

DRAFT BOARD MEETING MINUTES**March 4, 2024****9:30 AM to 3:05 PM****by zoom**

Attendees: Mr. Derick Summers, RO, Chair, Elected Member
Mr. Kevin Cloutier, RO, Elected Member
Mr. Omar Farouk, Government Appointee
Mr. Paul Imola, RO, Elected Member
Ms. Peggy Judge, Government Appointee
Mr. Stephen Kinsella, Chair, Government Appointee
Mr. Samir Modhera, RO, Elected Member
Ms. Alicia Munian, Government Appointee
Ms. Tonya Nahmabin, RO, Elected Member
Mr. Carlos Pacheco, RO, Elected Member
Ms. Grazyna Sepczynska, RO, Elected Member
Mr. Henry Wiersema, Government Appointed
Mr. Rob Vezina, RO, Elected Member

Administration: Mr. Fazal Khan, RO, Registrar, CEO
Ms. Amy Stein, Deputy Registrar and General Counsel
Ms. Carolyn Robertson, Manager, Communications and Executive Office
Ms. Fizza Asad, Human Resources and Accounting Specialist

Guests: Ms. Karen Elkin, Meeting Facilitator

Regrets: Mr. Paul Wilk, Government Appointee

1.0 Introduction

D. Summers opened the board meeting at 9:30 am. Derick welcomed everyone and introduced the new Board Members.

2.0 To Go in Camera

MOTION: TO GO IN IN CAMERA UNDER S.7 (2) D OF THE HEALTH PROFESSIONS PROCEEDURAL CODE TO DISCUSS PERSONNEL MATTERS.

MOVED: G. SEPCZYNSKA

SECONDED: S. KINSELLA

1.0 Introduction

D. Summers introduced himself, the Board Members, and the Administration. D. Summers then delivered the land acknowledgement.

K. Elkin then reviewed the meeting norms and high five with participants.

1.1 Conflict of Interest Declaration

D. Summers provided an overview of the conflict of interest for the board members. No conflicts of interest were declared.

1.2 Adoption of the Agenda

MOTION: TO APPROVE THE AGENDA

MOVED: K. CLOUTIER

SECONDED: A. MUNIAN

FOR: 13

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

2.0 Minutes of the December 4 and 5, 2023, Board Meeting

MOTION: TO APPROVE THE DECEMBER 4 AND 5, 2023, MINUTES

MOVED: R. VEZINA

SECONDED: T. NAHMABIN

FOR: 10

AGAINST: 0

ABSTAINED: 3 G. Sepczynska, P. Imola and C. Pacheco abstained from voting as they were not present at the December meeting.

VOTE: CARRIED

3.0 Financial Reports

3.1 Financial Variance Report Training

F. Asad provided a detailed overview of how to read a financial variance report.

3.2 Financial Variance Report to December 31, 2023.

F. Asad presented the year-to-date variance report to the Board, covering the period to December 31, 2023, noting that the statements reviewed by the Board are unaudited.

The College had budgeted for in person meetings in 2023 and most of the Board and Committee meetings ended up being virtual so there was a variance as a portion of the funds budgeted were not used.

Some discipline hearings and some patient relations meetings were budgeted for but were not needed resulting in a slight variance.

Regarding exams, it was confirmed that both revenue and expenses will be carried by NACOR going forward. Questions were asked about this, and it was clarified that the numbers had been reviewed in detail before the decision.

A significant variance is noted on Quality Assurance since the Multi Source Feedback program was budgeted for, and that program has been discontinued.

MOTION: THAT THE BOARD APPROVE THE FINANCIAL VARIANCE REPORT TO DECEMBER 31, 2023.

MOVED: G. SEPCZYNSKA

SECONDED: S. KINSELLA

FOR: 13

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

The Board then took a 15-minute break. The meeting then resumed with the monitoring reports.

4.0 Monitoring Reports

4.1 Financial Planning and Budgeting Policy Monitoring Report

K. Elkin provided context for the Board around the monitoring reports, which is to have a risk management system in place to periodically check in on each one of the Board's governance policies to make sure that they're achieving the desired results.

F. Khan presented the Financial Planning and Budgeting Policy monitoring report to the Board. The report covered the period from January 2023 to December 2023. One of the criteria being monitored is regular financial analysis. It was noted that the Registrar, Deputy Registrar and Accounting Specialist

meet regularly to discuss the budget and review finances. The reserve fund expenditure was touched on, no expenditures have been made from the Reserve fund.

However, changes to our contingency fund have been made on the advice of the auditor. Following their advice, the college is now budgeting for 12 months of expenses rather than 6 months.

The budgeting process was also reviewed.

The floor was open to questions. No concerns or action items were identified.

MOTION: THAT THE BOARD APPROVE THAT THE REGISTRAR'S INTERPRETATION OF THE POLICY WAS REASONABLE.

MOVED: G. SEPCZYNSKA

SECONDED: K. CLOUTIER

FOR: 13

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

MOTION 2: THAT THE BOARD AGREES THAT THE REGISTRAR, CEO COMPLIED WITH THE POLICY.

MOVED: P. IMOLA

SECONDED: C. PACHCO

FOR: 13

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

4.2 Strategic Outcomes Policy Monitoring Report

F. Khan presented the Strategic Outcomes Policy monitoring report to the Board. The report provides an update on the 2023-2025 strategic plan looking at key performance indicators. Goal one, is focused on safer and more inclusive patient care. To achieve this, the College is using a social media campaign to create increased awareness on the role of Registered Healthcare providers.

Another important goal is the reduction in risk to patients resulting from unauthorized practice. The college budgeted \$40,000 towards changes to the website including a new reporting form to make complaints and updated compliance documents.

To achieve the goal of making patient care more inclusive and culturally safe, the COO is working on engaging a consultant to develop resources for opticians on trauma-informed care.

The college is also partnering with the optometrists and engaging the indigenous community to develop a joint resource for registrants.

Questions were asked about the number of ICRC complaints, and it was clarified that some of the complaints were referrals from the Quality Assurance Committee to ICRC and some were Registrar's Reports.

Work is underway on the website to move the application process, so it is entirely online. This action item is tied to the College's goal of ensuring the College process and services are fair, relational, and accessible to all registrants, applicants, and members of the public.

The floor was open to questions. No concerns or action items were identified.

MOTION: THAT THE BOARD APPROVE THAT THE REGISTRAR'S INTERPRETATION OF THE POLICY WAS REASONABLE

MOVED: H. WIERSEMA

SECONDED: O. FAROUK

FOR: 13

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

MOTION 2: THAT THE BOARD AGREES THAT THE REGISTRAR, CEO COMPLIED WITH THE POLICY.

MOVED: T. NAHMABIN

SECONDED: P. IMOLA

FOR: 13

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

5.0 Board Monitoring Report

5.1 Delegation to the Registrar Policy

S. Modhera presented the Delegation to the Registrar Policy monitoring report. The report outlined the requirements of the Board in delegating authority to the Registrar and CEO to achieve the strategic

outcomes as set by the Board. These include developing an operational boundaries policy and a strategic outcomes policy, which the Board monitors.

This was provided for information only.

6.0 Introduction to the New Registration Regulation

F. Khan shared an update about the registration regulation and the examinations regulation, noting that recent amendments were approved by the Ontario Government. The changes will allow some of the information previously in the regulation to be put into policy, resulting in more flexibility.

A. Stein reviewed the changes to the registration regulation with the board and what the changes mean for Registered Opticians, Students, and interns. Entry to practice requirements will also change, but not Everything will not change overnight. The college will work with the schools to revise the practicum.

The student class of registration has been eliminated. Students can continue in their program, but certificates of registration will be canceled. Renewal for intern opticians may change and interns can now practice under the supervision of a registered optometrist or physician.

Changes for Registered Opticians include:

- Registered opticians will now be required to demonstrate ongoing currency in a 3-year cycle.
- Other changes include that non-practicing opticians can change their status to inactive and pay a reduced fee.
- Suspended opticians who do not reinstate within 3 years will be automatically revoked.
- Previously the deadline was December 31, with the changes, the College can establish an annual renewal date via by-law.

There is a significant communication plan that needs to be implemented to communicate the changes with registrants. The new regulations will come into force on July 31, 2024.

7.0 Registration Regulation

7.1 By-law updates Renewal and Registration

R. Vezina presented the by-law updates for Renewal and Registration noting that the amendments were submitted to the Ministry of Health in 2017. The updated regulation which comes into force on July 1, 2024, will no longer set out the deadline and process for annual renewal. It is recommended that the by-laws be amended to include these requirements.

The Board should consider the fees that will apply to opticians seeking registration in the Emergency Class, should it be necessary to register opticians in this class.

An additional administrative fee is being proposed to be added to Schedule A of the by-laws to apply where an applicant or a registrant requests copies of documents in their file.

The Board considered the proposed renewal deadline of January 15 for circulation to stakeholders for feedback.

Public Interest Consideration: To regulate the profession effectively, it is necessary for there to be a clear and transparent process for the annual renewal of certificates of registration. Setting these details out in by-law (rather than regulation) will enhance the College's transparency and flexibility.

The Emergency Class of registration is intended as a measure to ensure uninterrupted access to opticianry services in the event of an emergency. Fees for this registration class should avoid creating undue financial strain on potential applicants. Conversely, this must be balanced against the College's need to cover administrative costs.

Diversity, Equity and Inclusion Considerations: The Board will seek feedback on the impact of the proposed changes on registrants and any other relevant system partners to identify any concerns from the DEI perspective.

The Board agreed with the public interest considerations and the Diversity, Equity and Inclusion considerations identified by the committee.

T. Nahmabin left the meeting.

MOTION: THAT THE BOARD APPROVE THE PROPOSED BY-LAW CHANGES TO BE CIRCULATED TO REGISTRANTS AND OTHER SYSTEM PARTNERS FOR FEEDBACK.

MOVED: G. SEPCZYNSKA

SECONDED: K. CLOUTIER

FOR: 12

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

7.2a Registration Timelines Policy

R. Vezina reviewed the proposed changes to the Timelines policy with the Board. The policy outlines timelines for the processing of applications for a certificate as a registered optician, registered intern optician, or Prior Learning Assessment and Recognition (PLAR) Applications. Amendments are proposed for greater readability and to align the policy with the current regulatory requirements.

Public Interest Consideration: With the public interest in mind, the Registration Committee has invested significant time and resources into reviewing and improving policies and processes relating to registration. Reviewing the content of registration policies ensures that they are consistent and effective, and that the College is up to date with current regulations and regulatory best practices.

Diversity, Equity and Inclusion Considerations: The proposed amendments to the Registration Timelines policy demonstrate accountability to the College applicants by taking an equitable approach toward all types of applications and increasing the transparency of the application process.

The Board agreed with the public interest consideration and the DEI considerations.

MOTION: THAT THE BOARD APPROVE THE PROPOSED CHANGES TO THE REGISTRATION TIMELINES POLICY.

MOVED: O. FAROUK

SECONDED: G. SEPCZYNSKA

FOR: 12

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

7.2B Retiring and Resigning Policy

R. Vezina reviewed the proposed changes to the Retiring and Resigning Policy with the Board. The proposed amendments improve the readability of the policy and reflect recent amendments to the Registration Regulation, accounting for circumstances where an optician may leave the profession, and provide options to help opticians make an informed decision when retiring or resigning their registration with the College.

Public Interest Consideration: With the public interest in mind, the Registration Committee has invested significant time and resources into reviewing and improving policies and processes relating to registration. Reviewing the content of registration policies ensures that they are consistent and effective, and that the College is up to date with current regulations and regulatory best practices.

Diversity, Equity and Inclusion Considerations: The proposed amendments to the Registration Timelines policy demonstrate accountability to the College applicants by taking an equitable approach toward all types of applications and increasing the transparency of the application process.

The Board agreed with the public interest consideration and the DEI considerations.

MOTION: THAT THE BOARD APPROVE THE PROPOSED CHANGES TO THE RETIRING AND RESIGNING POLICY.

MOVED: P. IMOLA
SECONDED: G. SEPCZYNSKA

FOR: 12
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

7.3 Reinstatement and Changing from Active to Inactive Policy

R. Vezina reviewed the proposed changes with the Board noting that under the new regulation opticians suspended for non-payment of fees may remain suspended for three years under the new registration regulation. Opticians who have not reinstated within three years will have their license revoked. The Board approved an extension for the transitional period to July 1, 2025, to allow more time for registrants wishing to reinstate their registration or join the new inactive class of registration.

Public Interest Considerations: When setting return-to-practice requirements for opticians who have been out of practice for an extended time, the policy accounts for the fact that skills may deteriorate after a prolonged absence from the profession. The policy also protects the public by striking a balance between the need for opticianry services and ensuring that opticians will practise safely and according to the Standards of Practice.

Diversity, Equity, and Inclusion Considerations: The Registration Committee monitors the way that registration processes and policies impact opticians who take leaves from practice. By providing individuals with a reasonable timeframe to reinstate their registration and flexible options for reinstatement (e.g. transfer immediately into the inactive class), the policy ensures that opticians transitioning back into the profession do not face unnecessary barriers.

The board agreed with the public interest consideration and the DEI considerations.

The floor was opened to questions and some questions were asked about the process for reinstatement.

MOTION: THAT THE BOARD APPROVE THE PROPOSED CHANGES TO THE REINSTATEMENT AND CHANGING FROM ACTIVE TO INACTIVE POLICY.

MOVED: P. IMOLA
SECONDED: H. WIERSEMA

FOR: 12
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

The board took a lunch break from 12:36 to 1:30. The meeting resumed with K. Elkin welcoming participants back to the meeting. T. Nahmabin returned to the meeting after the lunch break.

8.0 Board Policy Review and Updates

8.1 Communication and Support to the Board Policy

E. Borins presented the following four governance policies for quarterly review:

- Communication and Support to the Board Policy
- Emergency Registrar Succession Policy
- Director and Committee Member Responsibilities Policy
- Organization Shared Values Policy

Public Interest Consideration: Reviewing the content of these policies ensures that policies are consistent and effective, and that the College is up to date with regulations, technology, and regulatory best practices.

The Governance Committee did not identify any concerns from a diversity, equity or inclusion standpoint relating to these policies.

The Communication & Support to the Board Policy relates to the communication and support provided by the Registrar, CEO to the Board to ensure it remains informed and supported in its work. Amendments reflect the Board's current processes and ensure consistency with existing policies.

MOTION: TO APPROVE THE CHANGES TO THE COMMUNICATION AND SUPPORT TO THE BOARD POLICY AS RECOMMENDED BY THE GOVERNANCE COMMITTEE

MOVED: S. KINSELLA

SECONDED: P. IMOLA

FOR: 13

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

8.2 Emergency Registrar Succession Policy

E. Borins presented the briefing note for the Emergency Registrar, CEO Succession Policy, which outlines the Board's expectations of and risk boundaries for the Registrar, CEO regarding Emergency Registrar, CEO Succession. The policy ensures that the College can continue to operate in the event of the sudden loss of the Registrar, CEO services. This policy continues to meet the Board's needs and no updates are proposed.

MOTION: THAT THE BOARD APPROVE THE EMERGENCY REGISTRAR SUSCESSION POLICY AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

MOVED: G. SEPCZYNSKA
SECONDED: P. IMOLA

FOR: 13
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

8.3 Director and Committee Member Responsibilities Policy

E. Borins presented the director and committee member responsibility policy, noting that no amendments are proposed at this time.

MOTION: THAT THE BOARD APPROVE NO CHANGES TO THE DIRECTOR AND COMMITTEE MEMBER RESPONSIBILITIES POLICY AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

MOVED: G. SEPCZYNSKA
SECONDED: H. WIERSEMA

FOR: 13
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

8.4 Organizational Shared Values

E. Borins presented the Organizational Shared Values policy amendments. In 2020, following Diversity, Equity and Inclusion training the Board included DEI as part of the College's shared values. The updates to the policy align the policy with the revised organizational shared values.

MOTION: THAT THE BOARD APPROVE THE AMENDMENTS TO THE ORGANIZATIONAL SHARED VALUES POLICY AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

MOVED: A. MUNIAN
SECONDED: G. SEPCZYNSKA

FOR: 13
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

9.0 Status of the 2023 Board Action Plan

A.Stein reviewed the 2023 action plan with the Board. This was shared for information only.

10.0 Timing of The Election

F. Khan presented the briefing note, and three options were discussed 1) a Spring nomination and a Spring election for the current year 2) a Spring nomination and Fall Election for future years 3) status quo.

It was proposed by a board member that new members could be onboarded in July instead of December. The board expressed some uneasiness with the idea that people know 6 months in advance that they are not re-elected.

The Board agreed to move elections to the Spring for 2024 only.

The Board voted 12 to 1 to move the elections for 2024 to the Spring.

The board voted unanimously to have Spring nominations and a Fall election for 2025. It was confirmed that the issue would come back to the board to decide the best course of action for 2026.

11.0 Department Spotlight – Registration Department

The Board heard from the Registration Department Manager and support staff, to gain an understanding of the day-to-day operations.

12.0 Reports

12.1 Registrar's Report

F. Khan presented the Registrar's Report to the board. The report covered government relations, pending regulations and external relations. The report also touched on ongoing collaboration and space sharing efforts. The report was shared for information only.

12.2 Committee Reports, 12.3 Annual Reports, 12.4 Communications Report

MOTION: TO APPROVE THE COMMITTEE REPORTS, ANNUAL REPORTS AND COMMUNICATIONS REPORT AS PRESENTED.

MOVED: P. IMOLA
SECONDED: C. PACHECO

FOR: 13
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

13.0 Adjournment

MOTION: TO ADJOURN

MOVED: O. FAROUK
SECONDED: A. MUNIAN

FOR: 13
AGAINST: 0
ABSTAINED: 0

Board meeting ended at 2:30.

DRAFT