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**COUNCIL MEETING MINUTES**  
**COO Boardroom – 85 Richmond St. W., Suite 902**  
**Monday, January 26, 2015 | Tuesday, January 27, 2015**

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**Council Members Present:**

Mr. David Milne, Public Member  
Ms. Ingrid Koenig RO, Elected Member  
Mr. Hugh Corbett, Public Member (*not present for agenda item 11.2*)  
Mr. Omar Farouk, Public Member  
Mr. Jeff Fernandes RO, Elected Member  
Ms. Eve Hoch, Public Member  
Ms. Sandra Lawson, Public Member  
Ms. Susan Carlyle, Public Member  
Ms. Neda Mohammadzadeh RO, Elected Member (*not present for agenda item 3.0-5.0*)  
Ms. Michelle Rivais RO, Elected Member  
Ms. Janice Schmidt RO, Elected Member  
Mr. Mike Smart RO, Elected Member  
Mr. Edward Viveiros RO, Elected Member  
Mr. Balbir Dhillon RO, Elected Member

**Administration:**

Mr. Jim Dunsdon, Independent Meeting Chair (*present on January 27 only, agenda item 3.0 – 16.2*)  
Mr. Fazal Khan RO, Registrar  
Ms. Bev Sloan, Deputy Registrar  
Ms. Michelle Kushnir, General Counsel  
Ms. Katie Chimirri, Executive Assistant (*meeting recorder*)

**Guests:**

Mr. Peter Sevitt, Sevitt and Associates (*present on Monday only, agenda item 1.0 – 2.4*)

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**1.0 Introduction**

1.1 Introductions and Announcements

Registrar, Fazal Khan called the meeting to order at 1:10 pm. New Council members Jeff Fernandes and Neda Mohammadzadeh were welcomed and all attendees introduced themselves individually.

1.2 Conflict of Interest Declaration

No conflicts of interest were declared.

1.3 Adoption of Agenda

**MOTION:** That the agenda be approved as presented.

Moved: D. Milne  
Seconded: S. Carlyle

**VOTE:**

**CARRIED**

## 2.0 Election of the 2015 Executive Committee

The elections were presided over by Mr. Peter Sevitt of Sevitt & Associates, Auditor for the College. The nominations process was conducted in an open setting; voting was done by way of secret ballot.

### 2.1 Expressions of Interest for Positions on the Executive Committee

### 2.2 Election of President

The floor was opened for nominations for the position of president. The following nominations were made:

<b><u>Nominee:</u></b>	<b><u>Moved:</u></b>	<b><u>Seconded:</u></b>
I. Koenig	D. Milne	B. Dhillon
J. Schmidt	E. Viveiros	S. Carlyle

Ms. Koenig and Ms. Schmidt accepted the nomination. Candidates were given an opportunity to address Council.

Ms. Ingrid Koenig was elected to the position of President.

### 2.3 Election of Vice-President

The floor was opened for nominations for the position of vice-president. The following nominations were made:

<b><u>Nominee:</u></b>	<b><u>Moved:</u></b>	<b><u>Seconded:</u></b>
D. Milne	B. Dhillon	I. Koenig
M. Smart	J. Schmidt	E. Viveiros

Mr. Milne and Mr. Smart accepted the nomination. Candidates were given an opportunity to address Council.

Mr. David Milne was elected to the position of vice-president.

### 2.4 Election of Three Remaining Executive Committee Members

The floor was opened for nominations for the third position on the Executive Committee. The following nominations were made:

<b><u>Nominee:</u></b>	<b><u>Moved:</u></b>	<b><u>Seconded:</u></b>
H. Corbett	D. Milne	I. Koenig
M. Smart	E. Viveiros	E. Hoch
S. Carlyle	E. Hoch	M. Smart

It was noted that, according to process, public members would run for positions against each other and likewise for elected members. Therefore, Mr. Smart declined the nomination.

Mr. Corbett and Ms. Carlyle accepted the nomination. Candidates were given an opportunity to address Council.

Mr. Hugh Corbett was elected to the third position on Executive.

The floor was opened for nominations for the fourth position on the Executive Committee. The following nominations were made:

<b><u>Nominee:</u></b>	<b><u>Moved:</u></b>	<b><u>Seconded:</u></b>
J. Schmidt	M. Smart	E. Viveiros
M. Rivais	D. Milne	I. Koenig

Ms. Schmidt and Ms. Rivais accepted the nomination. Candidates were given the opportunity to address Council.

Ms. Michelle Rivais was elected to the fourth position on Executive.

The floor was opened for nominations for the fifth position on the Executive Committee. The following nominations were made:

<b><u>Nominee:</u></b>	<b><u>Moved:</u></b>	<b><u>Seconded:</u></b>
J. Schmidt	M. Smart	S. Carlyle
B. Dhillon	D. Milne	E. Viveiros

Ms. Schmidt and Mr. Dhillon accepted the nomination. Candidates were given an opportunity to address Council.

Ms. Janice Schmidt was elected to the fifth position on the Executive Committee.

#### 2.4 Appointment of the 2015 Executive Committee

**MOTION:** To approve the 2015 Executive Committee as elected:

Ms. Ingrid Koenig, President  
Mr. David Milne, Vice-President  
Mr. Hugh Corbett  
Ms. Michelle Rivais  
Ms. Janice Schmidt

Moved: J. Fernandes

Seconded: M. Smart

**VOTE:**

**CARRIED**

Council recessed at 2:03 pm to resume the meeting on Tuesday, January 27, 2015 at 9:00 am.

**MOTION:** To recess the Council meeting until 9:00 am on Tuesday, January 27, 2015.

Moved: J. Fernandes

Seconded: M. Rivais

**VOTE:**

**CARRIED**

The Council meeting resumed at 9:00 am on Tuesday, January 27, 2015. No written conflicts of interest had been received. Council members were reminded to declare any conflict of interest as necessary.

### **3.0 Minutes**

#### **3.1 December 8, 2014**

It was noted that Ms. Susan Carlyle's name was missing from the list of attendees.

**MOTION:** To approve the December 8, 2014 Council meeting minutes as amended.

Moved: J. Schmidt

Seconded: S. Carlyle

**VOTE:**

**CARRIED**

**MOTION:** To vary the order of the agenda to consider item 10.0 to be discussed after 6.0

Moved: D. Milne

Seconded: J. Fernandes

**VOTE:**

**CARRIED**

### **4.0 Annual Reports – 2014**

4.1	Discipline Committee	4.6	Patient Relations Committee
4.2	Registration Committee	4.7	Executive Committee
4.3	Fitness to Practice Committee	4.8	Governance Committee
4.4	Inquiries, Complaints and Reports Committee	4.9	Professional Misconduct Reg. Review Ad Hoc Committee
4.5	Quality Assurance Committee	4.10	Safety Standards Ad Hoc
		4.11	National Examinations Report

Council reviewed the reports, were welcomed to ask questions and deemed the reports satisfactory. It was noted that the annual reports will be published for public viewing in the spring of 2015.

**MOTION:** To adopt the 2014 annual reports as presented.

Moved: D. Milne

Seconded: E. Hoch

**VOTE:**

**CARRIED**

### **5.0 Committee Reports – 2015**

- 5.1 Executive Committee
- 5.2 Registration Committee
- 5.3 Safety Standards Ad Hoc Committee
- 5.4 Quality Assurance Committee
- 5.5 Eye Health Council of Ontario (EHCO)

Each Committee chair spoke to their reports; Council deemed them satisfactory.

**MOTION:** To adopt the 2015 Committee Reports as presented.

Moved: J. Fernandes

Seconded: E. Hoch

**VOTE:**

**CARRIED**

**6.0 Committee Slate - 2015**

**6.1 Executive Committee Recommendations**

Council received a document which indicated draft committee composition for 2015 as proposed by the Executive Committee.

**MOTION:** To adopt the 2015 COO Committee composition as proposed by the Executive Committee.

Moved: J. Schmidt

Seconded: D. Milne

**VOTE:**

**CARRIED**

**7.0 College Representatives – 2015**

Council were provided with an overview of the responsibilities of representatives at each of the organizations in question. The nomination process was conducted verbally in Council; each nominated representative was given an opportunity to speak.

**7.1 Georgian College/ Seneca College**

**Nominee:**

J. Fernandes

**Moved:**

D. Milne

**Seconded:**

Mr. Fernandes declined the nomination.

M. Smart

J. Schmidt

E. Hoch

Mr. Smart accepted the nomination and was acclaimed.

**7.2 National Association of Canadian Optician Regulators (NACOR)**

**Nominee:**

I. Koenig

J. Schmidt

**Moved:**

D. Milne

E. Viveiros

**Seconded:**

J. Fernandes

S. Carlyle

Ms. Koenig and Ms. Schmidt accepted the nomination.

**MOTION:** That the vote for the NACOR representative be conducted by secret ballot.

Moved: D. Milne

Seconded: O. Farouk

Procedurally, because a request was made to conduct the vote by secret ballot, a vote was not required and the request was conceded.

Following the vote conducted by secret ballot, Ms. Ingrid Koenig was appointed as the NACOR representative.

7.3 National Examinations Committee/ Chief Examiner for Ontario

<b><u>Nominee:</u></b>	<b><u>Moved:</u></b>	<b><u>Seconded:</u></b>
I. Koenig	D. Milne	M. Rivais
J. Fernandes	M. Smart	J. Schmidt

Mr. Fernandes declined the nomination.

M. Smart	J. Schmidt	E. Viveiros
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Ms. Koenig and Mr. Smart accepted the nomination.

Following a vote by way of a show of hands, Mr. Smart was appointed to the position.

7.4 Eye Health Council of Ontario (EHCO)

<b><u>Nominee:</u></b>	<b><u>Moved:</u></b>	<b><u>Seconded:</u></b>
J. Schmidt	E. Viveiros	S. Carlyle

Ms. Schmidt accepted the nomination and was acclaimed as the EHCO representative.

**8.0 Administrative Update**

8.1 Registrar's Report

The Registrar informed Council that matters typically covered in his report had been addressed under separate items on the day's agenda.

**9.0 Strategic Planning**

9.1 COO Strategic Plan

Council reviewed the administrative copy of the COO Strategic Plan that was developed in 2014 as well as a condensed version for publishing on the College website. It was determined that a list of acronyms be added to the appendix.

**MOTION:** To adopt the administrative copy of the COO Strategic Plan as amended.

Moved: M. Smart

Seconded: E. Hoch

**VOTE:**

**CARRIED**

**MOTION:** To adopt the abridged copy of the COO Strategic Plan as amended.

Moved: O. Farouk  
Seconded: I. Koenig  
**VOTE:**

**CARRIED**

**10.0 Ad Hoc Committees 2015**

*Illegal Dispensing Ad Hoc Committee*

It was noted that the creation of this committee stemmed from one of the initiatives established within the Strategic Plan. Council reviewed a draft composition of the committee as recommended by the Executive Committee.

**MOTION:** To adopt the composition of the Illegal Dispensing Ad Hoc Committee as:  
Balbir Dhillon  
Ingrid Koenig  
David Milne  
Catherine Rowntree  
Bryan Todd

Moved: E. Hoch  
Second: D. Milne  
**VOTE:**

**CARRIED**

*Honoraria Policy Review Ad Hoc Committee*

Council were advised that revisions are required to the *Policy on Payment and Honoraria and Expenses for Council and Committee Members*. It was noted that a full-scale review of the policy is warranted in order to clarify any potential points of ambiguity within the document. Council received a recommendation from the Finance Committee that an ad hoc committee be formed to undertake the review and to work in concert with the Deputy Registrar.

**MOTION:** That a committee is struck to review and make recommendations to Council on amendments to the *Policy on Payment and Honoraria and Expenses for Council and Committee Members*.

Moved: O. Farouk  
Seconded: J. Fernandes  
**VOTE:**

**CARRIED**

**MOTION:** To adopt the composition of the Honoraria Policy Review Ad Hoc Committee as:  
Mike Smart  
Susan Carlyle  
Hugh Corbett  
David Milne  
Rob Vezina

Moved: J. Schmidt  
Seconded: I. Koenig  
**VOTE:**

**CARRIED**

**11.0 Finance**

**11.1 Financial Variance 2014/Draft 2015 Budget**

Council reviewed the report; it was noted that the report was presented to Council at the December meeting. Since that time, minor modifications were made to the report due to projects stemming from the Strategic Plan.

**MOTION:** To adopt the Financial Variance 2014/Draft 2015 Budget as presented.

Moved: E. Hoch

Seconded: D. Milne

Council engaged in a brief discussion regarding the report provided and made the following recommendation:

**MOTION:** To amend the budget to allow for an additional meeting (two in total) of the Illegal Dispensing Ad Hoc Committee.

Moved: D. Milne

Seconded: O. Farouk

**VOTE:**

**CARRIED**

**MOTION:** To adopt the budget as amended.

Moved: E. Hoch

Seconded: I. Koenig

**VOTE:**

**CARRIED**

**11.2 COBC Financial Request**

Council reviewed a communication that was sent from the College of Opticians of British Columbia (COBC) to opticianry regulators across Canada requesting financial assistance in the amount of \$2000 to fund an appeal of a court ruling.

**MOTION:** That Council approve financial support from the College of Opticians of Ontario in the amount of \$2000, payable to NACOR, as contribution to the College of Opticians of British Columbia's fund to appeal the decision of Justice M. Smith, pronounced October 2, 2014.

Moved: D. Milne

Seconded: J. Fernandes

**VOTE:**

**CARRIED**

*Mr. Corbett was not present for this vote.*

**12.0 Standards of Practice**

**12.1 Draft COO Standards of Practice**

Council reviewed a draft version of the *Professional Standards of Practice for Opticians in the Province of Ontario*. It was noted that the document had been revised by both the Patient Relations Committee and the Safety Standards Ad Hoc Committee.



While not required, Council determined that the document should be circulated for stakeholder feedback as the Standards are considered central to the practice of opticianry in Ontario. It was noted that circulating the document for feedback is also in line with the transparency principles that had been adopted by the College.

**MOTION:** That the draft *Professional Standards of Practice for Opticians in the Province of Ontario* be approved in principle, for circulation for stakeholder feedback.

Moved: J. Schmidt

Seconded: M. Smart

Abstained: H. Corbett

**VOTE:**

**CARRIED**

Mr. Corbett abstained from the above-noted vote as he re-entered the meeting as the vote was occurring.

**MOTION:** That the draft *Professional Standards of Practice for Opticians in the Province of Ontario* be circulated for stakeholder feedback with a response period of 90 days to allow for the assemblage of focus groups to discuss the proposed amendments.

Moved: E. Hoch

Seconded: I. Koenig

**VOTE:**

**CARRIED**

It was noted that the Safety Standards Ad Hoc Committee would be working with the focus groups.

### **13.0 Ministry of Health and Long-Term Care**

#### **13.1 Information Request - Prevention of Sexual Abuse of Patients**

Council were briefed on a communication from Dr. Eric Hoskins, Minister of Health and Long-Term Care, which requested a report on aspects of the College's patient relations program pertaining to the prevention of sexual abuse of patients by members. The aforementioned request was part of a government-wide initiative, in which all government organizations and regulated health Colleges, were requested to provide the information by January 23, 2015.

The College's response letter was previously reviewed by the Executive Committee in light of the fact that Council did not meet until after the deadline. Council reviewed the College's response letter; it was noted that the letter was sent to the Ministry on January 23, 2015.

### **14.0 Bill 70 - Treating Spouses**

#### **14.1 Treating Spouses Regulation**

Council were provided with information regarding recent changes to the *Health Professions Procedural Code*, which was amended to allow Colleges to make regulations permitting members to treat their spouses. Council reviewed a briefing note from legal counsel which included possible wording for the regulation, should it be the will of Council that opticians be permitted to treat their spouses. Following a brief discussion, Council determined the following:

**MOTION:** To adopt the Treating Spouses Regulation as presented in principle.

Moved: M. Smart

Seconded: S. Carlyle

Opposed: J. Fernandes

**VOTE:**

**CARRIED**

It was noted that the Treating Spouses Regulation would be sent to the Ministry of Health and Long-Term Care for input.

Council were advised that the regulation alone (once approved) would lift the ban on treating spouses; however, that additional guidelines would assist members in determining when it may be appropriate to treat a spouse.

**MOTION:** That guidelines be developed by the Patient Relations Committee in concert with COO General Counsel relating to the Treating Spouses Regulation.

Moved: D. Milne

Seconded: J. Fernandes

**VOTE:**

**CARRIED**

It was the desire of Council (by consensus) that the Regulation be circulated for stakeholder feedback once input had been received from the Ministry. It was noted that no further Council input was required prior to circulation for stakeholder feedback, barring any substantial objection from the Ministry on the document.

## **15.0 2015 Council Meeting Dates**

It was determined that the remaining 2015 Council meeting dates would be:

Monday, May 25, 2015

Monday, September 28, 2015 (including the Annual General Meeting)

Monday, December 7, 2015

## **16.0 Legal Updates**

### **16.1 Jim McLean Application**

Council were updated on the recent court decision in the Jim McLean matter. Mr. McLean was unsuccessful in his bid to have his business model deemed legal.

### **16.2 Quebec Court Ruling**

Council were updated on a recent court decision involving the *Ordre des optométristes du Québec* and Coastal Contacts. The Superior Court of Quebec dismissed The Order's application.

**MOTION:** To adjourn the Council meeting.

Moved: D. Milne

Seconded: J. Fernandes

**VOTE:**

**CARRIED**

The Council meeting concluded at 12:02 pm.