



**College of Optometrists of Ontario
Council Meeting
June 18, 2021
APPROVED**

Attendance:

Dr. Patrick Quaid (President)
Mr. Bashar Kassir (Vice-President)
Ms. Suzanne Allen
Ms. Kathryn Biondi
Dr. Linda Chan
Dr. Lisa Christian
Mr. Ravnit Dhaliwal
Dr. Mark Eltis
Dr. Camy Grewal

Mr. Howard Kennedy
Dr. Richard Kniaziew
Dr. Lindy Mackey
Dr. Annie Micucci
Dr. Areef Nurani
Mr. Narendra Shah
Dr. William Ulakovic

Staff & Guests:

Mr. Joe Jamieson, Registrar and CEO
Ms. Hanan Jibry, Deputy Registrar
Mr. Chad Andrews
Ms. Raj Bhatti
Mr. Edward Cho
Ms. Allison Henry, Ministry of Health

Ms. Amber Lepage-Monette
Ms. Deborah McKeon
Mr. Marcus Sconci, BDO Canada
Mr. Michael Upenieks, BDO Canada
Ms. Bonny Wong

- 1 **1. Call to Order:** P. Quaid called the meeting to order at 9:03 a.m.
2
3 **2. Adoption of the Agenda:** A draft agenda was circulated prior to the meeting.
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5 Moved by M. Eltis and seconded by C. Grewal **to adopt the agenda.**
6 **Motion carried**
7
8 **a. Conflicts of Interest:** P. Quaid asked Council members if anyone had a conflict of interest with any
9 item on the day's agenda. None were declared.
10
11 J. Jamieson provided background to the upcoming presentation from A. Henry.
12
13 Moved by M. Eltis and seconded by H. Kennedy **to add an additional 15 minutes to the agenda for**
14 **questions following the Ministry of Health presentation.**
15
16 **Motion carried**
17

18 **3. Ministry of Health: Regulatory Authority Model for Personal Support Workers – Allison Henry**

19

20 A. Henry provided Council with an update on the Health and Supportive Care Providers Oversight
21 Authority and the College Performance Measurement Framework (CPMF).

22

23 On June 3, the *Advancing Oversight and Planning in Ontario's Health System Act, 2021* received Royal
24 Assent. The act creates three new acts: the *Health Supportive Care Providers Oversight Authority Act,*
25 *2021*; the *Psychology and Behaviour Analysis Act, 2021*; and the *COVID-19 Vaccination Reporting Act,*
26 *2021*.

27

28 Previously, the *Regulated Health Providers Act, 1991* (RHPA) was the only oversight framework for
29 health professions. The Ministry wanted to look at how oversight could be done differently, especially
30 for professions where the risk of harm is lower. This follows trends in other jurisdictions such as B.C., the
31 U.K., Australia, and New Zealand.

32

33 The new framework provides for corporate objects, establishes education and registration
34 qualifications. It does not provide title protection, rather it sets out a quality mark system and a code of
35 ethics for each class of registrant. The initial Board of Directors will be appointed by the Ministry of
36 Health based on competencies. Although not self-regulating, it is designed to focus on public interest
37 and safety and allows for the addition of other professions over time.

38

39 The intention is to begin set up this fall and register Personal Support Workers in early 2022.

40

41 A. Henry also provided an update on the CPMF. The Ministry of Health is looking to publish a summary
42 report from all 26 regulated health colleges this summer.

43

44 Council asked if there were plans to reopen the RHPA and move anything that falls under the RHPA to
45 the new model.

46

47 A. Henry confirmed that Personal Support Workers are intended to be the first group regulated under
48 the new authority. No decision has been made whether other professions will follow, which professions
49 would follow, or when.

50

51 A. Henry noted the government is probably not looking to remodel the RHPA completely, but there are
52 ways to streamline governance processes (e.g., the nurses' proposals with Vision 2020), including
53 smaller boards, bifurcation of the Executive and statutory committees from the board, etc.

54

55 The intention is to move away from the procedural rigidity in the RHPA and provide the tools to allow
56 regulators to be good governors.

57

58 Council asked about the best ways to strengthen governance practices, such as term limits for
59 professional members.

60

61 A. Henry replied that term limits are set out in by-laws, not regulation. Best practice favours shorter
62 terms vs. longer terms.

63

64 Council asked if the Ministry should mandate governance revisions if it would like to see cohesion across
65 regulatory bodies.

66
67 A. Henry clarified that the College has been given the authority to administer the *Optometry Act*; the
68 Ministry is providing colleges with flexibility in how they represent the public interest. If regulatory
69 bodies would like the government to have a more unified approach, that suggestion can be made to the
70 Ministry.

71
72 Council asked about impending job action, given media coverage from the summer 2020. A. Henry
73 clarified the government is not intending to step in regarding the College proceedings and job action.

74
75 A. Henry left the meeting at 9:56 a.m.

76
77 **4. Adoption of the Consent Agenda:** A draft consent agenda was circulated prior to the meeting. After
78 having confirmed that all councilors had read the consent agenda materials. The following items were
79 included in the consent agenda:

- 80
81 PART 1 - Minutes of Prior Council Meetings
82 a. March 26, 2021
83 b. Motions and Actions Items Arising from the Minutes
84 PART 2 - Reports
85 b. Committee Reports
86 i. Executive Committee
87 ii. Patient Relations Committee
88 iii. Quality Assurance:
89 A. QA Panel
90 B. CP Panel
91 C. QA Subcommittee
92 iv. Inquiries, Complaints and Reports Committee (ICRC)
93 v. Registration Committee
94 vi. Discipline Committee
95 vii. Governance/HR Committee
96 viii. Audit/Finance/Risk Committee

97
98 Moved by M. Eltis and seconded by S. Allen **to adopt the consent agenda.**

Motion carried

99
100
101 Several Council members wished to discuss items from the consent agenda, including the previous
102 minutes, the Patient Relations Committee, the Quality Assurance, the ICRC and Audit/Finance/Risk
103 committee reports.

104
105 Council discussed the minutes from the March 26, 2021, meeting, including the issue of staff
106 participation in Council meetings. Council noted it would like to keep staff participation where needed
107 (to clarify or provide background information). J. Jamieson outlined new processes for virtual meetings
108 and clarified parliamentary procedure re: staff.

109

110 Council clarified a few items in the previous minutes, including the Registrar’s jurisdictional scan, which
111 was reviewed with the Governance/HR Committee.

112
113 Council asked that comments from some members in past meetings be addressed. P. Quaid noted that
114 the issue had been dealt with and that he would address Council behaviour in the Registrar’s Report.

115
116 Council asked about donations made in memorial and whether there is an official process or policy in
117 place to outline circumstances in which these donations are made. P. Quaid clarified the donation in
118 question was voted on by Council, however, the Audit/Risk/Finance Committee is working on a policy.

119
120 Regarding the audited financial statements, Council asked about the increase to staff salary in 2020.
121 J. Jamieson clarified that staffing anomalies in 2020 resulted in an inflated salary budget item. It is
122 expected to return to normal in 2021.

123
124 Council asked to discuss the President’s stipend. P. Quaid noted that the Governance/HR Committee,
125 which determines roles and responsibilities, discussed the stipend, and determined that it was in order.

126
127 Council discussed the communication item included in the Patient Relations Committee report. Some
128 wording changes were suggested; it is clarified that education and communication fall under the
129 committee’s Terms of Reference.

130
131 Council asked about the hours allotted to Quality Assessment Training. It is noted that the eight-hour
132 allotment was approved by Council as part of the Continuing Education (CE) policy and has previously
133 been discussed.

134
135 Council also asked about the extension provided for CE audit hours. L. Chan clarified that a one-month
136 extension to submit outstanding CE was provided. R. Dhaliwal further clarified that the CE hours were
137 performed in 2020, it is simply an administrative matter of inputting those hours into the tracker. Since
138 the panel is intended to be assistive rather than punitive, the extension was felt to be reasonable.

139
140 Council discussed the ICRC report and continuing issue of complaints regarding auxiliary testing.

141
142 R. Kniaziew noted the committee has asked that the issue of eye exams and required testing be
143 addressed in the form of some type of communication or policy. In addition, issues are arising due to
144 advertising and marketing and lack of understanding over the rules. R. Kniaziew asked if a document can
145 clarify rules around advertising and the conflict-of-interest regulation.

146
147 J. Jamieson noted that both issues are being discussed. A practice advisory will be developed regarding
148 advertising. The ongoing issue of patient complaints related to auxiliary testing will be addressed by the
149 committee, with input from practice advisors.

150
151 **Action item:** Staff, including practice advisors, will develop a practice advisory regarding advertising.
152
153

154 Council took a 10-minute break and resumed at 11:00 a.m.

155
156 J. Jamieson invited D. McKeon to join the meeting. D. McKeon introduced the auditors, M. Sconci and M.
157 Upenieks.

158
159 **6. Financial Matters – Presentation from the Auditors**

160
161 M. Sconci and M. Upenieks from audit firm BDO Canada presented the draft audited financial
162 statements, specifically highlighting areas where wording or presentation would have differed from
163 previously statements.

164
165 Council asked about Note 13 re: suspending the collection of professional corporation fees in 2020.
166 H. Jibry clarified that there was a reduction in professional corporation fees in 2020 that accounts for
167 the reduced amount noted in the statements. M. Upenieks confirmed the decrease seen in statements
168 relates to fee reduction, not deferred collection.

169
170 Council asked about fees listed under stakeholder engagement and the increase seen in the third
171 quarter. It is clarified that these amounts relate, in part, to membership fees for stakeholder
172 organizations (e.g., FORAC, CLEAR and ARBO etc.).

173
174 **5. Registrar’s Report**

175
176 J. Jamieson provided operational updates, as well as plans to operationalize the strategic plan and
177 achieve those domains in the College Performance Measurement Framework (CPMF) that are currently
178 “partially” completed. Staff have developed SMART goals for numerous projects that directly align with
179 both the strategic plan and CMPF, including focus groups with optometrists and the public; a website
180 refresh project; and a welcome package for new registrants.

181
182 Staff provided updates on registration, finances, and the Quality Assurance Program.

183
184 Council took a 20-min break for lunch, and resumed at 12:40 p.m.

185
186 Council discussed the upcoming job action directed by the Ontario Association of Optometrists (OAO),
187 including OAO communication to optometrists and perceived conflict of interest.

188
189 Regarding OAO communication: J. Jamieson noted the College has clearly communicated its
190 expectations to optometrists re: job action and professionalism.

191
192 **Action item:** The Registrar will seek a legal opinion regarding perceived conflict of interest for professional Council
193 members who may be participating in the upcoming optometry job action.
194

195
196 Council asked if SMART goals related to personnel were under development. J. Jamieson confirmed that
197 there are SMART goals targeted at retention, succession, leadership, and training.

198
199 P. Quaid noted a minor reordering of the motions following the AFR motions.
200

201 **7. Motions Brought Forward from Committees:**

202 **a. Audit/Finance/Risk Committee**

203
204 **i. Building Acquisition Fund Reallocation**

205
206 L. Chan was unable to attend the most recent Audit/Finance/Risk Committee meeting and deferred to J.
207 Jamieson and R. Dhaliwal regarding this item. J. Jamieson provided Council with background
208 information: previously, the College maintained a reserve fund with the intention of purchasing office
209 space. As per the Canada Revenue Agency, not-for-profit organizations cannot maintain significant
210 reserves without immediate plans for use. COVID-19 has changed the workplace landscape and
211 purchasing office space is no longer a priority.

212
213 The reallocation proposal is looking to use these funds to support projects that will operationalize the
214 College’s strategic plan; staff have developed SMART goals to identify priority areas, including public
215 awareness and staff professional development and succession planning.

216
217 The reallocation funds would also support a research fund for projects that focus on the public interest;
218 as well as a one-time fee reduction for members in recognition of COVID-19 hardships, which was
219 moved at the previous Council meeting.

220
221 Moved by B. Kassir and seconded by L. Chan **to reallocate the reserve funds currently held as the**
222 **“Building Acquisition Fund” as set out in the briefing materials.**

223 **Motion carried**

224
225 **ii. Approval of the Audited Financial Statements**

226
227 Moved by N. Shah and seconded by S. Allen **to approve the Audited Financial Statements for the year**
228 **ending December 31, 2020.**

229 **Motion carried**

230
231 Moved by R. Kniaziew and seconded by R. Dhaliwal **to reappoint the auditors for the upcoming year.**

232
233 **Motion carried**

234
235 **iii. Investment Policy Revision**

236
237 R. Dhaliwal provided an overview of the revisions made: As a not-for-profit, the College can’t build up
238 reserve funds and its key responsibility is to reserve capital. The committee is putting forward this policy
239 to transfer of the College’s long-term investments currently held in wealth management portfolios to
240 Guaranteed Investment Certificate (GIC) or other bank instruments.

241

242 Moved by B. Kassir and seconded by H. Kennedy **to approve revisions to the Investment Policy as**
243 **presented and approve the transfer of the College’s long-term investments currently held in wealth**
244 **management portfolios to GICs and other bank instruments.**

245
246 **Motion carried**
247

248 **e. Executive Committee**

249
250 **i. Appointment to fill Chair and committee vacancies**

251
252 The committee recommended the appointment of Dr. Dennis Ruskin as Chair of the Discipline
253 Committee to fill the current vacancy.

254
255 Moved by R. Kniaziew and seconded by C. Grewal **to appoint Dr. Dennis Ruskin as the Chair of the**
256 **Discipline Committee.**

257 **Motion carried**
258

259 **b. Registration Committee**

260
261 **i. Entry-to-Practice Exam**

262
263 W. Ulakovic presented the Registration Committee motions.

264
265 Council discussed seeking a response from NBEO on the one-exam report and the College’s direction to
266 support one exam.

267
268 It is clarified that a motion is not needed for this item; rather it is recording that Council has received the
269 report and continues to support one entry-to-practice exam.

270
271 **Action Item:** The Registrar will follow up on the response from NBEO re: OEBC One Entry-to-Practice
272 Exam report.
273

274
275 **ii. 2021 Jurisprudence Exam**

276
277 W. Ulakovic presented the motion, noting that the Registration Committee is looking to keep the online
278 exam that has been in use.

279
280 Council asked about the issue of promotion and advertising and whether the rules should be reinforced
281 in the Jurisprudence exam. W. Ulakovic noted he would take this suggestion to the committee.

282
283 Moved by R. Kniaziew and seconded by C. Grewal **to approve the 2021 Jurisprudence exam for**
284 **registration purposes.**

285 **Motion carried**

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iii. [2021 Optometry Examining Board of Canada Written Exam and OSCE](#)

Moved by A. Nurani and seconded by M. Eltis **to approve the 2021 OEBC written exam and OSCE as one of two standards assessment examinations for registration purposes.**

Motion carried

iv. [2021 National Board of Examiners in Optometry \(NBEO\) Exam](#)

Council asked about the process for those currently writing the NBEO exam and confirmed that if the NBEO is not approved next year, those currently in the cycle will be able to proceed with registration. H. Jibry confirmed that the Registration Committee is discussing transition periods for future years.

Moved by R. Kniaziew and seconded by K. Biondi **to approve the 2021 National Board of Examiners in Optometry (NBEO) exam as an alternate standards assessment examination for registration purposes.**

Motion carried

c. **Clinical Practice Panel**

i. [OPR 7.12 Patients with Amblyopia](#)

C. Grewal presented the motion. Council had previously asked for evidence to support recommendations; raised questions about testing without cycloplegia; occlusion treatment; and ophthalmology guidelines provided as reference.

The new revisions provide additional research and wording has been clarified on these issues.

Council asked about the wording related to visual acuity.

Several Council members noted the section is still prescriptive in its approach, which can affect the Quality Assurance program. It is noted that more clarity is needed for wording and recommendations regarding the visual sensitive period.

Council also asked how the committee selects which section of the OPR should undergo review.

C. Grewal noted the committee is looking to move regulatory standards to the beginning of the OPR but has not yet had the chance in part due to staff turnover.

Council asked the committee to review the section again.

ii. [OPR 7.13 Patients with Uveitis](#)

328
329 C. Grewal presented the motion. Council had previously noted the section was too prescriptive. Changes
330 were made to clarify the wording.

331
332 Moved by M. Eltis and seconded by W. Ulakovic **to approve revisions to OPR 7.13 Patients with Uveitis.**

333
334 **Motion carried**

335
336 **d. [Governance/HR Committee](#)**

337
338 K Biondi presented the following motions, noting these policies serve as the start of a governance
339 manual that the committee is developing.

340
341 **i. [Policy: Role of President](#)**

342
343 Council discussed the number of hours set out for compensation and whether it was sufficient. B. Kassir
344 asked about delegating to the Vice-President to reduce the hours and increase the Vice-President's
345 involvement.

346
347 Council discussed the Vice-President's involvement in stakeholder meetings, whether this would be
348 appropriate. It is noted that the by-laws indicate the President and Registrar are the designated College
349 spokespeople.

350
351 Moved by A. Nurani and seconded by W. Ulakovic **to approve the Policy: Position Overview, President.**

352
353 **Motion carried**

354 **ii. [Policy: Role of Vice-President](#)**

355
356 K. Biondi noted the Vice-President is a part of the Executive Committee and expected to step in for the
357 President, if unavailable. The committee decided not to require the Vice-President be a succession role.

358
359 Council discussed how closely the roles of President and Vice-President work together, how often the
360 two have meetings and/or whether dedicated meetings are needed. P. Quaid and J. Jamieson noted
361 dedicated meetings (outside of the Executive Committee) would only be needed in instances of
362 delegation.

363
364 B. Kassir noted that, should the need arise for the Vice-President to step in for the President, he would
365 need to be more informed.

366
367 Council discussed whether to have the Vice-President attend more stakeholder meetings and be
368 engaged on strategic issues, such as impending job action. Council discussed this in relation to A. Henry's
369 presentation and the government's push for smaller boards.

370
371 Moved by R. Kniaziew and seconded by W. Ulakovic **to approve the Policy: Position Overview, Vice-**
372 **President.**

373 **Motion carried**

374 **iii. Executive Committee Terms of Reference**

375

376 Council discussed the morning presentation from A. Henry and notes on good governance, specifically
377 the need for more efficient boards and the implications for the Executive Committee.

378

379 J. Jamieson clarified that the purpose of the proposed Council Retreat would be to clarify these kinds of
380 questions. Terms of reference can be revised as needed in the future, should there be a change to
381 committee organization.

382

383 Moved by K. Biondi and seconded by R. Kniaziew **to approve revisions to the Terms of Reference:**
384 **Executive Committee.**

385

Motion carried

386

387 **iv. Governance/HR Committee Terms of Reference**

388

389 Moved by S. Allen and seconded by R. Kniaziew **to approve revisions to the Terms of Reference:**
390 **Governance/Hr Committee.**

391

392

Motion carried

393

394 **v. AFR Committee Terms of Reference**

395

396 Moved by R. Dhaliwal and seconded by H. Kennedy **to approve revisions to the Terms of Reference:**
397 **Audit/Finance/Risk Committee.**

398

399

Motion carried

400

401 Council asked whether the COVID-19 Infection Prevention Return to Work guidance would be revised
402 following vaccination, specifically the mask requirement. C. Grewal clarified the guidance follows public
403 health recommendations and once public health revises its recommendations, the College guidance will
404 reflect those changes.

405

406 Council discussed the timing for the proposed Council Retreat. Late October 2021 was under
407 consideration, however, Council noted that five professional member seats are up for election this fall. A
408 retreat may be better suited for the 2022 when the new Council is in place.

409

410 Council thanks outgoing staff for their work.

411

412 **8. List of Acronyms**

413

414 **9. Upcoming Council Meetings**

415

- September 17, 2021

416

- December 10, 2021

417

418 **10. 2022 Council Meeting Dates:**

- 419 a. Friday, January 21, 2022
- 420 b. Friday, March 25, 2022
- 421 c. Friday, June 24, 2022
- 422 d. Friday, September 16, 2022
- 423 e. Friday, December 9, 2022

424
425 **11. Adjournment:** Moved by M. Eltis and seconded H. Kennedy **to adjourn the meeting at 3:39 p.m.**

426
427 **Motion carried**

DRAFT