

DRAFT BOARD MEETING MINUTES

October 5, 2020

9:30 AM to 3:30 PM

by zoom

Attendees: Mr. Bryan Todd, RO, Chair, Elected Member
Mr. Stephen Kinsella, Vice-Chair, Public Member
Mr. Murray Angus, Public Member
Ms. Diana Bristow, Public Member
Mr. Omar Farouk, Public Member (Monday until 10:30)
Ms. Peggy Judge, Public Member
Ms. Ingrid Koenig, RO, Elected Member
Ms. Neda Mohammadzadeh, RO, Elected Member
Mr. Samir Modhera, RO, Elected Member
Ms. Dorina Reiz, RO, Elected Member
Mr. Michael Smart, RO, Elected Member
Mr. Edward Viveiros, RO, Elected Member (Monday only)
Mr. Henry Wiersema, Public Member

Administration: Mr. Fazal Khan, RO, Registrar, CEO
Ms. Melanie Woodbeck, Deputy Registrar
Ms. Amy Stein, General Counsel
Ms. Carolyn Robertson, Manager, Communications and Executive Office
Ms. Patricia Rego, Coordinator,
Ms. Davneet Shahi, Project Assistant

Guests: Ms. Sarah Butson, Meeting Facilitator
Mr. Derick Summers, Chair of the Quality Assurance Committee and Registration Committee

Regrets: Ms. Jacalyn Cop-Rasmussen, Public Member

1.0 Introduction

1.1 Introductions and Announcements

B. Todd introduced himself, the Board Members and the Administration. M. Angus, a new public member introduced himself.

S. Butson reviewed the meeting norms and high five with participants.

1.2 Conflict of Interest Declaration

No conflicts of interest were declared.

1.3 Adoption of the Agenda

F. Khan requested an amendment to the agenda. Item 4.0 will be removed from the agenda and item 17.1 will take its place.

MOTION: TO ADOPT THE AGENDA AS AMENDED

MOVED: E. VIVIEROS

SECONDED: A. FOURNIER

FOR: 13

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

2.0 Minutes

MOTION: TO APPROVE THE JULY 27, 2020 MINUTES.

MOVED: M. SMART

SECONDED: H. WIERSEMA

FOR: 11

AGAINST: 0

ABSTAINED: 2 (I. Koenig and M. Angus abstained as they were not present at July meeting)

VOTE: CARRIED

3.0 2020 Financial Reports

3.1 Year-to-date Financial Variance Report

M. Woodbeck reviewed the highlights of the year-to-date financial variance report which was provided for information only.

4.0 Registrar's Report (moved from 17.1)

F. Khan reviewed the Registrar's Report with the Board. Highlights included:

- **Registration Exam:** Seneca will host the NACOR exams from October 24 to the 28. Social distancing and additional infection control measures are in place to ensure safety.

- **COVID-19:** The College continues to update registrants about COVID-19 related measures via eblast, social media and on the website.
- **Physical premises:** The College continues to operate remotely and will do so until at least the end of the year. In the interim, renovations to the Professional Conduct area have been completed. Hand sanitizing stations and plexiglass screen at reception have been installed in anticipation of our eventual return to the office.
- **External relations:** The Registrar attends daily Ministry of Health updates regarding COVID-19.
- **External Events:** Recent events have included the Webinar “Chat with the Registrar”, virtual participation with OOA and the COO’s presentation at the CNAR Conference.
- **Optometry Job action:** The College is monitoring a job action commenced by the Optometry Association of Ontario relating to funding concerns under the OHIP program.
- **Board member updates:** Murray Angus was appointed to the Board by the Health Board Secretariat, and Omar Farouk has been reappointed for a further three year term.
- **Elections update:** Neda Mohammadzadeh was acclaimed in District 8 and Elsa Lee was acclaimed in District 1. An election will run in District 5. The candidates Dorina Reiz (incumbent) and Seyedparham Abtahi.
- **Media inquiry:** A reporter from the CBC reached out to the COO asking if we are advising Registrants against providing in person services. We shared our Standards of Practice and noted that Registrants can use remote practice. Other colleges are also being canvassed.

5.0 Framework from the Ministry of Health

F. Khan briefed the Board on the College Performance Measurement Framework released by the Ministry of Health. Colleges will begin reporting to the Ministry under the Framework in Spring 2021 on data pertaining to the 2020 calendar year. The purpose of the framework is to streamline all of the metrics that the Ministry sees from the colleges.

Administration is in the process of conducting a gap analysis to determine staffing and budgetary implications, as well as reviewing potential impacts to policy and governance matters.

The presentation was for information only.

6.0 Registration Policy and By-Law Changes

6.1 Amendments to the Contact Lens Fitting Policy

D. Summers reviewed proposed changes to the Contact Lens Fitting Policy with the Board.

Students are currently facing challenges obtaining all of the eyeglass fits needed to meet registration requirements. The Registration Committee proposed that the College temporarily allow for 25% of eyeglass fits to be performed on a “peer-to- peer” or standardize patient basis. The balance of the fits would be required to be completed on actual patients in a dispensary setting. The Committee proposed that this addendum be in effect until December 31, 2020.

A discussion followed, and the Board considered whether it would be prudent to extend the addendum to the following year in order to ensure that students can continue to meet registration requirements

beyond 2020. The Board also considered an extension to the addendum to the Contact Lens Mentor Policy to permit persons holding academic positions to qualify as contact lens mentors. It was proposed that both policies be extended to December 31, 2021.

MOTION: TO APPROVE THE PROPOSED ADDENDUM TO THE CONTACT LENS FITTING POLICY TO TEMPORARILY PERMIT UP TO 25% OF EYEGLOSS FITS TO BE PERFORMED ON A PEER TO PEER OR STANDARDIZED PATIENT BASIS STUDENTS WILL BE REQUIRED TO COMPLETE THE BALANCE OF THE FITS ON A RETAIL PATIENT IN A DISPENSARY SETTING. THE ADDENDUM WILL REMAIN IN EFFECT UNTIL DECEMBER 31, 2021.

MOVED: I. KOENIG
SECONDED: E. VIVIEROS

FOR: 13
AGAINST: 0
ABSTAINED: 0

VOTE: **CARRIED**

MOTION: TO AMEND THE CONTACT LENS MENTOR POLICY TO EXTEND THE DATE FROM DECEMBER 31, 2020 TO DECEMBER 31, 2021.

MOVED: I. KOENIG
SECONDED: S. MODHERA

FOR: 13
AGAINST: 0
ABSTAINED: 0

VOTE: **CARRIED**

6.2 By-Law Amendment Removing Gender from the Public Register

At the February 26, 2020, Board meeting, the Board approved a draft by-law amendment to remove the requirement to post gender identification on the public register. The Board was presented with stakeholder feedback on the proposed amendment for its consideration.

On review of the feedback, the Board considered that only nine other colleges have reported that they are currently posting this information. The Board also discussed whether the College should consider removing the use of salutations in emails. It was confirmed that the salutation is used internally and not displayed on the public register but if people are asking that this not be used the College would respect that. The Board further queried whether it would be possible to provide registrants with the option to opt in or out with regard to gender being displayed, and were advised that the College would look into the technological requirements.

MOTION: TO APPROVE THE PROPOSED ADDENDUM TO BY-LAW ARTICLE 15 (6) (I) TO NO LONGER POST GENDER IDENTIFICATION COLLECTED FROM THE REGISTRANTS ON THE PUBLIC REGISTER.

MOVED: I. KOENIG
SECONDED: M. SMART

FOR: 13
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

6.3 Application for life Membership

The Board was asked to consider Mr. Trevor John Sayers' application for designation as a Life Member, and noted that the applicant met the requirements set out in the by-laws.

MOTION: TO GRANT LIFE MEMBERSHIP TO TREVOR JOHN SAYERS

MOVED: D. BRISTOW
SECONDED: A. FOURNIER

FOR: 13
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

Given the timeframe, the Board was asked if they would like to change the agenda to switch item 7.0 with 8.0 and the Board agreed.

8.0 Update on BC Modernization of Health Professional Colleges

M. Woodbeck provide an update on the Modernization of Health Professional Colleges process in British Columbia. One of the legislative changes proposed by the BC government was to amalgamate the health professions colleges into several groupings. The College of Nursing Professionals and College of Midwives have already amalgamated voluntarily, and noted that this appeared to allow those colleges to achieve some key goals and retain all staff.

Regulators in Ontario continue to think about aligning and streamlining processes. At the COO, various governance reforms are already underway. The CPMF framework recently introduced by the Ministry of Health provides some direction as to the provincial government's expectations for Ontario regulators.

The Board then took a lunch break.

7.0 Clinical Practice

7.1 Delegation

B. Todd presented the draft Delegation Standard of Practice and Practice Guidelines to the Board. On review, the Board considered the public interest benefits of articulating clear standards and guidelines around delegating and receiving delegation by opticians. The Board noted that it may be beneficial to provide additional guidance around pre-testing by opticians.

MOTION: THAT THE PROPOSED DELEGATION STANDARDS OF PRACTICE AND PRACTICE GUIDELINES BE CIRCULATED FOR STAKEHOLDER FEEDBACK FOR 30 DAYS.

MOVED: H. WIERSEMA

SECONDED: E. VIVIEROS

FOR: 13

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

The Board confirmed that registrants who participate in the survey could count it as self-directed continuing education.

9.0 Board Policy Development Policy

S. Kinsella provided the Board with an overview of the Board Policy Development Policy. The policy, which pertains to the manner in which the Board will develop, review and monitor its own policies, includes a commitment for the Board to provide monitoring reports for the following 8 policies: Governance Approach Policy, Board Terms of Reference Policy, Role of Board of Directors Policy, Board Annual Strategic Agenda/Workplan Policy, Board Policy Development Policy, Board Monitoring System Policy, Board Code of Conduct, and Delegation to the Registrar, CEO Policy.

It was further clarified that, if approved, individual Board members would be assigned to complete the monitoring reports, using templates developed.

MOTION: THAT THE BOARD APPROVE THE BOARD POLICY DEVELOPMENT POLICY 4-24 AS RECOMMENDED BY THE GOVERNANCE POLICY.

MOVED: A. FOURNIER

SECONDED: M. SMART

FOR: 13

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

MOTION: THAT THE BOARD APPROVE SCHEDULE A TO THE POLICY FOR THE FOLLOWING POLICIES:

- Governance Approach Policy
- Board Terms of Reference Policy
- Role of Board of Directors Policy
- Board Annual Strategic Agenda/Workplan Policy
- Board Policy Development Policy
- Board Monitoring System Policy
- Board Code of Conduct
- Delegation to the Registrar, CEO Policy

MOVED: E. VIVIEROS
SECONDED: A. FOURNIER

FOR: 13
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

9.2 Appointing Non-Optician Members to Committees

S. Kinsella presented a proposed by-law amendment and policy amendment that would allow the Board to appoint non-opticians to committees as Appointed Members. The addition of non-optician appointees would strengthen the public voice at the committee table and permit the Board to further its stated strategic goal of increased public engagement. This is a step towards separating Board and Committee work and can be achieved without legislative change. Non-opticians would be expected to demonstrate the same competencies as opticians that are selected as Appointed Members.

MOTION: THAT THE BOARD APPROVE THE PROPOSED BY LAW AND POLICY AMENDMENT TO POLICY 4-05 AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

MOVED: H. WIERSEMA
SECONDED: E. VIVIEROS

FOR: 13
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

9.3 Eligibility for Chair and Vice Chair to Executive

S. Kinsella presented the Governance Committee's recommendations regarding eligibility for election to the Board Chair or Vice-Chair positions. The Committee recommended that the Board not introduce a requirement to have experience on the Board before being eligible to be elected to the position of Chair or Vice-Chair.

The Board reviewed the Committee's recommendation and various considerations relating to legislative and governance trends, and its strategic goal of enhancing overall Board competencies, and determined to proceed in line with the Governance Committee's recommendations.

The Board decided to refer the issue of developing a list of competencies for the Chair and Vice-Chair positions to the Governance Committee.

MOTION 1: THAT THE BOARD NOT AMEND THE BY-LAWS TO INTRODUCE A 1 YEAR EXPERIENCE REQUIREMENT TO STAND FOR ELECTION AS EXECUTIVE COMMITTEE **CHAIR** AS RECOMMENDED BY THE GOVERNANCE COMMITTEE

MOVED: I. KOENIG

SECONDED: D. REIZ

VOTE: **CARRIED**

FOR: 13

AGAINST: 0

ABSTAINED: 0

MOTION 2: THAT THE BOARD NOT AMEND THE BY-LAWS TO INTRODUCE A 1 YEAR EXPERIENCE REQUIREMENT TO STAND FOR ELECTION AS EXECUTIVE COMMITTEE **VICE- CHAIR** AS RECOMMENDED BY THE GOVERNANCE COMMITTEE

MOVED: I. KOENIG

SECONDED: A. FOURNIER

VOTE: **CARRIED**

FOR: 13

AGAINST: 0

ABSTAINED: 0

MOTION 3: THAT THE BOARD APPROVE THE AMENDMENTS TO BY-LAW ARTICLE 9 AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

MOVED: I. KOENIG

SECONDED: M. SMART

VOTE: **CARRIED**

FOR: 13
AGAINST: 0
ABSTAINED: 0

9.4 Board and Committee Self-Assessment Evaluations

S. Kinsella reviewed a proposal to make changes to the process for Board and Committee self-evaluations. The Governance Committee is recommending adopting the Ontario Hospital Association (OHA) Not-for-Profit Board Self-Assessment Evaluation tool. OHA self-assessment tool provides clear timelines and can provide a custom report within weeks. This will provide a detailed and accurate assessment of the Board's performance. In addition, using the OHA tool will result in significant cost savings for the College.

MOTION: THAT THE BOARD APPROVE THE PROPOSED OHA SELF ASSESSMENT AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

MOVED: H. WIERSEMA
SECONDED: A. FOURNIER

VOTE: CARRIED

FOR: 13
AGAINST: 0
ABSTAINED: 0

The Board took a break at 2:25 to 2:40. Diana Bristow left the meeting at 2:40.

9.5 ICRC Terms of Reference Policy 4-11

S. Kinsella reviewed proposed updates to the Inquiries Complaints and Reports Committee (ICRC) terms of reference policy with the Board.

MOTION: THAT THE BOARD APPROVE THE NEW ICRC COMMITTEE TERMS OF REFERENCE AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

MOVED: A. FOURNIER
SECONDED: I. KOENIG

VOTE: CARRIED

FOR: 12
AGAINST: 0
ABSTAINED: 0

9.6 Discipline Committee Terms of Reference

S. Kinsella reviewed proposed updates to the Discipline Committee terms of reference policy with the Board.

MOTION: THAT THE BOARD APPROVE THE DISCIPLINE COMMITTEE TERMS OF REFERENCE AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

MOVED: M. SMART
SECONDED: H. WIERSEMA

VOTE: **CARRIED**

FOR: 13
AGAINST: 0
ABSTAINED: 0

9.7 Patient Relations Committee Terms of Reference

S. Kinsella reviewed proposed updates to the Patient Relations Committee terms of reference policy with the Board.

MOTION: THAT THE BOARD APPROVE THE PATIENT RELATIONS COMMITTEE TERMS OF REFERENCE AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

MOVED: A. FOURIER
SECONDED: I. KOENIG

VOTE: **CARRIED**

FOR: 13
AGAINST: 0
ABSTAINED: 0

10.1 Annual Board Strategic Work Plan

The Board reviewed the status of its 2020 action plan, which stemmed from the 2019 Board self-evaluation. The Board confirmed that it is satisfied with degree of environmental scanning that was carried out in relation to clinical practice issues, and that it did not feel that there were additional goals that the Board should tackle this year. The Board will continue to define additional 2021 goals on its upcoming annual self-evaluation.

The meeting was then recessed until the following day.

DRAFT BOARD MEETING MINUTES

October 6, 2020

9:30 AM to 12:00 PM

by zoom

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- Attendees:** Mr. Bryan Todd, RO, Chair, Elected Member
Mr. Stephen Kinsella, Vice-Chair, Public Member
Mr. Murray Angus, Public Member
Ms. Diana Bristow, Public Member
Ms. Jacalyn Cop-Rasmussen, Public Member
Mr. Omar Farouk, Public Member
Ms. Peggy Judge, Public Member
Ms. Ingrid Koenig, RO, Elected Member
Ms. Neda Mohammadzadeh, RO, Elected Member
Mr. Samir Modhera, RO, Elected Member
Ms. Dorina Reiz, RO, Elected Member (joined at 10)
Mr. Michael Smart, RO, Elected Member
Mr. Henry Wiersema, Public Member
- Administration:** Mr. Fazal Khan, RO, Registrar, CEO
Ms. Melanie Woodbeck, Deputy Registrar
Ms. Amy Stein, General Counsel
Ms. Carolyn Robertson, Manager, Communications and Executive Office
Ms. Patricia Rego, Coordinator, Registration
- Guests:** Ms. Sarah Butson, Meeting Facilitator
Mr. Behzad Safati, Chair of Patient Relations
- Regrets:** Mr. Edward Viveiros, RO, Elected Member
Ms. Amber Fournier, RO, Elected Member

12.0 Introduction

B. Todd opened the meeting at 9:31 and at introduced participants.

13.1 Sexual Harassment Prevention Guidelines

B. Safati presented the draft Sexual Harassment Prevention Guidelines that were developed by the Patient Relations Committee. the Guidelines aim to ensure that opticians demonstrate personal and professional integrity toward colleagues, employees, students, interns, and other members of the public.

MOTION: THAT THE BOARD APPROVE THE SEXUAL HARASSMENT PREVENTION GUIDELINES AS RECOMMENDED BY THE PATIENT RELATIONS COMMITTEE

MOVED: I. KOENIG

SECONDED: H. WIERSEMA

VOTE: CARRIED

FOR: 12

AGAINST: 0

ABSTAINED: 0

13.2 Jurisprudence Mandatory RHPA Onboarding

B. Safati presented a proposal from the Patient Relations Committee to make it mandatory for all incoming Board and Committee members to complete the Jurisprudence RHPA Module as part of their onboarding with the College. B. Safati noted that if the Board approves the recommendation, the director and committee member policy 4-27 will have to be updated.

The Board requested that a glossary be created for this document.

D. Reiz joined at 10:00 am.

MOTION: THAT THE BOARD APPROVE CHAPTER 4 OF THE RHPA JURISPRUDENCE MODULE AS PART OF THE MANDATORY ONBOARDING TRAINING REQUIREMENTS FOR THE NEW MEMBERS, BOARD DIRECTORS AND APPOINTED MEMBERES TO BE COMPLETED BEFORE THEIR FIRST MEETING AT THE COLLEGE AS RECOMMENDED BY THE PATIENT RELATIONS COMMITTEE.

MOVED: M. SMART

SECONDED: M. ANGUS

VOTE: CARRIED

FOR: 13

AGAINST: 0

ABSTAINED: 0

13.3 College Organizational Values

B. Safati presented draft updates to the College's core organizational values. The proposed updates were developed by the Patient Relations Committee having regard to the feedback received from Board Members and their previous meeting.

A suggestion was made to add the words "free of discrimination" and "free of bias" to the section on equity. The line would therefore read "Equity: Promoting equitable access and opportunity, free of bias and discrimination, in all decisions, policies and services."

It was further suggested that the Patient Relations Committee develop a preamble to accompany the values that included reference to creating a safe culture and relationships built on trust.

The Board referred the development of a preamble to the Patient Relations Committee.

MOTION: THAT THE BOARD APPROVE THE NEW COLLEGE ORGANIZATIONAL VALUES AS RECOMMENDED BY THE PATIENT RELATIONS COMMITTEE. SHOULD THE BOARD APPROVE THE RECOMMENDATIONS, THE ORGANIZATIONAL SHARED VALUES POLICY 4-02 WOULD BE UPDATED.

MOVED: O. FAROUK
SECONDED: H. WIERSEMA

VOTE: **CARRIED**

FOR: 13
AGAINST: 0
ABSTAINED: 0

14.0 Public Appointee Recommendation

In addition to appointing M. Angus to the ICRC and Registration committees, it was proposed that he should also be appointed to the Patient Relations Committee, given that they need additional members.

MOTION: TO APPOINT MURRAY ANGUS TO THE ICRC, REGISTRATION AND PATIENT RELATIONS COMMITTEES.

MOVED: O. FAROUK
SECONDED: S. MODHERA

VOTE: **CARRIED**

FOR: 13
AGAINST: 0
ABSTAINED: 0

15.0 December Board Meeting

B. Todd reviewed the Board and Appointed Member survey responses regarding the format for the December meeting. Given the increased number of cases of COVID 19 many Directors are feeling less comfortable travelling or meeting in person.

MOTION: TO APPROVE A VIRTUAL FORMAT FOR THE DECEMBER BOARD MEETING.

MOVED: H. WIERSEMA
SECONDED: J. COP-RASMUSSEN

VOTE: CARRIED

FOR: 13
AGAINST: 0
ABSTAINED: 0

16.0 Strategic Plan Monitoring Report

F. Khan presented the Strategic Plan Monitoring Report including the KPI's for this year and for next year, along with the action plan the College has in place. The report was shared for information only.

16.2 Communications and support to the Board Policy Report.

F. Khan presented the Communications and Support to the Board Policy Monitoring Report. The Report clearly outlines the expectations set out in the policy, the interpretation of that policy and the evidence or action taken by the college to provide the Board with appropriate information and resources to facilitate effective, risk-based decision making. The report was shared for information only.

17.1 Registrar's Report

This matter was moved to day one in place of 4.0.

17.2 Examinations Report /17.3 Committee Reports/ 17.4 NEC Report

The floor was opened to questions about the Committee reports and the Examinations Report. D. Reiz then presented the NEC Report to the Board and noted the changes that were made to the exams which were approved by the National Examination Committee.

MOTION: TO APPROVE THE COMMITTEE REPORTS AND EXAMS REPORT AS PRESENTED.

MOVED: S.KINSELLA
SECONDED: M. SMART

VOTE: CARRIED

FOR: 13
AGAINST: 0
ABSTAINED: 0

17.5 Communications Report

MOTION: TO APPROVE THE COMMUNICATIONS REPORT.

MOVED: O. FAROUK
SECONDED: M. ANGUS

VOTE: CARRIED

FOR: 13
AGAINST: 0
ABSTAINED: 0

18.0 In Camera Session

MOTION: TO GO IN CAMERA PURSUANT TO SECTION 7(2)(E) OF THE HEALTH PROFESSIONS
PROCEDURAL CODE

MOVED: O. FAROUK
SECONDED: M. ANGUS

VOTE: CARRIED

FOR: 13
AGAINST: 0
ABSTAINED: 0

15.0 Adjournment

MOTION: TO ADJOURN

MOVED: S. KINSELLA
SECONDED: O. FAROUK

Prep time: public 3 hours. ½ day for public and for opticians.

Honorarium: full day for public member and for election

J. Cop-Rasmussen and D. Bristow had left.

FOR: 11
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

Meeting adjourned at 12:30