



**College of Optometrists of Ontario
Council Meeting
April 24, 2019
APPROVED**

April 24, 2019

Attendance:

Dr. Pooya Hemami, President
Dr. Richard Kniaziew, Vice President
Dr. Patrick Quaid, Treasurer
Dr. Linda Chan
Ms. Maureen Chesney
Dr. Bill Chisholm
Mr. Bashar Kassir
Mr. Howard Kennedy
Mr. Hsien Ping (Albert) Liang

Dr. Annie Micucci
Dr. Kamy Morcos
Ms. Luisa Morrone
Dr. Christopher Nicol
Dr. Areef Nurani
Ms. Ellen Pekilis
Mr. Narendra Shah
Mr. John Van Bastelaar

Regrets:

Staff:

Dr. Paula Garshowitz, Registrar
Ms. Hanan Jibry
Ms. Mina Kavanagh
Ms. Amber Lepage-Monette

Mr. Nektarios Kikonyogo
Mr. Justin Rafton
Mr. Sean Knight

1 **1. Call to Order:** Dr. Hemami called the meeting to order at 9:02 a.m. Dr. Hemami welcomed everyone
2 in attendance, including guests, to the meeting and introduced new public members, Mr. Howard
3 Kennedy and Mr. Narendra Shah to the Council. All present were reminded that recording of the
4 meeting is not allowed.

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6 **2. Adoption of the Agenda:** A draft agenda was circulated prior to the meeting.

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8 Dr. Hemami added one item (committee additions) to the agenda.

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10 Moved by Dr. Morcos and seconded by Dr. Quaid **to approve the agenda.**

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12 **Motion carried**

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14 **a. Conflicts of Interest:** Dr. Hemami asked Council members if anyone had a conflict of interest with any
15 item on the day's agenda; no conflicts of interest were declared.

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18 **3. Adoption of the Consent Agenda:** A draft consent agenda was circulated prior to the meeting. After
19 having confirmed that all councilors had read the consent agenda materials. The following items were
20 included in the consent agenda:

- 21
22 PART 1 - Minutes of Prior Council Meetings
23 a. January 18, 2019
24 b. Motions and Actions Items Arising from the Minutes
25 PART 2 - Reports
26 a. Committee Reports
27 i. Executive Committee
28 ii. Patient Relations
29 iii. Quality Assurance:
30 A. QA Panel
31 B. CP Panel
32 C. QA Subcommittee
33 iv. ICRC
34 v. Registration
35 vi. Fitness to Practise
36 vii. Discipline
37 viii. Governance/HR Committee
38 ix. Audit/Finance/Risk Committee
39 x. Strategic Planning Committee
40 b. Registrar's Report

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42 A councilor requested that the ICRC report be removed from the consent agenda.
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44 Moved by Dr. Kniaziew and seconded by Mr. Van Bastelaar **to adopt the consent agenda.**

45 **Motion carried**

46 **Item removed from the consent agenda**

47 **ICRC report** – Dr. Nurani noted the report format has changed: the report no longer includes
48 items with no further action and reflects cases that have resulted in action directed by the
49 Panel. The process has also been streamlined so that the Panel only reviews the complaint in its
50 entirety. That is, a summary of a complaint is no longer drafted by staff, which removes any
51 perception of bias and saves both staff and the Chair time.

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53 Council discussed the 150-day timeline required by the HPPC to bring a complaint to a
54 resolution: whether other colleges meet this timeline; and the process required if the timeline is
55 not met. Dr. Nurani requested staff provide a breakdown of larger cases that take more
56 substantial time to better clarify the number of cases that require 150+ days.

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59 Moved by Dr. Kniaziew and seconded by Dr. Quaid **to study timelines for processing and resolving**
60 **complaints within the College and other Ontario colleges of similar demographics.**

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62 **Motion carried**

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64 **New Item: Committee Additions**

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66 Dr. Hemami requests that new public appointee Mr. Shah be appointed to the Discipline Committee.

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68 Moved by Dr. Kniaziew and seconded by Dr. Quaid second **to appoint Mr. Shah to the Discipline**
69 **Committee.**

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Motion carried

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74 **4. Financial Matters**

75 **a. Treasurer's Report:**

76 Dr. Quaid presented the report. The College recorded a year-to-date surplus of \$221K as of February
77 2019. This surplus represents a positive variance to budget of \$277K (per dashboard). Reserves can
78 cover 20 months of expenses.

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80 **b. Financial Dashboard:**

81 Dashboard summary updated to include February 28, 2019 financial information.

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83 **c. Balance Sheet and Income and Expenditure Report to February 28, 2019:**

84 Overall surplus in the Expense section is caused by under spending/no spending to date in some budget
85 areas.

86 Council reviewed the legal expense line items and discussed pros and cons of a proposal to have a
87 lawyer on staff. It is agreed legal cases differ and different lawyers are required for different needs. Dr.
88 Hemami confirms a policy is being developed to clarify issue of second legal opinion, to be circulated to
89 Council soon.

90 Council was asked to consider a motion to approve the auditors for 2019.

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92 Moved by Dr. Quaid and seconded by Dr. Chisholm **to approve Tapp and Co. as auditors for 2019.**

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Motion carried

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95 Council was asked to consider a motion to move additional funds of \$250,000 from the unappropriated
96 surplus fund to the Building Acquisition Fund. The fund currently sits at \$2,000,000.

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98 Moved by Dr. Quaid and seconded by Dr. Kniaziew **to approve moving additional \$250000 out of**
99 **reserve and into the Building Acquisition Fund.**

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Motion carried

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102 Council discussed the issue of leasing vs buying property and clarified the need to build reserve in case
103 decision is made to purchase a building at the conclusion of the current lease.

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107 **5. Injunction Appeal Update - IN CAMERA SESSION:** In accordance with Section 7. (1.1) of the *Health*
108 *Professions Procedural Code* (HPPC), Council will go in camera under section 7. (2)(e) of the HPPC, which
109 is to give instructions to, or receive opinions from, the solicitors of the College.

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111 Moved by Dr. Kniaziew and seconded by Dr. Chisholm **to have the meeting go in camera.**

112 **Motion carried**

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114 *Guests left the meeting.*

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148 Moved by Dr. Kniaziew and seconded by Dr. Marcos **to have the meeting go out of camera.**

149 **Motion carried**

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151 *Guests returned to meeting.*

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153 **6. Recognition of Volunteers**

154 Dr. Hemami presented certificates to past public member Mr. Rivait and public member Ms. Morrone,
155 thanking them for their service. Mr. Rivait's appointment ended in February 2019 and Ms. Morrone's
156 will end in June 2019. Dr. Patricia Hrynchak, who resigned from Council in April, was recognized for her
157 service with a certificate.

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7. Celebrating 100 Years of Regulation

Dr. Garshowitz presented a 100-year timeline of highlights of regulatory history to recognize the passing of the first Optometry Act in Ontario on April 24, 1919. The timeline will be available on the College’s website.

Ms. Ildiko Jurina Cleary and Mr. Terry Lee, of Tapp & Company LLP, College auditors, joined the meeting.

7. 2018 Draft Audited Financial Statements - Presentation from the Auditors

Ms. Jurina Cleary and Mr. Lee presented an overview of the 2018 draft audited financial statements and highlighted how the statements have been revised for added clarity.

Auditors noted the prudent nature of adding to the building acquisition fund – which Council passed earlier in the morning.

Ms. Jurina Cleary and Mr. Lee left the meeting.

Moved by Dr. Quaid and seconded by Dr. Kniaziew seconded **to approve audited statements.**

Motion carries.

8. Motions Brought Forward from Committees:

8.1 Executive Committee: The proposed motions were circulated prior to the meeting. Regulated health professionals in Ontario must report to their college certain information that is pertinent to the conditions of their registration. The Committee proposed that Council adopt a policy that “ticketable” offences not be included in the category of information related to charges that optometrists have to self-report to the College, under section 85.6.4 of the *Health Procedural Code*, which is Schedule 2 of the *Regulated Health Professions Act, 1991*.

Council sought clarity on whether members are currently reporting, what wording other colleges use, and the nature of offences that fall under Part I and Part II of the *Provincial Offences Act, 1990*.

Moved by Dr. Quaid and seconded by Dr. Morcos **to adopt a policy that “ticketable” offences not be included in the category of information relating to charges that optometrists have to self-report to the College.**

Motion carries.

Council discussed making its annual contribution to maintain its FORAC membership.

Moved by Mr. Van Bastelaar and seconded by P. Quaid **to approve payment of the College’s 2019 FORAC membership contribution.**

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Motion carries.

8.2 Quality Assurance

8.2.1 Clinical Practice Panel: The proposed motion was circulated prior to the meeting.

The Clinical Practice Panel has decided to review each section of the OPR every three years.

Council discussed revisions to OPR 6.6 Low Vision Assessment and Therapy. Amendments improve readability and clarity. A faculty member of the University of Waterloo School of Optometry and Vision Science assisted in this review.

Moved by Dr. Chisholm and seconded by Dr. Micucci **to approve amendments to OPR 6.6.**

Motion carries.

8.3 Registration Committee: Motions were circulated prior to the meeting.

Moved by Dr. Quaid and seconded by Dr. Kniaziew **to approve the College jurisprudence exam for 2019.**

Motion carries.

Moved by Dr. Quaid and seconded by Dr. Kniaziew **to approve the 2019 Optometric Examining Board of Canada written exam and OSCE as an alternate standards assessment examination set or approved by the College for registration purposes.**

Motion carries.

9. FORAC Cultural Competency Working Group:

Background on the draft document on cultural safety and humility was provided, which was presented to FORAC in January 2018. Idea is to get each province to review and support before FORAC meeting in July.

Participants attending the 2018 Optometric Leaders Forum meeting saw a presentation on truth and reconciliation and how cultural safety differs from cultural sensitivity, particularly in a health care context.

The need for outreach with Ontario Indigenous stakeholders prior to signing to ensure the document reflects what is important to them was raised.

Dr. Hemami asked for audience feedback from Paul Chris, Executive Director of FORAC.

252 Dr. Chris explained the current document in question is based on a document that was created in
253 partnership with Indigenous stakeholders in British Columbia which was signed by all health care
254 regulators in BC. The document is intended to serve as a commitment to work with First Nations
255 communities.

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257 Council requested that consultation with First Nations communities take place and Council review this
258 request at June Council meeting.

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260 **Action item:** Staff will consult with First Nations stakeholders prior to June Council meeting.
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263 **10. Governance Reform – Proposed Legislative Changes:**

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265 Council reviewed submissions from College of Nurses of Ontario (CNO) to the Minister of Health and
266 Long-Term Care. Overall, Council supported the proposed legislative changes CNO was recommending,
267 but discussed issues of election vs appointment; public member compensation by the College; and the
268 flow chart discussing College roles.

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270 Council specifically wanted to ensure that it is clear public roles are independent from the College and
271 discussed whether appointments of professional members would limit new members from joining
272 Council.

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275 **Action item:** Staff to revise College response, specifically in relation to issues of election and
276 compensation of public members, as well as the flow chart and circulate to Council for approval.
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278 **11. Registrar Search Process Update**

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280 Governance Committee Chair, Mr. Van Bastelaar provided Council with an update on the hiring process
281 for the role of Registrar. Hiring Committee has been working closely with consultant and process moving
282 forward.

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285 **12. Complaints/Reports Review**

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287 Council reviewed recommendations made by Signal Consulting with respect to a review of complaints
288 considered by the College over a 10-year period.

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290 **Action item:** Council to develop a work plan to implement recommendations.
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294 **12. List of Acronyms**

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296 **13. Dates of Upcoming Council Meetings**

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a. Monday, June 24 and Tuesday, June 25, 2019 to be held in Waterloo ON

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300 **14. Proposed Dates for Council Meetings (2019-2020)**

- 301 • Friday September 27, 2019
302 • Friday January 17, 2020
303 • Monday April 20, 2020
304 • Thursday June 25, 2020

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Dates carried.

307 **13. Adjournment:** Moved by Dr. Kniaziew and seconded by Dr. Chisholm **to adjourn the meeting at 3:05**
308 **p.m.**

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Motion carried