



**College of Optometrists of Ontario
Council Meeting
January 15, 2018
APPROVED**

January 15, 2018

Attendance:

Dr. Pooya Hemami, President
Dr. Richard Kniaziew, Vice President
Ms. Irene Moore, Treasurer
Dr. Linda Chan
Ms. Maureen Chesney
Dr. Bill Chisholm
Dr. Patricia Hrynchak
Mr. Bashar Kassir
Dr. Dino Mastronardi

Dr. Kamy Morcos
Ms. Luisa Morrone
Dr. Christopher Nicol
Dr. Areef Nurani
Ms. Ellen Pekilis
Dr. Patrick Quaid
Mr. Brian Rivait
Mr. John Van Bastelaar

Regrets:

Mr. Hsien Ping (Albert) Liang

Staff:

Dr. Paula Garshowitz, Registrar
Ms. Hanan Jibry
Ms. Mina Kavanagh
Mr. Justin Rafton

Mr. David Whitton
Dr. David Wilkinson
Ms. Bonny Wong

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.

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4 **2. Adoption of the Agenda:** A draft agenda was circulated prior to the meeting. One item was added to
5 the agenda: an Executive Committee motion to approve FORAC membership fees for 2018.

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7 Moved by Dr. Morcos and seconded by Dr. Chisholm **to adopt the agenda as amended.**

8 **Motion carried**

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

12
13 **3. Election of Officers for 2018 Council Year:** A call for nominations had been sent previous to the
14 meeting. Councillors interested in running for a position on Executive had been asked to indicate their
15 intention, in writing, to the Registrar by January 12th. Dr. Garshowitz announced that the three College
16 officers' positions and three public member positions were acclaimed.

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18 **Officers:**

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20 Dr. Pooya Hemami, President
21 Dr. Richard Kniaziew, Vice President
22 Dr. Patrick Quaid, Treasurer
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24 **Executive Committee Members-at-Large:**

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26 Ms. Irene Moore
27 Mr. Brian Rivait
28 Mr. John Van Bastelaar
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30 Dr. Garshowitz and Ms. Jibry conducted an election for the remaining professional member of Executive.
31 Prior to voting, the candidates were given a few minutes to describe their platform to Council. The
32 results of the elections were:

33
34 Professional member (at large): Dr. Areef Nurani
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36 Dr. Hemami congratulated the members of the Executive Committee. Dr. Hemami welcomed to Council
37 a returning professional member, Mr. Christopher Nicol.
38

39 **4. Orientation for Councillors:** Dr. Garshowitz delivered a presentation outlining, among other matters,
40 the model of self-regulation as outlined in the RHPA; the duties of College, Council, volunteers, and
41 staff; effective governance; the organization of the College; confidentiality and indemnity; conflict of
42 interest; and the process by which Council meetings and motion voting are conducted.
43

44 **5. Adoption of the Consent Agenda:** A draft consent agenda was circulated prior to the meeting. No
45 items were removed for further discussion. The following items were included in the consent agenda:
46

- 47 5.1 Minutes of prior Council meetings
48 5.1.1 September 19, 2017
49 5.1.2 Motions and Actions Items arising from the minutes
50 5.2 Reports
51 5.2.1 Committee Reports
52 5.2.1.1 Executive Committee
53 5.2.1.2 Patient Relations
54 5.2.1.3 Quality Assurance
55 5.2.1.3.1 QA Panel
56 5.2.1.3.2 CP Panel
57 5.2.1.4 ICRC
58 5.2.1.5 Registration
59 5.2.1.6 Fitness to Practise
60 5.2.1.7 Discipline
61 5.2.1.8 Governance Committee
62 5.2.1.9 Registrar's Report
63

64 Moved by Dr. Kniaziew and seconded by Dr. Quaid **to adopt the consent agenda.**

65 **Motion carried**

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67 **6. Financial Matters:**

68 **6.1 Treasurer’s Report:** College Treasurer Ms. Irene Moore presented her final report as Treasurer. Ms.
69 Moore highlighted some changes made during her tenure: a new database; the introduction of the
70 financial dashboard; an updated investment policy; and the hiring of the College’s new Manager,
71 Finance and Office Administration.

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73 **6.2 Financial Dashboard:** The updated financial dashboard was circulated prior to the meeting.

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75 **6.3 Balance Sheet and Income and Expenditure Report – to November 30, 2017:** Both Discipline legal
76 and ICRC legal line items are high, reflecting an increase in complex cases before ICRC that require legal
77 advice, and a higher number of referrals to the Discipline Committee by ICRC. In accordance with
78 Council’s direction, costs are recovered as much as is reasonable.

79

80 **6.4 2018 Budget:** The proposed 2018 budget was circulated prior to the meeting. Budget lines have
81 been reviewed by the Treasurer, staff, and Executive Committee to produce a budget that reflects
82 increases where needed and savings where efficiencies have been realized. Rationale for the proposed
83 changes to individual line items was included in the budget document. Budget projections can be made
84 on historical data, however for some areas, in particular ICRC and Discipline, it can be difficult to predict
85 what expenses may be incurred in a given timeframe. The budget will be reviewed periodically
86 throughout the year and any needed variances brought to Council for approval. Once again, there will
87 be no increase in membership fees.

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89 Moved by Ms. Moore and seconded by Dr. Quaid **to approve the proposed 2018 budget.**

90 **Motion carried**

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92 **7. Motions Brought Forward From Committees:**

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94 **7.1 Quality Assurance**

95 **7.1.1 Quality Assurance Panel:** The proposed motion was circulated prior to the meeting. The QA
96 program has not been reviewed for many years to determine whether it aligns with the goals of the
97 College and meets its mandate to protect the public interest. The QA panel has agreed that an
98 independent evaluation of the program is needed. The QA panel has asked Executive to create a QA
99 subcommittee and allocate resources to this project, including hiring an independent consultant.
100 Following the review, the subcommittee would be assigned other QA-related projects. Council discussed
101 potential future projects that would engage members of the College.

102

103 Moved by Dr. Morcos and seconded by Dr. Nurani **to strike a Quality Assurance subcommittee whose**
104 **mandate would include a proposed independent evaluation of the College’s Quality Assurance (QA)**
105 **program.**

106 **Motion carried**

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108 **7.1.2 Clinical Practice Panel:** The proposed motions, including relevant background information, were
109 circulated prior to the meeting. Optometrists regularly complete reports for third parties regarding
110 patients’ clinical information. The panel proposes adding a standard requiring verification of the photo

111 identification of patients; this will mitigate the risk of agents falsely presenting for eye exams when such
112 reports are required.

113

114 Moved by Dr. Hrynchak and seconded by Mr. Van Bastelaar **to approve revisions to OPR 4.2 Standards**
115 **of Practice – Required Clinical Information.**

116 **Motion carried**

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118 For ease of reference, the 14 controlled acts listed under the *Regulated Health Professions Act* have
119 been added under the heading Regulatory Standard. Minor edits have been made for accuracy.

120

121 Moved by Dr. Morcos and seconded by Dr. Chisholm **to approve revisions to OPR 4.3 Standards of**
122 **Practice – Delegation and Assignment.**

123 **Motion carried**

124

125 Optometrists are authorized to independently manage only patients with primary open-angle glaucoma.
126 The revised standard will require gonioscopy assessment for diagnosis of open-angle glaucoma. The
127 standard recognizes that not all optometrists will choose to monitor glaucoma suspects with compelling
128 risk factors or treat primary open-angle glaucoma independently. When an optometrist chooses to
129 involve another primary, secondary, or tertiary eye-care provider for continuing diagnosis and/or
130 management of glaucoma, these tests may not be required.

131

132 Moved by Dr. Chan and seconded by Ms. Morrone **to approve revisions to OPR 7.2 Standards of**
133 **Practice – Patients with Glaucoma.**

134 **Motion carried**

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136 **7.2 Executive:** The proposed motion was added to the agenda at the opening of the meeting. The
137 College pays an annual membership fee to the Federation of Optometric Regulatory Authority of Canada
138 (FORAC), an association of Canadian optometric regulators. FORAC administers the credentialing process
139 for the provinces and provides a venue in which to discuss common regulatory issues, such as entry to
140 practice and quality assurance. The contribution of \$10/member to FORAC has already been accounted
141 for in the College's 2018 budget.

142

143 Moved by Dr. Kniaziew and seconded by Mr. Rivait **to approve funding for the College's membership in**
144 **the Federation of Optometric Regulatory Authority of Canada (FORAC).**

145 **Motion carried**

146

147 **8. Appointment of Committee Chairs and Committee Members for 2018:** Dr. Garshowitz presented the
148 proposed statutory committee chairs and members for 2018. The proposed names are:

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150 Registration Committee: Dr. Patrick Quaid

151 Inquiries Complaints and Reports Committee: Dr. Annie Miccuci

152 Quality Assurance Committee

153 i. Quality Assurance Panel: Mr. John Van Bastelaar

154 ii. Clinical Practice Panel: Dr. Dennis Ruskin

155 iii. Quality Assurance Subcommittee: Ms. Ellen Pekilis

156 Discipline Committee: Dr. Karin Simon

157 Fitness to Practise Committee: Dr. Linda Chan
158 Patient Relations Committee: Mr. Brian Rivait
159 Governance Committee: Dr. Pooya Hemami

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161 Moved by Dr. Kniaziew and seconded by Ms. Moore **to approve the proposed chairs of College**
162 **committees as presented.**

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Motion carried

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165 Moved by Mr. Rivait and seconded by Dr. Chan **to approve the proposed College committee**
166 **composition as presented.**

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Motion carried

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169 **9. Presentation by Mr. David Brown, Governance Solutions:** Council heard a presentation by David
170 Brown of Governance Solutions. In his presentation, Mr. Brown summarized the findings of an external
171 audit he had conducted on College governance. After surveying Council, committee chairs, and senior
172 staff, and interviewing other regulators, Mr. Brown gained insight into the culture of the College, its
173 functioning, policies, and electoral process, and how well it is meeting its mandate. Council learned
174 about areas of strength within the College's governance structure, as well as opportunities for fine-
175 tuning and possible alternative models. Council discussed Mr. Brown's recommendations and issues
176 surrounding them, such as committee composition, a renewed strategic plan, and performance
177 evaluation for Council and committee members.

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179 **Action item:** Staff to send a survey to Council members for feedback on College governance and the
180 recommendations resulting from the governance review.

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182 **10. Injunction Application – Update:** Dr. Garshowitz updated Council on a recent application to seek an
183 injunction preventing Essilor/Clearly from unlawfully dispensing prescription eyewear over the internet.
184 In December 2016, the College of Optometrists of Ontario and the College of Opticians of Ontario filed
185 the injunction and the matter was heard in October 2017. Justice Lederer delivered his decision January
186 11, 2018 in favour of the two colleges. Essilor is expected to appeal the decision.

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188 **11. Regulation Updates:**

189 **11.1 Spousal Exemption:** These provisions have been submitted to the Ministry of Health and Long-
190 Term Care; the College has yet to hear any feedback.

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192 **11.2 QA Regulation:** This regulation amendment has been submitted to the Ministry of Health and Long-
193 Term Care; the College has yet to hear any feedback.

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195 **11.3 Designated Drugs Regulation:** This regulation amendment has been submitted to the Ministry of
196 Health and Long-Term Care; the College has yet to hear any feedback.

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198 **11.4 Registration Regulation:** The submission of proposed amendments is expected to be completed
199 and submitted to the Ministry within the next few months.

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201 **12. Correspondence:**

202 **12.1** Letter from OEBC Chair, Dr. Carolyn Acorn, dated September 29, 2017

- 203 **12.2** Dr. Hemami’s reply to Dr. Acorn, dated October 2, 2017
204 **12.3** Letter from IOPB Director, Dr. Jenna Bright, dated November 7, 2017
205 **12.4** Letter from the Ms. Doris Dumais, Director, Office of the Fairness Commissioner, dated November
206 15, 2017
207

208 **13. IN CAMERA SESSION:** In accordance with Section 7. (1.1) of the *Health Professions Procedural Code*
209 (HPPC), Council will go in camera under Section 7. (2) (e) of the HPPC, which is to give instructions to, or
210 receive opinions from, the solicitors of the College.

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212 Moved by Dr. Kniaziew and seconded by Dr. Quaid **to have the meeting go in camera.**

Motion carried

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215 *Guests left the meeting.*

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289 Moved by Dr. Nurani and seconded by Mr. Rivait **to have the meeting go out of camera.**

Motion carried

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291 *Guests returned to the meeting.*

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293 **14. List of Acronyms**

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295 **15. Dates of Upcoming Council Meetings**

- 296 • Monday, April 9, 2018
297 • Thursday, June 21, 2018

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299 **16. Adjournment:** Moved by Dr. Kniaziew and seconded by Dr. Morcos to adjourn the meeting at 2:26
300 **p.m.**

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Motion carried