



**College of Optometrists of Ontario
Special Council Meeting
June 28, 2023**

Attendance:

Dr. Mark Eltis, President
Dr. Pooya Hemami, Vice President
Ms. Suzanne Allen
Dr. Camy Grewal
Ms. Lisa Holland
Mr. Howard Kennedy
Dr. Richard Kniaziew

Dr. Dino Mastronardi
Dr. Olutoye Soile
Mr. Narendra Shah
Mr. Andre Tilban-Rios
Dr. William Ulakovic
Dr. Abraham Yuen

Staff:

Mr. Joe Jamieson, Registrar & CEO
Ms. Hanan Jibry, Deputy Registrar
Mr. Chad Andrews
Mr. Edward Cho

Ms. Jaslin Facey
Ms. Debbie Lim
Ms. Adrita Shah Noor
Ms. Bonny Wong

Guests:

Ms. Julia Martin, legal counsel
Dr. Areef Nurani

Regrets

Dr. Lisa Christian
Ms. Esther Jooda
Dr. Kamy Morcos

- 1 **1. Call to Order/Attendance:** Dr. Eltis called the meeting to order at 9:01 a.m.
- 2 Dr. Eltis read the land acknowledgement and public interest statement.
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- 4 **2a. Conflict of Interest Declaration:** Dr. Eltis asked Council members if anyone has a conflict of interest
- 5 with any item on the day's agenda.
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- 7 Dr. Eltis declared his conflict of interest and transferred the role of Chair to Dr. Hemami.
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- 9 A member of Council raised a point of order and stated they believed Dr. Hemami to be in a conflict of
- 10 interest in chairing the meeting.
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- 12 *Moved by Dr. Kniaziew and seconded by Dr. Dino Mastronardi to declare Dr. Hemami in conflict of*
- 13 *interest as the Chair of the meeting.*
- 14

15 Council agreed to suspend the discussion of the motion until Council moved in camera.

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

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19 *Moved by Mr. Tilban-Rios and seconded by Mr. Soile to **adopt the agenda.***

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Motion carried

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22 Dr. Hemami asked if there were any additional conflicts of interest to declare.

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24 A member of Council asked if the complainant in this situation will be voting. Mr. Jamieson stated that
25 neither the respondent nor the complainant will be voting.

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27 Another member of Council had a point of order and asked if by-law 9.03 was followed regarding the
28 matter at hand, and questioned why mediation was not offered to the Council member who was the
29 subject of the letters that were provided.

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31 Ms. Martin clarified that the by-laws do not require the Executive Committee to state its concerns, but
32 requires the Committee to provide notice in writing of the concerns. Ms. Martin stated the Executive
33 Committee met the requirements of the by-law by providing notice through the three letters.

34 Ms. Martin further clarified that mediation was not an option as the complaints were made by external
35 bodies, and that the complainant is bringing forward the letters but is not complaining themselves.

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37 Mr. Jamieson clarified his previous comment about voting and explained that a complainant and
38 respondent cannot vote when deciding if the respondent is in a conflict of interest. Mr. Jamieson stated
39 that Dr. Eltis has not made the concern himself but is delivering the concern and is therefore not
40 currently in a conflict of interest.

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42 *Moved by Dr. Yuen and seconded by Ms. Allen to **go in camera.***

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Motion carried

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45 **IN CAMERA Session: Legal Matters**

46 In accordance with Section 7(2)(e) of the Health Professions Procedural Code, which is Schedule 2 to the
47 *Regulated Health Professions Act, 1991*, to discuss legal matters.

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49 Council moved **in camera at 9:20 a.m.**

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Council moved **out of camera at 9:56 a.m.**

Mr. Jamieson stated that while in camera, Council appointed him as Chair of the meeting.

Dr. Nurani joined the general session.

A member of Council requested another discussion of the potential conflicts of interest regarding the President and Vice President.

Council discussed the member’s concerns and Mr. Jamieson stated the concerns regarding conflict of interest will be addressed in camera where the voting will occur. A member of Council requested the voting to happen out of camera and requested the removal of Dr. Eltis and Dr. Hemami.

Mr. Jamieson requested legal advice. Ms. Martin requested to go in camera to provide legal advice.

Moved by Mr. Tilban-Rios and Mr. Kennedy to move in camera.

Motion carried

Council moved **in camera at 10:01 a.m.**

Council moved **out of camera at 10:49 a.m.**

109 Mr. Jamieson announced Council was out of camera and stated that while in camera, Council had
110 motions with respect to a conflict of interest regarding Dr. Eltis and Dr. Hemami. Through special
111 resolution a vote occurred, and Council did not find either of them to be in a conflict of interest.

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113 Dr. Nurani presented his defense and addressed the three letters.

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115 Dr. Hemami presented the statement of facts.

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117 Council discussed the statement of facts.

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119 *Moved by Dr. Kniaziew and seconded by Dr. Mastronardi to dismiss the allegations.*

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121 A Council member requested to have the deliberation of the motion in camera.

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123 *Moved by Dr. Hemami and seconded by Mr. Soile to move in camera.*

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7 voted in favour

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Motion carried

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127 **Council moved in camera at 11:18 a.m.**

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147 **Council moved out of camera at 1:01 p.m.**

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149 Mr. Jamieson stated Council was now out of camera and reported out that two motions had been
150 passed by Council through special resolution. Those two motions were 1) a finding of fact that there are
151 areas of concerns about the behaviour and communication of subject matter, Dr. Nurani. The second
152 motion that was passed is Dr. Nurani will remain suspended until he completes a remedial course on
153 communication and appropriate conduct that is approved by the Executive Committee; and Dr. Nurani
154 will present on key learnings of this course to Council; and, should these issues of communication and
155 conduct continue, the member will be subject to disqualification.

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Adjournment: *Moved by Mr. Kennedy and seconded by Dr. Hemami to adjourn the meeting at 1:02 p.m.*
Motion carried