenda/Work Plan concept and policy. The policy is designed to provide an agreed upon framework and process for the Council to set its own Strategic Agenda and Work Plan for each year. Currently Council does not have a policy on this topic. The Governance Committee has not reviewed the detailed wording of the draft policy. However, they discussed this concept in October and November 2017. The Council Strategic Agenda is a tool that ensures Council is held accountable for the focus of its own work plan, its progress toward achieving its work plan, and Council's overall results in any one Council cycle.

Consensus: Governance should vet the *Council Strategic Agenda / Work plan Concept and Policy* and then come back to Council with findings.

Motion: To table the discussion regarding the Council Strategic Agenda / Workplan Concept and Policy.



Moved: D. Milne
Seconded: O. Farouk

CARRIED

6.3 Committee Slate Recommendations (~)

Council was presented with the committee slate which the Executive Committee approved the previous evening. The issue of Ms. Mauth's potential role as the Chair of Discipline was addressed as a conflict of interest in the event that she remain on the Inquiries, Complaints and Reports Committee. It was proposed that if Ms. Mauth were to be on both committees, when a conflict of interest arose the Vice Chair could make decisions on those matters. The suggestion was also made that Ms. Mauth could be removed from the Inquires, Complaints and Reports Committee.

Motion: To adopt the Committee Slate Recommendations as presented.

Moved: D. Milne
Seconded: T. Mauth

CARRIED

6.4 2018 College Representatives

6.4.1 Chief Examiner

The Independent Meeting Chair opened the floor to nominations.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
P. Dreyer	T. Mauth	B. Todd

It was suggested by Mr. Milne, Council President, that Mr. Vezina could be the Chief Examiner. Mr. Vezina declined.

Motion: To approve the nomination of Peggy for Chief examiner.

Moved: T. Mauth
Seconded: B. Todd

CARRIED

6.4.2 National Exams Committee Representative (NEC)

The Independent Meeting Chair opened the floor to nominations.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
P. Dreyer	B. Todd	E. Viveiros

The Independent Meeting Chair called for other nominations.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
I. Koenig	B.Dhillion	O. Farouk

Asked for further nominations.

Each of the nominees said a few words about why they felt they were the right candidate and their experience.

Council voted by secret ballot on the National Exams Committee Representative. Ms. Sloan distributed the ballots, which were then counted by Ms. Sloan and the Independent Meeting Chair.

Issue of a spoiled ballot was discussed and defined as: A ballot that could not be read, ballot with two names, ballot with an illegible name, ballot with a name of a person not running.

Ms. Koenig received the majority of the vote and is now the National Exams Committee Representative.

Motion: To destroy the ballots.

Moved: G. White

Seconded: R. Vezina

CARRIED

Council then heard from legal counsel, Ms. Amy Stein regarding Ms. Mauth's participation in both the Discipline and ICRC Committees. Ms. Stein explained that Ms. Mauth would be required to be free of conflict and that both the Chair and Vice Chair need to be available.

Ms. Mauth proposed removing herself from the Inquiries Complaints and Reports Committee.

Motion: That the approved committee slate be open for discussion.

Moved: I. Koenig

Seconded: T. Mauth

CARRIED

Opened committee slate for discussion.

Motion: That the Committee slate stand as is with Ms. Mauth removed from the Inquiries Complaints and Reports Committee.

Moved: R. Vezina

Seconded: I. Koenig

CARRIED

It was noted that with the removal of Ms. Mauth from the Inquiries Complaints and Reports Committee, the committee would have one fewer needs-to-have-an-additional public member. Proposed amendment to move Mr. Milne to Inquiries Complaints and Reports Committee and put Ms. Mauth on Quality Assurance and remove Mr. Milne from Quality Assurance. The amendment was not included in the final motion.

6.5 Finance

6.5.1 Year-to-Date Financial Variance Report

Council heard from Ms. Sloan who presented the Year-to-Date Financial Variance Report. Floor opened to questions.

6.5.2 Draft 2018 Budget

Council heard from Ms. Sloan who presented the Draft 2018 Budget. Questions were heard regarding discipline training and hearings and the budget allotted for Discipline. It was proposed that the budget for Discipline be increased to \$45,000.

Motion to make all the changes as suggested.

It was noted that the amount set aside for the sexual abuse jurisprudence module was reduced to \$3,000 and had dropped significantly from the previous year. It was explained that in 2017 the bill arrived and was paid in December for 2018.

A discussion about the reserve fund followed. It was asked if the COO has a policy on the contingency fund and established that the College only has a six month guideline. It was decided that Governance would draft a policy.

Motion: To approve the budget as amended with all noted changes.

Moved: B. Todd

Seconded: O. Farouk

CARRIED

Mr. Khan spoke to the contingency fund. Potentially in 10 years the COO will need to move again. Current reserves do not cover this expense adequately. Usually this is discussed in May during the audit along with a conversation about fees.

LUNCH – 11:45 – 12:50

6.10 National Initiatives Update

Council Heard from Laura Greer of Hill and Knowlton. Educational institutions are preparing for where Opticianry wants to be with regard to an expanded scope.

Ms. Greer noted that if Opticianry in Ontario becomes regulated in a way more consistent with the rest of the country or having another province move forward with the expanded scope before Ontario would be helpful for the COO's Position. Mr. Khan then outlined the next steps.

6.6 Prescription Expiry dates

Motion: To table Prescription Expiry Dates 6.6 to our next Council Meeting.

Moved: R.Vezina

Second: B. Todd

CARRIED

6.7 2018 Council Meeting Dates

The proposed meeting dates were discussed.

Motion: To approve the Council Meeting dates as presented.

Moved: Ms. Mauth

Seconded: D. Reiz

Carried

6.8 Life Member

Mr. Khan briefed council as to the two life members and their applications and the vetting process.

6.8.1 Marlies Summers – 1245

Motion: To approve giving Marlies Summers Life Member status.

Moved: R. Vezina

Seconded: T. Mauth

CARRIED

6.8.2 Linda Wren – 1547

Motion: To approve giving Linda Jeanne Wren Life Member status.

Moved: P. Dreyer

Seconded: I. Koenig

CARRIED

6.9 Updating the Jurisprudence Module 1– Professional Boundaries and Sexual Abuse Handbook

The existing Jurisprudence and Sexual Abuse Prevention Self-Evaluation Tool was initially developed by the Patient Relations Committee. The “Jurisprudence Module: Professional Boundaries and Sexual Abuse” includes a handbook and test questions, and was developed in concert with Richard Steinecke. The module was first implemented on March 9, 2016.

Bill 87, bill made significant amendments to the *Regulated Health Professions Act*, including numerous provisions that relate to sexual abuse. The handbook was updated to reflect the new law. Council has decided that everyone will get training. This will happen as early in the year as possible. The questions have been seen by patient relations.

Motion: To approve the updated version of the Jurisprudence Module.

Moved: R. Vezina

Seconded: P. Dreyer

CARRIED

Motion: To direct COO staff to integrate the proposed further updates once the corresponding legislative provisions are proclaimed into force at some future point without requiring further Committee/Council approval?

Moved: R. Vezina

Seconded: P. Dreyer

CARRIED

7.0 Reports

7.1 Registrar's Report

Council was briefed by Mr. Khan regarding reports. It was suggested that Council move to a consent agenda for the reports.

Motion: To move to a consent agenda for the Annual reports (7.3) and Examination Report (7.4) and Committee Reports (7.5) but not the Registrar's Report (7.1) or The Strategic Plan update (7.2).

Moved: O. Farouk

Seconded: R. Vezina

CARRIED

Mr. Khan briefed Council regarding the two remaining staff who were not included in the morning presentations: Farrah Kamani was introduced in her new role as Project Manager. Carolyn Robertson is returning to her role as Executive Assistant. Mr. Khan outlined some of the projects Ms. Kamani has been involved in.

Ms. Kamani briefed Council on the Citizen's advisory group meeting. The floor was opened to questions.

7.2 Strategic Plan 2017-2019

Mr. Khan briefed Council regarding the strategic plan and opened the floor for questions.

7.3 Annual Reports

Motion: To approve the Annual Reports as presented.

Moved: R. Vezina

Seconded: O. Farouk

CARRIED

7.4 Examinations Report (*)

Motion: To approve the Examinations Report as Presented.

Moved: R. Vezina

Seconded: B. Todd

CARRIED

7.5 Committee Reports

Motion: To approve the Committee Reports as presented.

Moved: R. Vezina

Seconded: O. Farouk

CARRIED

Motion: To begin in Camera Session, Under RHPA, Schedule 2, Section 7 (c)

Moved: G. White

Seconded: E. Vivieros



CARRIED

Motion: To rise from the In camera session.

Moved: P. Dreyer

Seconded: J. Richards

CARRIED

9.0 Adjournment

Motion: To adjourn the Council meeting.

Moved: D. Milne

Seconded: B. Todd

CARRIED