



COLLEGE OF CHIROPODISTS OF ONTARIO
Regulating Chiropodists and Podiatrists in Ontario

COUNCIL MEETING

Wednesday, December 4, 2024

Virtual via Zoom
7:30pm – 9:00pm



Special Council Meeting Agenda

Wednesday, December 4, 2024, 7:30 p.m.

Zoom Meeting:

<https://us06web.zoom.us/j/89565475142?pwd=NMzaAj66OBPri1jfPdbMSIVbnWfq2Q.1>

Meeting ID: 895 6547 5142 | Passcode: 578698

7:30pm – 7:40pm	1.0	Call to Order – President	Page Number(s)
	1.1	<p>Call to Order</p> <p>Appointment of Secretary</p> <p>Land Acknowledgement: “The members and staff of the College of Chiropodists of Ontario respectfully acknowledge that we are situated on the traditional territories of the fourteen First Nation peoples of Ontario – the Anishinaabe (A-ni-shi-naa-be), the Haudenosaunee-Onk we hone (How-den-o-sew-knee-Onk-we hone), the Mush ke gowuk Cree (Mush-go-wuk-Cree), the Mohawk, the Tus ca rora (tus-ca-rora), the Seneca, the Cayuga, the Oneida, the Delaware, the Mississauga, the Chippewa, the Pot ta wa tami, the Algonquin and the Odawa peoples. We also acknowledge the presence of the Métis and Inuit as well as Indigenous peoples and First Nations peoples living off reserve and in urban areas.”</p> <p>Approval of Professional Member Prep Time</p> <p>Motion: <i>That Council approve the preparation time for professional members on Council.</i></p>	N/A
	1.2	<p>Approval of Agenda</p> <p>Motion: <i>That Council approve the agenda for the December 4, 2024 Special Council meeting.</i></p>	N/A
	1.3	Declaration of Conflict of Interest**	1 – 6
	1.4	Approval of the minutes of the September 27, 2024 meeting **	7 – 15
	2.1	Survey Results from the September 27, 2024 Council Meeting**	16 – 23



7:40pm – 8:15pm	3.0	Decision Items	Page Number(s)
	3.1	<p>By-law 1 revisions for the Ontario Chiroprody and Podiatry Discipline Tribunal (OCPDT) **</p> <p>Motion: <i>That Council approve the proposed revisions to By-law 1, effective January 1, 2025, to allow for the Ontario Chiroprody and Podiatry Discipline Tribunal.</i></p>	24 – 98
	3.2	<p>Appointment of Chair of the Ontario Chiroprody and Podiatry Discipline Tribunal effective January 1, 2025.</p> <p>Motion: <i>That Council appoint David Wright as the Chair of the Ontario Chiroprody and Podiatry Discipline Tribunal effective January 1, 2025</i></p>	N/A
	3.3	<p>Appointment of Vice-Chair of the Ontario Chiroprody and Podiatry Discipline Tribunal effective January 1, 2025.</p> <p>Motion: <i>That Council appoint Cesar Mendez as the Vice-Chair of the Ontario Chiroprody and Podiatry Discipline Tribunal effective January 1, 2025.</i></p>	N/A
	3.4	<p>Appointment of Discipline Tribunal Members</p> <p>Motion: <i>That Council approve the appointment of Discipline Tribunal Members: Raj Anand, Shayne Kert, Sherry Liang, Sophie Martel, Jennifer Scott, David Wright and Jay Sengupta, effective January 1, 2025.</i></p>	N/A
	3.5	<p>Adding CE Fees to By-Law 2: Fees & Removing Cheques**</p> <p>Motion: <i>That Council approve, in principle, the amendments to By-law 2 as set out in Appendix A, and that Council direct that the proposed amendments be circulated to registrants and other stakeholders for comment for 60 days before the matter is returned to Council.</i></p>	99 – 107



8:15pm – 8:55pm	7.0	In-Camera	Page Number(s) N/A
	7.1	Motion to move in camera Motion: <i>That Council move in camera pursuant to section 7(2)(b) of the Health Professions Procedural Code on the basis that financial or personal or other matters may be disclosed of such a nature that the harm created by the disclosure would outweigh the desirability of adhering to the principle that meetings be open to the public.</i>	
	7.3	In-Camera Decision Items	
	7.3.1	Recommended Amendments to the Registration Regulation**	108 – 155
	7.3.2	Registrant Categories/Titles	N/A

8:55pm – 9:00pm	8.0	Next Meeting	Page Number(s) N/A
	8.1	Business Meeting and Council Meeting Dates for 2025: <ul style="list-style-type: none"> • Wednesday, January 29 and Thursday, January 30, 2025 • Wednesday, May 29 and Thursday, May 30, 2025 • Wednesday, October 8 and Thursday, October 9, 2025 	

9:00pm	9.0	Adjournment	Page Number(s) N/A
		Motion: <i>That Council adjourn the meeting.</i>	



Conflict of Interest Disclosure Form

Meeting Date: 2022

Council/Committee:

Meeting type: Plenary Panel

I acknowledge and agree that an actual or perceived conflict of interest can undermine confidence in the College and its ability to fulfill its public interest mandate. I have read and understood the [College's by-laws](#) on conflict of interest, the [Code of Conduct for Members of Council and its Committees](#), the **Conflict of Interest Worksheet** and the **Process for Considering & Declaring a Conflict of Interest**.

I agree to take all reasonable steps to avoid any actual or perceived conflict of interest from arising and, if one cannot be avoided, I undertake to declare any real, perceived, or potential conflict of interest and to recuse myself from any consideration of the matter at issue.

I have NO conflict of interest to report regarding any of the agenda items to be discussed at the above noted meeting.

I declare a conflict of interest with one or more of the agenda items to be discussed at the above noted meeting.

I certify that the information above is true and complete to the best of my knowledge.

Signature:

Date:



Code of Conduct For Members of Council and Its Committees

Preamble

For the College to command the confidence of the government, the public and the profession, it is necessary that Council, as the profession's governing body, adopt appropriate standards of conduct for members of Council and its Committees in order to ensure that they properly perform their duties with integrity and in a manner that promotes the highest standard of public trust.

Each member of Council and its Committees is therefore required to comply with the following Code of Conduct (Code) understanding that a breach of the Code could result in the Council member being removed from Council or the Committee member being removed from all Committees, in accordance with the By-laws of the College.

The Code

1. Council and Committee members shall be familiar with and comply with the provisions of the Regulated Health Professions Act, 1991 (RHPA), its Health Professions Procedural Code and its regulations, the Chiroprody Act, 1991 and its regulations, and the by-laws and policies of the College.
2. Council and Committee members, when acting in that capacity, shall act in a diligent manner, including preparing for meetings/hearings, attending meetings/hearings on time, and actively participating.
3. Council and Committee members, when acting in that capacity, shall participate in all deliberations and communications in a respectful, courteous and professional manner, recognizing the diverse background, skills and experience of members on Council.
4. Council and Committee members, when acting in that capacity, shall conduct themselves in a manner that respects the integrity of the College by striving to be fair, impartial and unbiased in their decision making.
5. Council and Committee members shall place the interests of the College and Council above their personal interests or any other interests. Council and Committee members shall avoid engaging in conduct that interferes with the ability of the College to achieve its public protection mandate.
6. Council and Committee members shall avoid any appearance of or actual conflict of interest or bias.
7. Council and Committee members shall uphold the decisions made by Council and its Committees, regardless of the level of prior individual disagreement. Council and Committee members shall not publicly oppose or speak against a policy, position, decision, by-law or other matter made or adopted by Council or a Committee.
8. Council and Committee members shall refrain from engaging in any discussion in relation to the business of Council and/or Committees with other Council or Committee members that takes place outside the formal Council/Committee decision making process.
9. Council and Committee members shall refrain from communicating with Committee members on Statutory Committees in circumstances where this could be perceived as an attempt to influence a member or members of a Statutory Committee, unless he or she is a member of the panel or, where there is no panel, of the Statutory Committee dealing with



the matter. This would include, but not be limited to, matters involving the Registration of applicants and matters involving members involved with the Inquiries, Complaints and Reports Committee, the Quality Assurance Committee, the Disciplinary Committee or the Fitness to Practise Committee.

10. Council and Committee members shall respect the confidentiality of information identified as confidential and acquired solely by virtue of their Council/Committee member position.
11. Council and Committee members shall ensure that confidential information is not disclosed except as required for the performance of their duties, or as directed by Council or the Executive Committee acting on behalf of Council.
12. Council and Committee members shall not use their positions as members of Council or any Committee to obtain or attempt to obtain employment at the College or preferential treatment for themselves, family members, friends or associates.
13. Council and Committee members shall not include or reference Council or Committee titles or positions held at the College in any business promotional materials, advertisement or business cards.
14. Council and Committee members shall respect the boundaries of staff, recognizing that a staff member's role is not to report to or work for individual Council or Committee members. Council and Committee members will, therefore, not directly contact staff members, other than the Registrar, except on matters where the staff member has been assigned to provide administrative support to that Committee, without the prior approval of the Registrar or the Executive Committee.
15. Council and Committee members shall be respectful of each other and staff and not engage in conduct or behaviour towards fellow Council or Committee members or staff that might reasonably be perceived as verbal, physical or sexual abuse or harassment.

Adopted by Council: December, 2016

Amended by Council: May 31, 2024

WORKSHEET: Conflict of Interest

What is a conflict of interest?

A conflict of interest is defined as any financial, personal, professional or emotional interest that could reasonably be perceived as interfering with the exercise of a person's public duties, for example as a COCOO Council, committee or panel member.

Self-screening Questions

Not sure if you are in a conflict of interest? In assessing for conflicts of interest, know that each situation will vary and have its own specific context. Consider the following questions & examples:



Financial interest

Do you stand to be affected financially by the outcome of this decision?

Example: Council is discussing whether it would find College-provided iPads mounted in the meeting room for each Council member to be helpful. One Council member owns a small number of shares of Apple, Inc. Since the financial implication for the Council member is negligible or non-existent, they do not declare a conflict of interest.



Personal or professional relationship

Have you had a personal or professional relationship, e.g. friend, family, instructor, student, supervisor, supervisee, employer, employee, colleague, with any of the individuals involved in the matter?

Example: A Registration Committee panel member taught at the education program from which an applicant obtained some of their education. They declare a conflict of interest.

Example: An Inquiries, Complaints and Reports Committee panel member attended a two-day workshop seven years ago with the respondent's clinical supervisor. Since the contact was brief and occurred long ago, they do not declare a conflict of interest.



Professional bias

Do you have a private or publicly stated opinion that could reasonably be perceived as interfering with your ability to consider one or more of the issues with an open mind?

Example: An Inquiries, Complaints and Reports Committee panel member has published work about the harms of breaching therapist-client boundaries. They are reviewing a complaint involving an alleged breach of boundaries. Since there is no reasonable disagreement within the profession, and assuming they are not emotionally biased, they do not declare a conflict of interest.



Emotional bias

For whatever reason, do your ideas or emotions prevent you from considering one or more of the issues with an open mind?

Example: Based on personal experience, an Examination Committee member has an emotional reaction to a candidate's rationale for needing to extend the normal timeframe within which to write the exam. They declare a conflict of interest.

Example: A panel of the Inquiries, Complaints and Reports Committee is dealing with serious allegations of misconduct. After discussing and processing the emotional impact of reviewing the materials, they all reassure themselves that they can consider the situation with an open mind.



Interests of Related Persons

Are you aware that your parent, child, spouse or sibling has any of the about interests respecting Council, committee or panel business?

Example: A Registration Committee member's child is attending a program coming before the Committee to seek recognition. They declare a conflict of interest.

Example: An Inquiries, Complaints and Reports Committee panel is considering a complaint by a firefighter. One panel member's spouse is also a firefighter. Assuming there is no emotional bias, the profession of the panel member's spouse would not reasonably be seen as interfering with the panel member's duties. They do not declare a conflict of interest.



Threshold analysis

Would a reasonably well-informed person perceive that the above interest could interfere with the exercise of your public duties?

Example: A Discipline Committee panel member was employed at the same large clinic at the time the alleged misconduct occurred. While the panel member had no prior knowledge of the alleged events, the panel member is close colleagues with a key witness in the case. There was a reasonable apprehension of bias on the part of the panel member.

Example: A complainant appeals a decision of the Inquiries, Complaints and Reports Committee taking no action against a registrant. Through Google, the complainant discovered that a panel member was a LinkedIn contact of the respondent. The panel member clarified they only met once briefly three years ago. Even though it may have been preferable for that panel member not to participate, this was not found to be a conflict of interest.

Process for Considering & Declaring Conflicts of Interest

The following are steps taken by the College in addressing conflicts of interest.



Staff pre-screening

- Staff will pre-screen agenda items for obvious conflicts of interest on the part of Council, committee or panel members.
 - If a conflict is identified, staff will alert the Chair and materials will not be sent to the conflicted member.
 - The matter will either be assigned to a different panel, or the conflicted member will be alerted in advance that they will not be present for the entire meeting.
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Council, committee or panel member self-screening

- Go through the above self-screening.
 - If a concern is identified that does not rise to the threshold of a conflict of interest, consider making a courtesy declaration at the meeting to reassure the Council, committee or panel that you have considered the issue.
 - If unsure, consult with staff, legal counsel or the Chair. It is preferable to consult with staff or legal counsel before the Chair to avoid the risk of tainting the Chair.
 - In close cases, consider the potential benefit of declaring a conflict to avoid later disputes about whether or not there was a conflict of interest.
 - If you identify a conflict of interest, do not review the meeting materials further and securely delete them. Alert the Chair and support staff in advance of the meeting. Always declare in a general manner so as not to cause emotional bias on the listener's part.
 - Subsequently, declare the conflict at the meeting itself. Do not take part in or attempt to influence the deliberation and leave the room while deliberation is taking place. The general nature of conflict will be recorded in the minutes.
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Council, committee or panel discussion of possible conflicts of interest



- Occasionally, you may become aware that another member may have a conflict. If that member does not declare a conflict, or if they are unsure, all members are responsible at the meeting for raising the concern and discussing whether it constitutes a conflict of interest.
- In rare cases of disagreement, a majority of those present can vote to find there is a conflict and exclude the conflicted member from considering the matter.
- Post Meeting Conduct: After recusing yourself on a matter, use professional discretion and avoid revisiting the issue with colleagues, even if the decision is on the public register or you have seen the meeting minutes.¹

¹ Council minutes are public documents (aside from in camera portions). Regarding committee and panel minutes, normally it be considered that viewing minutes by a panel member who has declared a conflict poses a risk of improperly affecting the College's decision. However, occasionally confidentiality and risk management may require that panel minutes not be viewed by a member who has declared a conflict of interest.



**Minutes of the Council Meeting
Friday, September 27, 2024, at 9:00 a.m.
180 Dundas St. W., 19th Floor Conference Room**

Council Members in Attendance:

1. Matthew Andrade
2. Chad Bezaire
3. Guransh Brar, Public Appointee (attended via Zoom)
4. Ed Chung
5. Jim Daley, Public Appointee
6. Jinyu Gu (attended via Zoom)
7. Allan Katz, Public Appointee
8. Mary Ellen Kennedy-Mitchell
9. Andrew Klayman
10. Tobi Mark, Selected Member
11. Murtuza Najmudin
12. Reshad Nazeer, Public Appointee
13. Jannel Somerville
14. Peter Stavropoulos (Chair)

Regrets:

1. Ramesh Bhandari, Public Appointee
2. Andrew Simmons, Public Appointee

Staff in Attendance:

1. Nicole Zwiers – Registrar and CEO
2. Meghan Clarke – Deputy Registrar and Manager, Professional Conduct and Hearings
3. Shruti Tantry – Manager, Communications and Engagement (Recorder)
4. Nawaz Pirani – Manager, Registration, Examinations and Quality Programs

General Legal Counsel:

1. Erica Richler

Guests:

1. Justin Bates, Ontario Pharmacists Association (Speaker)
2. David Wright, Health Professionals Discipline Tribunal (Speaker)
3. Dionne Woodward, Health Professionals Discipline Tribunal (Speaker)
4. Bruce Ramsden, Ontario Podiatric Medical Association (Observer)
5. Teresa Salzmann (Observer, via Zoom)
6. Cynthia Li, Ontario Society of Chiropodists (Observer, via Zoom)

1. Call to Order

1.1 Call to Order, Appointment of Secretary, Land Acknowledgement, Approval of Professional Member Prep Time

N. Zwiers called the meeting to order at 9:01 a.m., noting that notice of the meeting was given, and the meeting was properly constituted with a quorum present, and welcomed Council members and guests.

S. Tantry was appointed as Secretary.

A. Katz delivered a land acknowledgement to honour and remember the original inhabitants of the land, in which we are privileged to live and work. He also noted that Monday, September 30th is recognized as the National Day for Truth and Reconciliation, which is a reminder about our duty and responsibilities to reflect on and address the historical and ongoing inequities and injustices faced by Indigenous populations.

N. Zwiers discussed the College's role in addressing the Truth and Reconciliation Commission's Calls to Action, and the College's attempts to advocate for the Full Scope Podiatry Model, which will help increase access to footcare services for Ontarians, especially vulnerable First Nations populations in remote communities that are more susceptible to lower limb amputations.

P. Stavropoulos proposed 2.5 hours of preparation time for professional members of Council.

It was moved by P. Stavropoulos and seconded by M. Najmudin to approve 2.5 hours of preparation for professional members. – Motion CARRIED.

1.2 Approval of Agenda

It was moved by J. Daley and seconded by M. Andrade to approve the agenda. – Motion CARRIED.

One amendment proposed: The Registration Committee report should include Reshad Nazeer's name, as he joined the Committee over the summer.

1.3 Declaration of Conflict of Interest

No conflict of interest was declared.

1.4 Approval of Minutes of May 31, 2024 Council Meeting

It was moved by J. Daley and seconded by P. Stavropoulos to approve the minutes of the May 31, 2024 Council meeting. – Motion CARRIED.

1.5 Welcome Guests

N. Zwiers welcomed Council, staff and guests and online observers to the session.

1.6. Thanking Councillors who are leaving after this meeting.

N. Zwiers welcomed the newly elected and appointed Councillors to the College: Jinyu Gu and Mary Ellen Kennedy-Mitchell (Professional Members), Tobi Mark (Selected Member), and Guransh Brar (Public Member). She also thanked Public Member J. Daley for his exceptional service and dedication to the College's strategic goals and committee work over the last nine years.

2. Consent Agenda Items

It was moved by A. Katz and seconded by R. Nazeer to approve consent agenda items 2.1, 2.2. and 2.3. – Motion CARRIED.

No comments.

2.1 Council Survey Results

N. Zwiers thanked all those who took the time to complete the survey and reminded Council that the College staff attempt to make these meetings as seamless as possible and aim to provide materials in advance of the meeting so that sufficient time is provided for review and preparation.

3. Decision Items

3.1 Council Appointments

It was moved by J. Daley and seconded by A. Klayman that Council to appoint Ed Chung as the Podiatrist representative in District 1 (Combined Districts 1 and 2) to Council. – Motion CARRIED.

E. Chung left the meeting room during the vote.

3.2 Election of Executive Committee Members

N. Zwiers reported that there are five positions for election to the Executive Committee that would be cast by secret ballot, if necessary. The five positions are President, Vice-President, Professional Member, first Public Member and second Public Member. She added that there would be five separate elections, one for each position, if necessary.

(a) Election of President

N. Zwiers requested nominations for President of the Executive Committee. C. Bezaire nominated P. Stavropoulos and P. Stavropoulos accepted the nomination. There were no further nominations. P. Stavropoulos was acclaimed as President.

(b) Election of Vice-President

N. Zwiers requested nominations for Vice-President of the Executive Committee. P. Stavropoulos nominated C. Bezaire as Vice-President, and C. Bezaire accepted the nomination. There were no further nominations. C. Bezaire was acclaimed as Vice-President.

(c) Election of Professional Member

N. Zwiers requested nominations for the professional member on the Executive Committee. P. Stavropoulos nominated J. Somerville as the professional member and J. Somerville accepted. There were no further nominations. J. Somerville was acclaimed as the professional member.

(d) Election of Public Member – First Position

N. Zwiers requested nominations for the first public member on the Executive Committee. J. Somerville nominated A. Katz and A. Katz accepted. There were no further nominations. A. Katz was acclaimed as the first public member.

(e) Election of Public Member – Second Position

N. Zwiers requested nominations for the second public member on the Executive Committee. P. Stavropoulos nominated R. Nazeer and R. Nazeer accepted. There were no further nominations. R. Nazeer was acclaimed as the second public member.

Following the lunch break, P. Stavropoulos took over as Chair of the meeting.

3.3 Amendments to the Registration Regulation.

It was moved by M. Najmudin and seconded by A. Katz at 9:31am to move in camera pursuant to section 7(2)(b) of the Health Professions Procedural Code on the basis that financial or personal or other matters may be disclosed of such a nature that the harm created by the disclosure would outweigh the desirability of adhering to the principle that meetings be open to the public. – Motion CARRIED.

As this item required legal counsel's notes and advice, it was discussed in camera.

It was moved by P. Stavropoulos and seconded by M. Andrade to move out of in camera at 10:12am. – Motion CARRIED.

It was moved by J. Daley and seconded by A. Katz that Council approve, in principle, the proposed amendments to the Registration Regulation and that the proposed amendments be circulated to registrants, public and other stakeholders for comments for 60 days before the matter is returned to Council. – Motion CARRIED

3.4 Amendments to By-law 1: General and By-law 2: Fees to require that outstanding payments owed to the College be added to the annual renewal fee.

It was moved by C. Bezaire and seconded by E. Chung that Council approve the proposed amendments to By-law 1 and By-law 2 to add outstanding fees owed to the College to registrants' annual renewal fee. – Motion CARRIED

M. Andrade asked for clarification on the terms around registrants’ disciplinary costs and payment plans. Staff clarified that this policy would not affect the agreements or payment plans already in place.

N. Zwiers added that this is in keeping with other regulators’ practices.

3.5 Executive Committee’s recommendations for Committee Chairs and Committee Composition

It was moved by E. Chung and seconded by J. Daley that Council approve the Executive Committee’s recommendations for Committee Chairs and Committee Composition – Motion CARRIED

Committee Name	Chair	Professional Members	Public Appointees	Selected Member	Non-Council Appointees
Executive	Peter Stavropoulos	Chad Bezaire Jannel Somerville	Allan Katz Reshad Nazeer		
ICRC	Peter Stavropoulos	Edward Chung Jannel Somerville Chad Bezaire Matthew Andrade Jinyu Gu Mary Ellen Kennedy-Mitchell Murtuza Najmudin	Allan Katz Reshad Nazeer Guransh Brar Jim Daley	Tobi Mark	Brooke Mitchell Cesar Mendez Riaz Bagha Ruth Thompson Stephanie Shlemkevich Stephen Haber Allen Frankel Lloyd Nesbitt Eliot To Shael Weinberg Melanie Atkinson Deborah Loundes
Discipline	Cesar Mendez	Edward Chung Jannel Somerville Peter Stavropoulos Chad Bezaire Matthew Andrade Jinyu Gu Mary Ellen Kennedy-Mitchell Murtuza Najmudin	Allan Katz Reshad Nazeer Guransh Brar Jim Daley	Tobi Mark	Brooke Mitchell Riaz Bagha Stephen Haber Lloyd Nesbitt Shael Weinberg Eliot To Melanie Atkinson Deborah Loundes Stephanie Shlemkevich Ruth Thompson
Fitness to Practice	Brooke Mitchell		Reshad Nazeer	Tobi Mark	Cesar Mendez Kimberley Resmer Pauline Looi Eliot To Matthew Doyle Deepka Duggal
Patient Relations	Peter Stavropoulos		Allan Katz Reshad Nazeer		Brooke Mitchell Pauline Looi Matthew Doyle
Quality Assurance	Millicent Vorkapich-Hill	Andrew Klayman	Reshad Nazeer		Brooke Mitchell Julie Fraser Tina Rainville Lisa Balkarran Ruth Thompson Matthew Doyle Melanie Atkinson Andrea Di Croce
Sedation	Millicent Vorkapich-Hill	Andrew Klayman			Andrew Klayman Brooke Mitchell Julie Fraser

					Matthew Doyle Melanie Atkinson
Registration	Matthew Doyle	Matthew Andrade Peter Stavropoulos	Allan Katz Reshad Nazeer		Deepka Duggal Tejinder Sahota Ruth Thompson Melanie Atkinson Julie Fraser
Ad Hoc OR Standing Committees	Chair	Professional Members	Public Appointees	Selected Members	Non-Council Appointees
Audit	Chad Bezaire	Edward Chung	Reshad Nazeer		Melanie Atkinson
Standards and Guidelines	Brooke Mitchell	Edward Chung Chad Bezaire Peter Stavropoulos Jannel Somerville		Tobi Mark	Julie Fraser
Registration Examination	Stephanie Shlemkevich	Jinyu Gu			Brooke Mitchell Julie Fraser Lisa Balkarran
*Registration Exam Writers	<ul style="list-style-type: none"> • Mary Ellen Kennedy-Mitchell • Danielle Bannerman • Tina Rainville • Deepka Duggal • Julie Fraser • Andrea di Croce • James (Jim) Hill 				
Drug	Peter Stavropoulos	Jannel Somerville	Allan Katz		Cesar Mendez
Technical	Edward Chung	Chad Bezaire			John Lanthier Matthew Doyle
Elections	Allan Katz		Allan Katz Reshad Nazeer Guransh Brar		Matthew Doyle
Strategic Planning	Millicent Vorkapich-Hill	Peter Stavropoulos Ed Chung Jannel Somerville	Allan Katz		Matthew Doyle
Registrar's Performance and Compensation	Allan Katz	Peter Stavropoulos Matthew Andrade	Allan Katz		Melanie Atkinson

3.6 Approval of the College's Governance Manual for Council and Committee Members

It was moved by J. Daley and seconded by M. Andrade that Council approve the Governance Manual. – Motion CARRIED.

Staff shared that this new Governance Manual is intended to address some gaps in governance, meeting norms and internal operations. It is a good resource for new and current Councillors and committee members.

N. Zwiers invited councillors to review the document and provide feedback.

E. Chung proposed sharing it publicly with registrants and students to inform about the role and responsibilities of the College Council. Staff added that this resource will be published on the website, and can be shared and circulated with The Mitchener, with Councillors' networks and referenced in other documents.

3.7 Removing Information from the Public Register Policy

It was moved by M. Najmudin and seconded by A. Klayman that Council approve the policy on Removing Information from the Public Register. – Motion CARRIED.

No comments.

3.8 Records Management and Retention Policy

It was moved by M. Najmudin and seconded by A. Klayman that Council approve the policy on Records Management and Retention. – Motion CARRIED.

N. Zwiers shared that this is a new internal policy that provides guidance on how long to retain documents and records of the College. It also provides direction and a retention schedule that will allow staff and Council to manage, retain and dispose of records.

Council asked about the College's digitization of paper records, and N. Zwiers shared that paper records have been scanned, stored and digitized over the last two years with the help of a summer student.

4. Council Education Item #1 – Strategies Used to Advocate for Scope Expansion for Pharmacists

Justin Bates, CEO of the Ontario Pharmacists Association (OPA), presented key takeaways from the strategies used by the OPA to advocate for scope expansion for pharmacists over the past few years. He thanked COCOO for the opportunity to share some highlights and learnings from this project and the discussions with the Ministry and pharmacy professionals.

5. Council Education Item #2 – Health Professions Discipline Tribunal Pilot Project **

David Wright and Dionne Woodward shared their report on their pilot project and collaborative efforts in developing the Health Professions Discipline Tribunal.

6. Discussion Items

6.1 Registrar's Report

The Registrar's report is provided in the meeting materials. N. Zwiers added some notes: The College's invitation to other provincial regulators for the inaugural Canadian National Foot care Regulators conference in 2024 received positive responses from Nova Scotia, British Columbia, Manitoba and Alberta regulators. The College created and sent out a short survey to understand the scope of practice and specific information about other provinces and the overall regulatory landscape. We plan to collate information about legislation, scope of practice, and jurisdictional landscape, to help us design the conference agenda and topics. This initiative is aimed to bring all the provincial voices together to learn and exchange ideas and work towards shared goals of improving access to foot care services, especially in underserved areas across the country.

Council commended these efforts and agreed that discussion around other provinces' registrant bases and sharing of information and our role and responsibilities is a crucial step in supporting labour mobility and improving access to care. C. Bezaire added context around New Brunswick and the potential for it to move towards podiatry regulation, like PEI and Nova Scotia, the latest provinces to regulate podiatrists.

N. Zwiers shared that registration and application data requested from the Ministry on Ontario-educated, Canadian-educated and internationally educated applicants, was submitted for the first reporting period.

Additionally, N. Zwiers shared that she was acclaimed to the HPRO management committee to engage in discussions on interprofessional matters, health regulation and common goals of all health regulators in Ontario. The committee is aiming to share best practices, data and resources to support one another and promote interprofessional collaboration.

N. Zwiers shared that the Standing Drug Regulation or Prescribing Committee has been working on a White Paper to the Ministry of Health, to advocate for increased prescribing privileges and scope expansion for health professions, such as chiropractors and podiatrists, optometrists, midwives, pharmacists, and naturopaths. The committee is comprised of both regulators and associations of the above-mentioned professions. The committee's recommendation is based on the best approach to drug regulations – prescribing to scope, as opposed to prescribing to lists and categories. This recommendation was developed after a series of discussions and analysis of benefits and challenges of each prescribing method.

P. Stavropoulos added that the College continues to see the benefit of pursuing an expanded scope of practice for regulated health professionals.

6.2 President's Report (verbal)

P. Stavropoulos thanked staff members and the Registrar for their behind-the-scenes work and efforts to coordinate Council meetings, and thanked Councillors for their time on important College work.

6.3 Key Performance Indicators (KPIs) Update & Dashboard

The dashboard (included in materials) provides a sense of where the College stands in terms of functions and programs and will accompany Council materials going forward to keep Council informed.

7. In Camera

It was moved by J. Summerville and seconded by E. Chung at 1:25pm to move in camera pursuant to section 7(2)(b) of the Health Professions Procedural Code on the basis that financial or personal or other matters may be disclosed of such a nature that the harm created by the disclosure would outweigh the desirability of adhering to the principle that meetings be open to the public. – Motion CARRIED

A motion was made to move out of in-camera by Jannel, seconded by Chad, at 2:03pm. Motion CARRIED.

It was moved by A. Katz and seconded by J. Daley to move in camera at 3:07pm pursuant to section 7(2)(b) of the Health Professions Procedural Code on the basis that financial or personal or other matters may be disclosed of

such a nature that the harm created by the disclosure would outweigh the desirability of adhering to the principle that meetings be open to the public. – Motion CARRIED.

A motion was made by M. Najmudin, seconded by C. Bezaire, to move out of in-camera at 4:14pm. Motion CARRIED.

8. Next Meeting

8.1 Council Meeting Dates for 2025

- Thursday, January 30, 2025

8.2 Council Survey Reminder

8.3 Proposed Agenda Items for Next Meeting

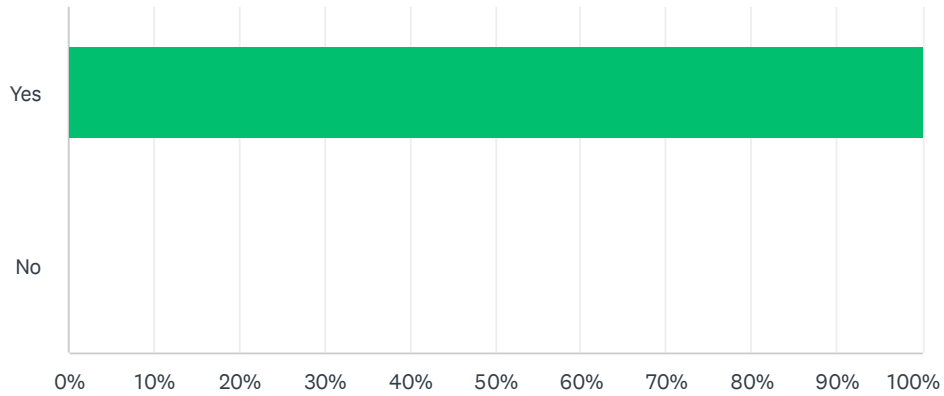
9. Adjournment

It was moved by C. Bezaire and seconded by J. Daley that the meeting be adjourned. – Motion CARRIED.

The meeting was adjourned at 3:56 p.m.

Q1 Was the meeting effective in achieving the goals of the meeting?

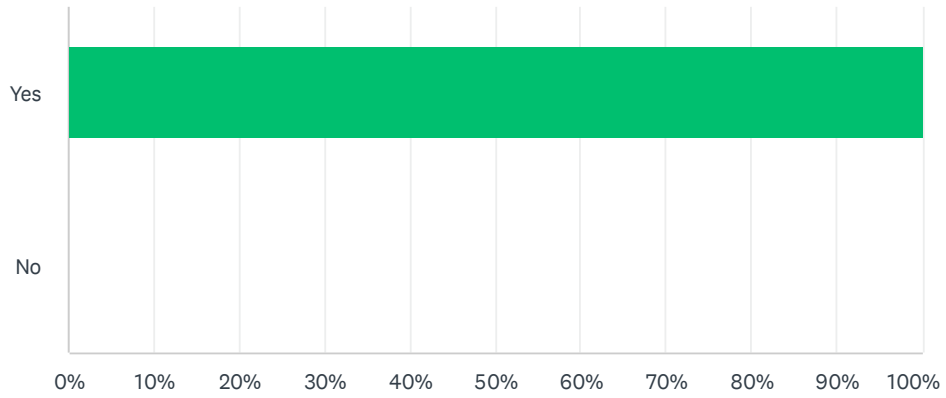
Answered: 11 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	11
No	0.00%	0
TOTAL		11

Q2 Did the chair run an efficient and effective meeting?

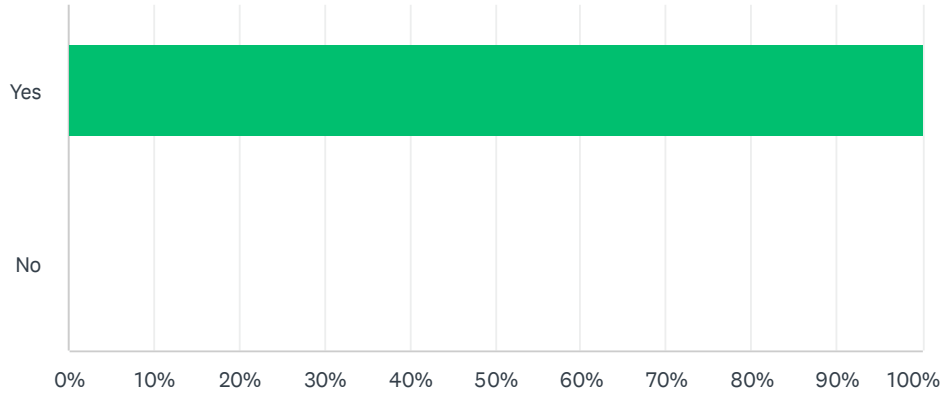
Answered: 11 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	11
No	0.00%	0
TOTAL		11

Q3 Did you receive the materials in sufficient time to be adequately prepared for the meeting?

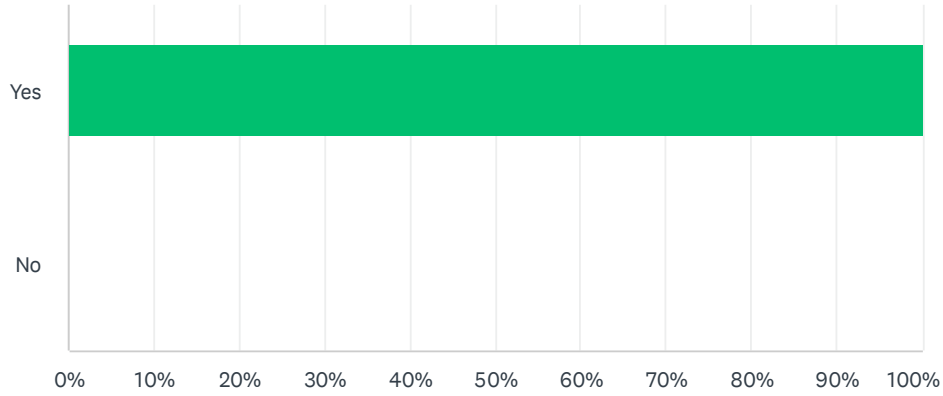
Answered: 11 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	11
No	0.00%	0
TOTAL		11

Q4 Did all committee members appear reasonably prepared for the meeting?

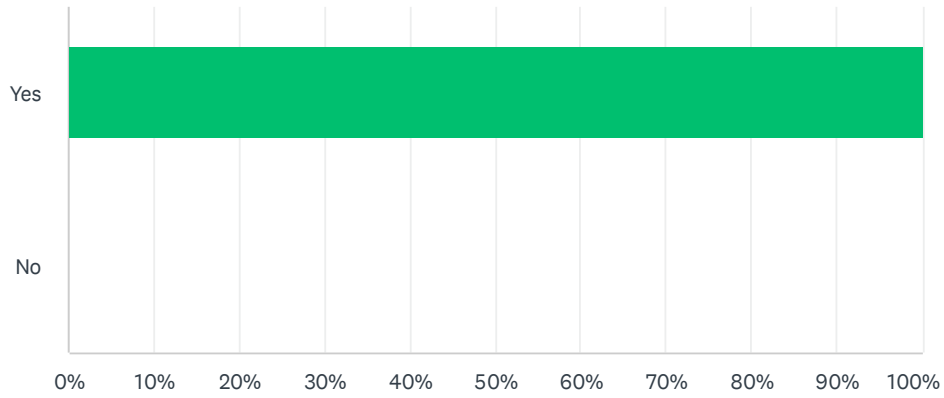
Answered: 11 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	11
No	0.00%	0
TOTAL		11

Q5 Did all committee members participate in the meeting appropriately?

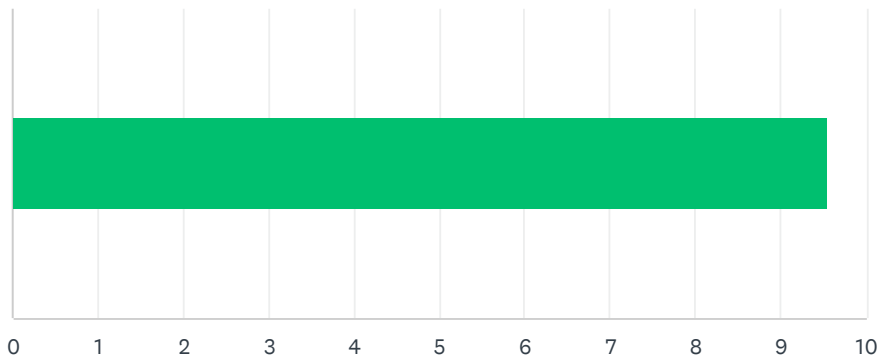
Answered: 11 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	11
No	0.00%	0
TOTAL		11

Q6 On a scale of 1-10, how would you rate your overall experience for the meeting?

Answered: 11 Skipped: 0



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	10	105	11
Total Respondents: 11			

#		DATE
1	10	10/2/2024 11:20 PM
2	10	10/1/2024 11:46 AM
3	10	10/1/2024 11:14 AM
4	10	9/30/2024 4:18 PM
5	8	9/30/2024 3:17 PM
6	10	9/30/2024 2:20 PM
7	10	9/30/2024 1:36 PM
8	9	9/30/2024 11:43 AM
9	10	9/29/2024 7:14 AM
10	8	9/29/2024 5:49 AM
11	10	9/28/2024 7:28 AM

Q7 Please provide any comments, questions, concerns, or feedback that we can do differently at the next meeting.

Answered: 8 Skipped: 3

#	RESPONSES	DATE
1	Well run with regards to efficient use of time.	10/1/2024 11:14 AM
2	Excellent guest speakers. Effective and efficient meeting.	9/30/2024 4:18 PM
3	It was well run.	9/30/2024 3:17 PM
4	Thoroughly enjoyed the speakers invited to make presentations to Council. Very informative.	9/30/2024 2:20 PM
5	Great use of time and adjusting agenda items on the fly.	9/30/2024 1:36 PM
6	N/A	9/30/2024 11:43 AM
7	Meeting was very well run ,great participation by all , and material package were presented in a organized manner Thanks	9/29/2024 7:14 AM
8	Thank you for a good first meeting.	9/29/2024 5:49 AM

Q8 Please provide your name

Answered: 10 Skipped: 1

#	RESPONSES	DATE
1	Ed Chung	10/2/2024 11:20 PM
2	Mary Ellen Kennedy-Mitchell	10/1/2024 11:14 AM
3	Matthew Andrade	9/30/2024 4:18 PM
4	Reshad	9/30/2024 3:17 PM
5	Peter Stavropoulos	9/30/2024 2:20 PM
6	Chad Bezaire	9/30/2024 1:36 PM
7	Allan Katz	9/30/2024 11:43 AM
8	Andrew Klayman	9/29/2024 7:14 AM
9	Tobi Mark	9/29/2024 5:49 AM
10	Jannel Somerville	9/28/2024 7:28 AM



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 3.1

COUNCIL BRIEFING NOTE

**RE: RECOMMENDED AMENDMENTS TO BY-LAW 1: GENERAL
Ontario Chiropody and Podiatry Discipline Tribunal (OCPDT)**

Background:

At its September 2024 meeting, Council voted to join a one-year pilot project with the [Health Professions Discipline Tribunal](#). Beginning in 2025, the College’s discipline matters will be heard and decided by the HPDT. The College’s tribunal will be called the Ontario Chiropody and Podiatry Discipline Tribunal. To operationalize the change, By-law 1 needs to be amended to allow non-registrants (who are not appointed by the Health Board Secretariate) to be appointed to the Discipline Committee. The proposed changes allow for the HPDT’s skilled adjudicators to be appointed to the Committee and for David Wright to be appointed as Chair.

Public Interest Rationale for Decision:

It is in the public interest that the College has a neutral, independent Discipline Committee with the skills and expertise to adjudicate allegations of professional misconduct or incompetence, and that the Committee’s decisions are legally sound and can hold up to appeal.

Recommended Motion:

That Council approve the proposed revisions to By-law 1, effective January 1, 2025, to allow for the operation of the Ontario Chiropody and Podiatry Discipline Tribunal.

Mover: _____

Seconder: _____



BY-LAW NO. 1: GENERAL

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1. DEFINITIONS

1.01 In this by-law and in any other by-law of the **College**, unless otherwise defined or required by the context of the specific provision,

“Act” means the *Chiropody Act, 1991*, Statutes of Ontario, 1991, Chapter 20 as amended from time to time;

“by teleconference” means by any electronic manner that allows all persons participating to communicate with each other simultaneously and instantaneously;

“chiropodist councillor” means an **elected councillor** who is the holder of a certificate of registration in the chiropodist class;

“Code” means the Health Professions Procedural Code being Schedule 2 of the RHPA, as amended from time to time;

“College” means the College of Chiropodists of Ontario;

“committee” means a committee of the **College** and includes statutory, standing and ad hoc committees but does not include a board of inquiry appointed under the RHPA;

“committee member” means a member of a committee of the College;

“councillor” means a member of the Council of the College and includes public councillors, elected councillors and the **selected councillor**;

“designated address” means

- i) where the **registrant** is engaged in the practice of chiropody in Ontario, the location in Ontario which is the **registrant's** business address on the register of the **College**; or
- ii) where the **registrant** does not engage in the practice of chiropody in Ontario, the **registrant's** principal Ontario residence;

“elected councillor” means a member of Council described in clause 7(1)(a) of the **Act** and includes a **member** elected or appointed to fill a vacancy;



“election of councillors” means the election which takes place in June of each year in accordance with the by-laws of the College and, except where the context otherwise requires, includes a by-election;

“fee” and “Annual Fee” means as those terms are defined in **By-Law No. 2**;

“First Council Meeting” means the first regular Council meeting held after the June election of councillors;

“non-council committee member” means a **registrant** who is not a councillor and is appointed to statutory committees and includes a registrant appointed to fill a vacancy;

“podiatrist councillor” means an **elected councillor** who is the holder of a certificate of registration in the podiatrist class;

“public councillor” means a councillor who is appointed to Council by the Lieutenant Governor in Council;

“registrant” means a member of the **College** as that term is used in the RHPA and the **Act**;

“RHPA” means the *Regulated Health Professions Act, 1991*, Statutes of Ontario, 1991, Chapter 18, as amended from time to time and includes the Health Professions Procedural Code being Schedule 2 of the **RHPA**, as amended from time to time;

“Regulations” means the Regulations passed pursuant to the **Act** or the **RHPA**, including any amendments made from time to time;

“Schedule” means a Schedule of a by-law of the **College**;

“selected councillor” means a member of Council described in clause 7(1)(c) of the **Act** who is selected as a councillor from the faculty of the Ontario Chiropractic Program in accordance with the by-laws of the **College**;



“**standing committee**” means a **committee** of the **College** which is not a statutory committee but which is specifically established by the by-laws of the **College** and stands ready to perform those duties assigned to it under the by-laws or by Council;

“**statutory committee**” means a **committee** of the **College** required by or provided for under the **RHPA**.

2. BY-LAWS

- 2.01** By-laws of the **College** may be enacted, amended or revoked by a vote of at least two-thirds of the **councillors** present at a Council meeting duly called for the purpose of considering such enactment, amendment or revocation.
- 2.02** Notice of a motion to enact, amend or revoke a by-law shall be given to Council at least ten days prior to the meeting referred to in Article 2.01.
- 2.03** Every by-law shall be signed by the Registrar and one of the President or Vice-President and sealed.
- 2.04** Every by-law, including any amendment or revocation of a by-law, shall be maintained in a book containing all of the **College's** by-laws.

3. NAME

- 3.01** The **College** shall be known as the College of Chiropractors of Ontario.

4. SEAL

- 4.01** The seal, an impression of which is impressed in the margin, shall be the seal of the **College**.
- 4.02** Any person authorized to sign any document on behalf of the **College** which requires the **College** seal may affix the seal to it.



5. HEAD OFFICE

- 5.01 The head office of the **College** is in the City of Toronto or at such other place as Council may determine from time to time.

6. QUORUM

- 6.01 Unless specifically provided for otherwise under the **Act**, the **RHPA** or this by-law, a majority of **councillors** constitutes a quorum for any meeting of Council and three **committee members** constitutes a quorum for a meeting of a **committee**.
- 6.02 In determining whether a quorum of Council is present, the number of **councillors** shall be deemed not to be reduced as a result of any vacancy.
- 6.03 A **committee** of the **College** shall be considered properly constituted despite the presence of a vacancy or vacancies so long as the **committee** continues to have a quorum.
- 6.04 If a quorum is lost prior to the intended commencement of a Council meeting or at any time during a Council meeting the presiding officer/chair may, notwithstanding that there is no quorum, adjourn the meeting and reconvene that meeting if, as, and when a quorum is present, so long as the meeting is reconvened on a day or days previously scheduled for that meeting of Council.

7. FISCAL YEAR

- 7.01 The fiscal year of the **College** shall be 1 January to and including 31 December.

8. MEETINGS OF COUNCIL

- 8.01 Council shall have at least three regular meetings during each calendar year.
- 8.02 Council shall determine the date, time and place in Ontario of all regular meetings, however, if Council should fail to indicate the place of the meeting, the meeting shall take place at the head office of the **College**.
- 8.03 Special meetings of Council may be called by



- i) the President;
- ii) the Executive Committee; or
- iii) the Registrar upon receipt of a written request or requests for a meeting signed by at least six **councillors** and containing the matter or matters for decision at the meeting.

8.04 Special meetings called by the President shall be held on the date and at the time and place designated by the President; special meetings called by the Executive Committee shall be held on the date and at the time and place designated by the Executive Committee; and special meetings called by the Registrar shall be held on the date and at the time and place designated by the Registrar.

8.05 Council may determine to hold a regular meeting **by teleconference**.

8.06 Where a special meeting is called by the President, he or she may designate the meeting to be held **by teleconference**; where a special meeting is called by the Executive Committee, it may designate the meeting to be held **by teleconference**; and where a special meeting is called by the Registrar, he or she may designate the meeting to be held **by teleconference**.

8.07 For the purposes of section 7 of the **Code**,

- i) meetings of Council held **by teleconference** shall be deemed to be held at the head office of the **College** unless Council otherwise determines; and
- ii) the Registrar shall ensure that notice of the meeting is given to the public by publishing notice on the **College's** website and if the Registrar or the Executive Committee consider it necessary or desirable by also publishing notice in a newspaper which is generally circulated throughout Ontario.

8.08 The Registrar shall give each **councillor** reasonable notice in writing of the date, time and place of all Council meetings.

8.09 In the case of a regular meeting, the notice referred to in Article 8.08 shall be sent by ordinary prepaid first class mail, e-mail, courier, facsimile or such other method as is reasonable to provide notice to each **councillor** at least ten days before the meeting.

8.10 In the case of a special meeting, the notice referred to in Article 8.08 shall be provided by e-mail, courier, facsimile or such other method as is reasonable to provide notice to each **councillor** at least three days before the meeting.



- 8.11** The Registrar shall include in or with the notification of a special meeting the matters for decision which are to be dealt with at the special meeting.
- 8.12** A **councillor** may, at any time, waive notice of a meeting.
- 8.13** Council may consider
- i) at a special meeting,
 - a) the matter or matters for decision at the meeting for which notice was given under Article 8.11;
 - b) matters brought by the Executive Committee; and
 - c) routine and procedural matters; and
 - ii) at a regular meeting,
 - a) matters contained within the agenda approved by the President or the Executive Committee;
 - b) matters brought by the President or the Executive Committee;
 - c) recommendations and reports by **committees**;
 - d) motions or matters where notice was given by a **councillor** at a preceding Council meeting or where written notice has been given by a **councillor** to the Registrar or the President at least thirty days in advance of the meeting;
 - e) such other matters, not included in the agenda, that at least two-thirds of the **councillors** in attendance determine to be of an urgent nature; and
 - f) routine and procedural matters.
- 8.14** The President, or another **councillor** appointed by the President for the purpose, shall act as the chair and preside over meetings of Council.
- 8.15** Where for any reason the President or his or her appointee is unable or unwilling to preside over a meeting of Council, Council shall, by resolution, appoint a **councillor** or another person to act as the chair and to preside over the meeting.



- 8.16** Unless otherwise required by law or by the by-laws, every motion which properly comes before Council shall be decided by a simple majority of the votes cast at the meeting by **councillors** present.
- 8.17** In the event of a tie vote, the motion is defeated.
- 8.18** A vote by secret ballot shall be used where the by-laws require it as well as where Council determines by resolution to vote in that manner.
- 8.19** Except where a secret ballot is required or at a meeting held **by teleconference**, every vote at a Council meeting shall be by a show of hands but, if any two **councillors** so require, a roll call vote shall be taken.
- 8.20** A vote at a Council meeting held **by teleconference** shall be taken in such manner as determined by the chair unless a **councillor** requests a roll call vote in which event a roll call vote shall be taken.
- 8.21** In taking a vote, other than one conducted by secret ballot, the chair may first determine those **councillors** in favour, opposed, and abstaining after which the chair may cast his or her vote.
- 8.22** The chair is not required to vote whether or not that vote would affect the outcome.
- 8.23** Except where inconsistent with the **RHPA**, the **Act**, the **Regulations** or the by-laws of the **College**, the procedures as set out in *The Standard Code of Parliamentary Procedure* by Sturgis shall be the procedures to be followed for meetings of Council.
- 8.24** Minutes of a meeting of Council shall
- i) be taken and include a record of all motions, recommendations and decisions;
 - ii) be circulated to all **councillors**;
 - iii) be approved at a subsequent meeting of Council; and
 - iv) once approved, be signed by the chair or by the person presiding as chair at the meeting at which the minutes were approved, and promptly thereafter provided to the Registrar.



8.25 A resolution, including a by-law, signed by all **councillors** is as valid and effective as if passed at a meeting of Council called, constituted and held for that purpose and shall be effective on the date the last **councillor** signed the resolution.

8.26 A resolution referred to in Article 8.25 may be signed in counterparts.

9. OFFICERS

9.01 The officers of the **College** shall be the President, the Vice-President and the Registrar as well as such other officers as Council shall determine from time to time.

10. ELECTION AND REMOVAL OF PRESIDENT, VICE-PRESIDENT AND OTHER OFFICERS

10.01 At the **First Council Meeting** each year, Council shall elect by secret ballot from among **councillors** eligible for election the President and the Vice-President, in accordance with this by-law and the “Process for Election of Council Officers” as set out in **Schedule 1**.

10.02 Unless otherwise provided in this by-law, the term of office of the President and Vice-President shall commence immediately following the election and continue until the next election for the offices of President and Vice-President.

10.03 In the event that the President ceases to be a member of Council, the position of President automatically becomes vacant and in the event the Vice-President ceases to be a member of Council, the position of Vice-President automatically becomes vacant.

10.04 The President or the Vice-President may be removed from office by a vote of at least two-thirds of the **councillors** present at a Council meeting duly held for that purpose.

10.05 Any other officer may be removed from office by a majority vote of Council at a Council meeting duly held for that purpose.



- 10.06** In the event that the President or Vice-President is removed from office, Council shall elect a new President or Vice-President to hold office for the remainder of the term.
- 10.07** In the event that the President or Vice-President resigns or dies or the position of President or Vice-President becomes vacant for any other reason, Council shall elect a new President or Vice-President to hold office for the remainder of the term.
- 10.08** The removal from office of an officer who is also an employee of the **College** shall not of itself constitute termination of employment.

11. PRESIDENT

- 11.01** The President shall,
- i) if present, preside as chair at all meetings of Council unless the President designates an alternate chair for all or any portion of the meeting;
 - ii) be the chair of the Executive Committee;
 - iii) perform all duties and responsibilities pertaining to their office and such other duties and responsibilities as may be decided by Council; and
 - iv) unless otherwise provided by by-law or determined by Council, be an ex officio member of all standing and ad hoc committees of the **College** with the right to vote.
- 11.02** In the event that the President is unable to perform the duties of the President, they may designate the Vice-President to perform those duties and the Vice-President shall then have all the powers and responsibilities of the President until the first of the following events occurs:
- i) the President determines that they are again able to perform the duties of President;
 - ii) the next meeting of the Executive Committee; or
 - iii) the next meeting of Council.



- 11.03** In the event that the President has appointed a designate in accordance with Article 11.02 and the Executive Committee approves the President’s designate or no meeting of the Executive Committee is convened prior to the next meeting of Council, the Vice-President shall have all the powers and responsibilities of the President until the next meeting of Council, at which meeting Council shall either appoint an Acting President to serve until the President becomes able to perform the duties of the President or remove the President from office and elect a new President in accordance with Articles 10.04 and 10.06.
- 11.04** In the event that the President is unable to perform the duties of the President and has not appointed a designate in accordance with Article 11.02 or in the event that the Executive Committee meets prior to the next meeting of Council but refuses to approve the President's designate, the Executive Committee shall appoint a **councillor** as Acting President and they shall have all the powers and responsibilities of the President until the first of the following events occurs:
- i) the President determines that they are again able to perform the duties of President;
 - ii) the next meeting of Council, at which meeting Council shall either appoint an Acting President to serve until the President becomes able to perform the duties of the President or remove the President from office and elect a new President in accordance with Articles 10.04 and 10.06.

12. REGISTRAR

- 12.01** The Registrar shall be appointed by Council and shall be the CEO of the **College**.
- 12.02** The terms of employment of a Registrar hired after this Article comes into force shall be set out in a written employment contract approved by the Executive Committee and shall be consistent with the **College** personnel policy in effect at the time such contract is approved.
- 12.03** No candidate for the position of Registrar shall be offered a contract of employment until that candidate has been approved by Council.
- 12.04** Despite subsection 12(1) of the **Code**, the Executive Committee shall not exercise the authority of Council under Article 12.01.



- 12.05** The Registrar shall perform those duties and responsibilities set out in the **RHPA**, the **Act**, the **Regulations** and the by-laws of the **College** as well as such duties and responsibilities as shall be assigned to the position by Council.
- 12.06** In addition to the duties referred to in Article 12.05, the Registrar may, from time to time,
- i) sign summonses, notices and orders on behalf of the **College** or any **committee** of the **College**;
 - ii) hire persons to act in the capacity of inspectors, investigators and/or assessors of the **College** to perform such duties as may be determined by the Registrar;
 - iii) manage and maintain the **College** property including disposing of **College** furniture and equipment which becomes obsolete, worn out or is no longer required by the **College**; and
 - iv) perform such other functions consistent with the Registrar's role as CEO.

13. ACTING REGISTRAR

- 13.01** If a vacancy occurs in the office of the Registrar, the Executive Committee or Council shall appoint an Acting Registrar.
- 13.02** If the Registrar is temporarily absent or otherwise temporarily unable to act, the Deputy Registrar shall act as the Acting Registrar until such time as the Registrar is able to resume the duties of the Registrar, or the Executive Committee or Council appoints another Acting Registrar.
- 13.03** Where the Executive Committee appoints or approves an Acting Registrar, that appointment shall be valid only until the next meeting of Council unless ratified by Council.
- 13.04** The Deputy Registrar and a person appointed as Acting Registrar shall have all the statutory authority, duties and responsibilities of the Registrar including those contained in the **RHPA**, the **Act**, the **Regulations** and by-laws of the **College**.

14. COMMITTEES



- 14.01** In addition to **statutory committees**, Council may establish by by-law **standing committees** and may from time to time establish by resolution ad hoc committees.
- 14.02** Council shall determine by by-law the composition and terms of reference of any **standing committee** and by resolution the composition and terms of reference of any ad hoc committee.
- 14.03** The authority of each **committee** of the **College** shall be determined by Council and shall be deemed to include the authority and responsibility vested in the **committee** by the **RHPA** given to the **committee** under the by-laws of the **College** or assigned to the **committee** from time to time by Council.
- 14.04** Where Council delegates to a **committee** any power or authority not specifically provided to that **committee** under the **RHPA** or the by-laws of the **College**, the exercise of such power or authority by such **committee**, unless expressly provided by Council, is subject to the approval of Council.
- 14.05** Save and except for the filling of vacancies, Council shall appoint the **committee members** to each **committee** as well as a chair of each **committee** giving due consideration to the recommendations, if any, of the Executive Committee acting as a nominating **committee**.
- 14.06** Save and except for the filling of vacancies, appointments to **statutory** and **standing committees** as well as ad hoc committees whose terms of reference have yet to be completed shall take place at the **First Council Meeting**.
- 14.07** Despite 14.06, Council may appoint one or more individuals to a committee at any Council meeting, in addition to the regular procedure for the appointment of committee members set out in this by-law.
- 14.08** Despite any other provision in this by-law regarding the appointment of committee members, Council may appoint to a committee an individual who is not a **registrant** or a **councillor**.

15. STATUTORY COMMITTEES

- 15.01** The **statutory committees** of the **College** are the Executive Committee, Registration Committee, Complaints Committee, Discipline Committee, Fitness to Practise Committee, Quality Assurance Committee and the Patient Relations Committee as well as any other **committees** required under the **RHPA**.



- 15.02** The Discipline Committee shall be known as the Ontario Chiropodists and Podiatrists Discipline Tribunal in English and Tribunal de discipline des podologues et podiatres de l'Ontario in French, and each reference to the Ontario Chiropodists and Podiatrists Discipline Tribunal and Tribunal de discipline des podologues et podiatres de l'Ontario, whether orally or in writing, shall be deemed to be a reference to the Discipline Committee of the College as specified in the Code and the Act, and any other legislation or policy where the context requires.

16. EXECUTIVE COMMITTEE

- 16.01** The Executive Committee shall be composed of five **councillors** and shall include:

- i) the President;
- ii) the Vice-President;
- iii) at least one **chiropodist councillor**;
- iv) at least one **podiatrist councillor**; and
- v) at least two **public councillors**. (amended June 4, 2010)

- 16.02** Two members of the Executive Committee shall be **public councillors**.

- 16.03** In addition to the duties provided to the Executive Committee under the **RHPA** and by-laws of the **College**, the Executive Committee shall, in conjunction with the Audit Committee, act in an advisory capacity to Council on the financial affairs of the **College** and without limiting the generality of the foregoing shall

- i) oversee the preparation of the annual budget for the College which shall include a budget for each **committee** of the **College**; and
- ii) annually present a budget for the approval of Council.

17. REGISTRATION COMMITTEE

- 17.01** The Registration Committee shall be composed of

- i) at least two **elected** or **selected councillors**; and



- ii) at least one **public councillor**.

18. INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE

18.01 The Inquiries, Complaints and Reports Committee shall be composed of

- i) at least three **elected or selected councillors**;
- ii) at least two **public councillors**; and
- iii) at least one **non-council committee member**.

19. DISCIPLINE COMMITTEE

19.01 The Discipline Committee shall be composed of

- i) at least two **elected or selected councillors**;
- ii) at least three **public councillors**;
- iii) at least one **non-council committee member**; and
- iv) at least one individual with previous experience as an adjudicator who is not a **registrant or a councillor**.

20. FITNESS TO PRACTISE COMMITTEE

20.01 The Fitness to Practise Committee shall be composed of

- i) at least one **elected or selected councillor**;
- ii) at least one **public councillor**; and
- iii) at least one **non-council committee member**.

21. QUALITY ASSURANCE COMMITTEE



- 21.01** The Quality Assurance Committee shall be composed of
- i) at least one **elected or selected councillor**;
 - ii) at least one **public councillor**; and
 - iii) at least one **non-council committee member**.

22. PATIENT RELATIONS COMMITTEE

- 22.01** The Patient Relations Committee shall be composed of
- i) at least one **elected or selected councillor**;
 - ii) at least two **public councillors**; and
 - iii) at least one **non-council committee member**.

23. STANDING COMMITTEES

ELECTIONS COMMITTEE

- 23.01** The Elections Committee shall be a **standing committee** of the **College** composed of at least three **public councillors**.
- 23.02** The President shall not be an ex-officio member of the Elections Committee.
- 23.03** The Elections Committee's responsibilities include, but are not limited to,
- i) dealing with disputes relating to election of **elected councillors** and other matters provided in the by-laws;
 - ii) dealing with such other disputes or issues referred to it by Council or the Executive Committee; and
 - iii) studying and making recommendations to Council on improving the election process.



STRATEGIC PLANNING COMMITTEE

- 23.1.01** The Strategic Planning Committee shall be a standing committee of the College composed of **councillors** appointed by the Executive Committee, at least one of whom is a **public councillor**.
- 23.1.02** The President shall be an ex-officio member of the Strategic Planning Committee if the President is not appointed to that Committee.
- 23.1.03** The Strategic Planning Committee's responsibilities include, but are not limited to identifying key strategic goals and actions that in its opinion will need to be taken by Council over the next five years and considering and making recommendations to Council on those goals and actions; and
- i) studying and making recommendations to Council on any matter within its responsibility or any other matter referred to it by Council or the Executive Committee.

REGISTRAR'S PERFORMANCE AND COMPENSATION COMMITTEE

- 23.1.1.01** The Registrar's Performance and Compensation Review Committee shall be a standing committee of the College composed of at least three **councillors**, at least one of whom is a **public councillor**, and, subject to Article 23.1.1.02, shall include at least one **councillor** who is a member of the Executive Committee, and at least one **councillor** who is not a member of the Executive Committee.
- 23.1.1.02** The President shall be an ex-officio member of the Committee but with no right to vote.
- 23.1.1.03** The Registrar's Performance and Compensation Review Committee's responsibilities include, but are not limited to
- i) annually conducting a performance review of the Registrar and presenting the results of that review to Council;
 - ii) annually conducting a compensation review for the Registrar;
 - iii) with the prior approval of the Executive Committee or Council, engaging a consultant to assist in determining the appropriate compensation [including salary and benefits] for the Registrar, including the performing of a market survey; and



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- iv) presenting to Council the results of all compensation reviews conducted by the Registrar's Performance and Compensation Review Committee, including a copy of any market survey obtained by the Committee, along with any recommendations it has in connection with changes to the Registrar's compensation; and
- v) studying and making recommendations to Council on any matter within its responsibility or any other matter referred to it by Council, or the Executive Committee.



AUDIT COMMITTEE

- 23.2.01** The Audit Committee shall be a standing committee of the College composed of three councillors, at least one of whom shall be a public councillor.
- 23.2.02** The President shall not be a member or ex-officio member of the Committee.
- 23.2.03** The Audit Committee's responsibilities include, but are not limited to,
- i) acting in an advisory capacity to Council on the financial affairs of the College and, without limiting the generality of the foregoing, the Committee shall
 - a) review interim financial statements;
 - b) review draft audit reports;
 - c) oversee the implementation of audit recommendations;
 - d) oversee the reserves of the College;
 - e) assist Council in the consideration of the College's audited financial statements, including meeting with the College's auditors at least once before the audited annual financial statements are presented by the Committee for approval of Council; and
 - f) report at least annually to Council on the financial affairs of the College; and
 - ii) studying and making recommendations to Council or the Executive Committee on any matter within its responsibility or any other matter referred to it by Council or the Executive Committee.

Sedation Committee

- 23.3.01** The Sedation Committee shall be a standing committee of the College composed of those persons who are members of the Quality Assurance Committee, and the chair of the Sedation Committee shall be the chair of the Quality Assurance Committee.
- 23.3.02** The Sedation Committee's responsibilities include:



- i) such functions as provided to it under the by-laws and the *Standard of Practice for the Administration of Inhaled Substances and the Use of Sedation in a Member's Practice*, including reviewing appeals of decisions of the Registrar to refuse a member's application for an Inhalation Certificate; and
- ii) studying and making recommendations to Council or the Executive Committee on any matter within its responsibility or any other matter referred to it by Council or the Executive Committee.

Standards and Guidelines Committee

23.4.01 The Standards and Guidelines Committee shall be a standing committee of the College composed of

- i) at least one **elected or selected councillor**;
- ii) at least one **public councillor**; and
- iii) at least one **non-council committee member**.

23.4.02 The President shall be an ex-officio member of the Standards and Guidelines Committee.

23.4.03 The Standards and Guideline Committee's responsibilities are to assist the Executive Committee and Council in developing and amending Standards of Practice, Guidelines, Advisories, policies and other documents, when requested or directed to do so by the Executive Committee or Council.

23.4.04 A quorum of the Standards and Guidelines Committee is a majority of the Committee.

24. APPOINTMENTS TO COMMITTEES

24.01 At the **First Council Meeting** following the election of Council officers and the other members of the Executive Committee, Council will recess.



- 24.02** During the recess, the Executive Committee acting as a nominating **committee** shall meet and develop a slate of candidates and a recommendation for a chair for
- i) each **statutory committee**;
 - ii) each **standing committee**;
 - iii) each ad hoc committee whose terms of reference have yet to be completed; and
 - iv) other **committees** which Council has directed be composed at that meeting for consideration of Council. The Executive Committee shall have regard for the composition requirements of each **committee** and follow any protocol approved by Council.
- 24.03** Upon Council reconvening, the Executive Committee will present the slate of candidates for **committees** and its recommendations for chairs to Council for its consideration and, subject to any amendment by Council, ratification.
- 24.04** Once ratified, each person on the slate of candidates for **committees** shall be deemed to have been appointed to that **committee** by Council and the chair shall be deemed to be the chair of that **committee**.
- 24.05** Unless specifically provided otherwise, any eligible person may be re-appointed to a **committee**.
- 24.06** Where for any reason Council fails to appoint a new **committee** at the time or times provided for in this by-law, the existing members of the **committee** shall continue to serve as the **committee** and the chair as its chair, provided that a quorum exists.

25. COMMITTEE AND PANEL CHAIRS

- 25.01** A chair of a **committee** other than the Executive Committee shall be removed as chair on receipt by the Executive Committee of a requisition signed by a majority of the members of the **committee** or by a vote of a majority of the members of the **committee** present at a meeting duly called for that purpose.



- 25.02** Where a chair is removed by the vote of a **committee**, the **committee** shall elect a new interim chair by secret ballot, who shall serve as chair until a chair is appointed under Article 25.03.
- 25.03** Where a chair is removed under Article 25.01 or where the position of chair becomes vacant for any other reason, the Executive Committee shall appoint a chair.
- 25.04** For greater clarity, where an interim chair has been appointed under Article 25.02, the Executive Committee may appoint the interim chair as the chair.
- 25.05** Articles 25.01 and 25.02 also apply to a chair appointed under Article 25.03.
- 25.06** Where a chair of a **committee** selects a panel which does not include the chair, the chair shall designate a panel chair from among the panel members or failing that, the panel shall select a panel chair from among its panel members.
- 25.07** Where a panel includes the chair of a **committee**, the chair shall chair the panel unless the chair designates another panel chair from among the panel members.

26. COMMITTEE VACANCIES

- 26.01** Where one or more vacancies occur in the membership of a **committee**, the **committee members** constitute the **committee** until such time as the vacancy shall be filled, so long as the **committee** continues to have a quorum.
- 26.02** Where a vacancy occurs in respect of the membership of a **committee** other than the Executive Committee, the Executive Committee may, and if necessary for such **committee** to achieve its quorum shall, appoint a person(s) to fill any vacancy in the membership of such **committee**.
- 26.03** Where the vacancy to be filled was the chair of a **committee**, the Executive Committee shall also appoint a chair for that **committee**.
- 26.04** A member of a **committee** appointed by the Executive Committee in accordance with Article 26.02 or a chair of a **committee** appointed by the Executive Committee in accordance with Article 25.03 or Article 26.03 is subject to



confirmation by Council but continues to be a member of the **committee** or the chair of that **committee** until confirmed or replaced by Council.

- 26.05** Should Council determine not to confirm the Executive Committee's appointment made under Article 26.02, it shall appoint another person in replacement of the member so appointed by the Executive Committee.
- 26.06** Should Council determine not to confirm the Executive Committee's appointment of a chair under Article 26.03 it shall appoint another person as chair in replacement of the chair so appointed by the Executive Committee.
- 26.07** A member of a **committee** who is a **councillor** may be removed from the **committee** for any reason by a vote of at least two-thirds of the **councillors** present at a meeting of Council.
- 26.08** A member of a **committee** who is not a **councillor** may be removed from the **committee** for any reason by resolution of Council.
- 26.09** Article 26.08 applies equally to a **committee member** who is neither a **councillor** nor a **non-council committee member**.
- 26.10** The authority of Article 26.07 and Article 26.08 is in addition to Council's authority to disqualify a **councillor** or a **non-council committee member** in accordance with this by-law.

27. COMMITTEE MEETINGS

- 27.01** In this Article "meeting" does not include a hearing pursuant to the **Code**.
- 27.02** **Committee** meetings may be held in person or, at the direction of the chair, **by teleconference**.
- 27.03** Each **committee** shall meet at the call of its chair on the date and time designated by the chair and at such intervals as are necessary to perform the responsibilities of that **committee**.
- 27.04** Except for meetings held **by teleconference**, all meetings shall be held at the head office of the **College** or such other location approved by the Registrar.



- 27.05** Reasonable efforts shall be made to notify all of the **committee members** of every meeting and to arrange meeting dates and times which are convenient to the **committee members**.
- 27.06** The chair or his or her appointee for the purpose shall preside over meetings of the committee.
- 27.07** Except as otherwise provided in the by-laws, every motion which comes before a **committee** shall be decided by a majority vote cast at the meeting including that of the chair and in the case of a tie vote the motion is defeated.
- 27.08** A vote at a **committee** meeting held **by teleconference** shall be taken in such manner as determined by the chair unless a **committee member** requests a roll call vote in which event a roll call vote shall be taken.
- 27.09** In taking a vote, other than one conducted by secret ballot, the chair may first determine those **committee members** in favour, opposed, and abstaining after which the chair may cast his or her vote.
- 27.10** The chair is not required to vote whether or not that vote would affect the outcome.
- 27.11** Minutes of a **committee** meeting shall
- i) be taken and include a record of all motions, recommendations and decisions;
 - ii) be circulated to all **committee members**;
 - iii) be approved at a subsequent **committee** meeting; and
 - iv) once approved, be signed by the chair or by the person presiding as chair at the meeting at which the minutes were approved and promptly thereafter be provided to the Registrar.
- 27.12** The chair of the **committee** shall sign all records, reports or other forms related to the **committee's** activities.



28. BOARD OF INQUIRY

- 28.01** When the Executive Committee appoints a Board of Inquiry it shall appoint one of the members of the Board to serve as chair.
- 28.02** Meetings of the Board of Inquiry may be held in person or, at the direction of the chair, **by teleconference**.
- 28.03** Minutes of a Board of Inquiry shall be taken and include a record of all motions, recommendations and decisions.
- 28.04** Minutes shall be circulated to all members of the Board which held the inquiry.
- 28.05** The chair of the Board of Inquiry shall sign all minutes, records or other forms related to the Board's activities.

29. INDEMNITY FOR COUNCILLORS, OFFICERS AND OTHERS

- 29.01** Every **councillor**, every **committee member**, every officer, and every employee of the **College**, including any assessor, monitor or inspector, and each of his or her heirs, executors, administrators and other personal representatives shall at all times be indemnified and saved harmless out of the funds of the **College** from and against any liability including reasonable costs, charges and expenses whatsoever which such person reasonably sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her as a result of the execution or intended execution of the duties of his or her office or employment save and except any liability or costs, charges or expenses that are occasioned by his or her own willful neglect or default or because he or she failed to act in good faith.

30. INSURANCE

- 30.01** The Registrar shall ensure that the **College** maintains insurance coverage to protect the property and assets of the **College** in such form as may be determined from time to time and, without limiting the generality of the foregoing, shall, to the extent reasonably practical, maintain indemnity insurance to provide coverage for the indemnity referred to in Article 29.01.



31. BANKING

- 31.01** In this Article “bank” means the bank appointed under Article 31.02.
- 31.02** Council shall appoint one or more banks chartered under the Bank Act, Canada for the use of the **College**, provided that the bank has been approved by Council.
- 31.03** All money belonging to the **College** shall be deposited in the name of the **College** with the bank.
- 31.04** The Registrar may endorse any negotiable instrument for collection on account of the **College** through the bank or for deposit to the credit of the **College** with the bank, if required for that purpose. The **College’s** rubber stamp may be used for such endorsement.
- 31.05** Securities and other financial documents will be held for safekeeping in the name of the **College** in the bank or in an account with a brokerage house approved by Council.

32. INVESTMENTS

- 32.01** The Registrar shall invest **College** funds that are not expected to be required during the following sixty days in investments authorized by this by-law.
- 32.02** **College** funds may be invested in
- i) securities issued or guaranteed by any one or more of the following:
 1. the Government of Canada;
 2. the Government of any province of Canada;
 3. the Canadian Imperial Bank of Commerce, Canadian Western Bank, Bank of Montreal, Laurentian Bank of Canada, National Bank, Royal Bank, ScotiaBank or TD Canada Trust or such other bank approved by Council; and
 - ii) other investments approved by Council.



33. EXPENDITURES

33.01 Council shall annually approve

- i) an operating expense and revenue budget for each fiscal year; and
- ii) a capital budget for each fiscal year.

33.02 The Registrar may authorize all budgeted expenditures provided that the expenditure would not cause the total of the annual operating expense budget or the total of the annual capital budget to be exceeded.

33.03 The Registrar may also authorize expenditures that were not contemplated by the operating expense or capital budgets or that exceed the amounts set out in those budgets for any item of expense, provided that the Registrar is satisfied that

- i) the contemplated expenditures would not compromise Council's annual objectives; and
- ii) neither the operating expense nor capital budget for the fiscal year will be exceeded.

33.04 Where the Registrar authorizes an expenditure under Article 33.03, the Registrar shall report that action to the Executive Committee at its next meeting.

33.05 The Executive Committee may authorize the Registrar to make expenditures where it is anticipated that the operating expense or capital budgets for the fiscal year will be exceeded, provided that the Executive Committee is satisfied that the contemplated expenditure would not compromise Council's annual objectives.

33.06 Where the Registrar authorizes an expenditure under Article 33.03 or where the Executive Committee authorizes an expenditure under Article 33.05, a report of that action shall be made to Council at its next meeting.

33.07 Unless otherwise authorized by Council or the Executive Committee, no contract or commitment for expenditure for goods and services, excluding employment contracts, of \$25,000 or more shall be entered into by the **College** unless and until at least three competitive bids have been obtained and the contract or commitment for expenditure is approved by Council.



34. BORROWING

34.01 Council may, from time to time,

- i) borrow money upon the credit of the **College**;
- ii) limit or increase the amount or amounts which may be borrowed;
- iii) issue, sell or pledge debt obligations of the **College** including without limitation bonds, debentures, notes or similar obligations of the **College**, whether secured or unsecured; and
- iv) charge, mortgage, hypothecate or pledge all or any of the real or personal property of the **College**, currently owned or subsequently acquired, to secure any such debt or obligations or any money borrowed, or debt or liability of the **College**.

34.02 Council may authorize one or more officers or **councillors** as may be determined by Council to exercise the powers conferred in Article 34.01 in such manner as Council shall determine.

35. CHEQUES

35.01 Cheques and other forms of payments requiring the signature of the **College** shall be signed by the Registrar and one of the President or Vice-President unless the amount is less than \$15,000.00 in which case the signature of the Registrar alone shall be sufficient.

36. CONTRACTS AND OTHER DOCUMENTS

36.01 Subject to Article 36.02, contracts, documents or instructions in writing requiring the signature of the **College** shall be signed by

- i) any one of the President, Vice-President or Registrar provided the total expenditure under the contract is reasonably expected not to exceed \$15,000; and



- ii) any two of the President, Vice-President or Registrar where the total expenditure under the contract is reasonably expected to exceed \$15,000.

36.02 Council may from time to time by resolution authorize a person or persons on behalf of the **College** either to sign contracts, documents or instruments in writing generally or to sign specific contracts, documents or instruments in writing.

37. GRANTS

37.01 Council may by a vote of at least two-thirds of the **councillors** present at a meeting duly called for that purpose make grants to third parties

- i) to advance the scientific knowledge or the education of persons wishing to practise the profession;
- ii) to maintain or improve the standards of practice of the profession; or
- iii) to provide public information about, and encourage interest in, the past and present role of the profession in society.

38. MEMBERSHIP IN NATIONAL ORGANIZATIONS

38.01 Council may by a vote of at least two-thirds of the **councillors** present at a meeting duly called for that purpose authorize the **College** to obtain membership in a national organization of a body with similar function to that of the **College** and to pay annual assessments in relation to that membership.

38.02 Where Council authorizes membership under Article 38.01, it shall, if necessary, determine how the **College** will be represented on that national organization.'

39. CERTIFICATES OF REGISTRATION

39.01 Certificates of registration shall bear the signatures of the Registrar and President or a likeness thereof.



40. FINANCIAL AUDIT

- 40.01** Council shall annually appoint auditors to audit the accounts of the **College** and to hold office for the ensuing year.
- 40.02** Financial statements for the **College** shall be prepared promptly at the close of each fiscal year and audited financial statements shall be presented annually to Council.
- 40.03** In the event that the auditors are unable to continue their duties as agreed or in the event that Council is dissatisfied with the auditors, Council may appoint new auditors.
- 40.04** The auditors shall have a right of access at all reasonable times to all records, documents, books, accounts and vouchers of the **College** and are entitled to require from the **councillors**, officers and employees such information as is necessary in their opinion to enable them to report as required by law or under this by-law.
- 40.05** The auditors may be invited by the President or the Registrar to attend the meeting at which the audited financial statements are presented to Council.

41. STIPENDS AND EXPENSES

- 41.01** Council officers who are not **public councillors**, **elected councillors**, the **selected councillor** and **non-council committee members** shall be paid a stipend and shall be reimbursed by the **College** for travelling and other expenses reasonably incurred in relation to the performance of their duties in accordance with the stipend and expense policy as approved from time to time by Council.
- 41.02** Persons who are neither **councillors** nor **non-council committee members** and who provide voluntary services to the **College** may be paid a stipend and be reimbursed by the **College** for travelling and other expenses reasonably incurred in relation to the performance of their duties but only if a stipend and expense policy has been approved by Council and in such case, the payment shall be made in accordance with the stipend and expense policy as approved from time to time by Council.

42. REGISTER

- 42.01** Subject to Article 42.02 a registrant's name in the register of the College shall be the registrant's name as provided in the documentary evidence used to support the registrant's initial registration and shall be consistent with the name used by



the registrant on their degree or diploma which was the basis for their application for a certificate of registration.

42.02 The Registrar shall direct that a name other than as provided in Article 42.02 be entered in the register of the College if such a request is made by the registrant and the Registrar is satisfied that

- i) the registrant has validly changed their name; and
- ii) the use of the name is not for an improper purpose.

42.03 Unless otherwise approved by the Registrar, a registrant's business address in the register of the College shall be the location in Ontario where the registrant principally engages in the practice of chiropody.

42.04 A registrant's business telephone number in the register of the College shall be the telephone number of the location referred to in Article 42.03.

42.05 Under subsection 23(2) of the Code and subject to certain exceptions contained in the Code, certain information must be contained in the College's register. As of May 30, 2017, the register is required to contain the following:

1. Each registrant's name, business address and business telephone number, and, if applicable, the name of every health profession corporation of which the registrant is a shareholder.
2. Where a registrant is deceased, the name of the deceased registrant and the date upon which the registrant died, if known to the Registrar.
3. The name, business address and business telephone number of every health profession corporation.
4. The names of the shareholders of each health profession corporation who are registrants of the College.
5. Each registrant's class of registration and specialist status.
6. The terms, conditions and limitations that are in effect on each certificate of registration.



7. A notation of every caution that a registrant has received from a panel of the Inquiries, Complaints and Reports Committee under paragraph 3 of subsection 26 (1) of the Code, and any specified continuing education or remedial programs required by a panel of the Inquiries, Complaints and Reports Committee using its powers under paragraph 4 of subsection 26 (1) of the Code.
8. A notation of every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and that has not been finally resolved, including the date of the referral and the status of the hearing before a panel of the Discipline Committee, until the matter has been resolved.
9. A copy of the specified allegations against a registrant for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and that has not been finally resolved.
10. Every result of a disciplinary or incapacity proceeding.¹
11. A notation and synopsis of any acknowledgements and undertakings in relation to matters involving allegations of professional misconduct or incompetence before the Inquiries, Complaints and Reports Committee or the Discipline Committee that a registrant has entered into with the College and that are in effect.
12. A notation of every finding of professional negligence or malpractice, which may or may not relate to the registrant's suitability to practise, made against the member, unless the finding is reversed on appeal.

¹ Under section 23(14) of the Code, "result" has the following definition:

(a) when used in reference to a disciplinary proceeding, means the panel's finding that the member committed an act of professional misconduct or was incompetent, particulars of the grounds for the finding, a synopsis of the decision and the order made, including any reprimand, and where the panel has made no such finding, includes a notation that no such finding was made and the reason why no such finding was made, and

(b) when used in reference to an incapacity proceeding, means the panel's finding that the member is incapacitated and the order made by the panel.



13. A notation of every revocation or suspension of a certificate of registration.
14. A notation of every revocation or suspension of a certificate of authorization.
15. Information that a panel of the Registration Committee, Discipline Committee or Fitness to Practise Committee specifies shall be included.
16. Where findings of the Discipline Committee are appealed, a notation that they are under appeal, until the appeal is finally disposed of.
17. Where, during or as a result of a proceeding under section 25 of the Code, a registrant has resigned and agreed never to practise again in Ontario, a notation of the resignation and agreement.
18. Where the College has an inspection program established under clause 95(1)(h) or (h.1) of the Code, the outcomes of inspections conducted by the College.
19. Information that is required to be kept in the register in accordance with Regulations made pursuant to clause 43(1)(t) of the *Regulated Health Professions Act, 1991*.²

² 1.(1) The following information, if known to the College, is prescribed information to be contained in a College's register for the purposes of paragraph 19 of subsection 23 (2) of the Code and is designated as information subject to subsection 23 (13.1) of the Health Professions Procedural Code in Schedule 2 to the Act:

1. If there has been a finding of guilt against a member under the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada) and if none of the conditions in subsection (2) have been satisfied,
 - i. a brief summary of the finding,
 - ii. a brief summary of the sentence, and
 - iii. if the finding is under appeal, a notation that it is under appeal until the appeal is finally disposed of.
2. With respect to a member, any currently existing conditions of release following a charge for an offence under the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada) or subsequent to a finding of guilt and pending appeal or any variations to those conditions.
3. If a member has been charged with an offence under the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada) and the charge is outstanding,
 - i. the fact and content of the charge, and
 - ii. the date and place of the charge.
4. If a Member has been the subject of a disciplinary finding or a finding of professional misconduct or incompetence by another regulatory or licensing authority in any jurisdiction,
 - i. the fact of the finding,
 - ii. the date of the finding,
 - iii. the jurisdiction in which the finding was made, and
 - iv. the existence and status of any appeal.



20. Information that is required to be kept in the register in accordance with the by-laws.

42.05.01 Subsection 23(2) of the Code also prescribes other information that must be in the register and this information is set out in Regulation 261/18 under the *Regulated Health Professions Act, 1991*. The by-laws do not repeat the information in Regulation 261/18 but do state additional information that must be in the register and this information is set out under Article 42.06 below.

42.06 In accordance with the authorization provided by paragraph 20 of subsection 23(2) of the Code and subject to Articles 42.07, 42.08, 42.08.01, and 42.08.02, the following additional information shall be kept in the register of the College:

1. Any change to each registrant's name which has been made in the register of the College since they first became registered with the College.
2. The classes of certificate of registration held by each registrant and the date on which each was issued.
3. The college, university or school from which the registrant received the registrant's degree or diploma used to support the registrant's current registration and the year in which the degree or diploma was obtained.
4. A list of the languages in which each registrant is capable of working.
5. The date on which each certificate of authorization was issued by the College.

5. If a member is currently licenced or registered to practice another profession in Ontario or a profession in another jurisdiction, the fact of that licensure or registration.

(2) The conditions referred to in paragraph 1 of subsection (1) are the following:

1. The Parole Board of Canada has ordered a record suspension in respect of the conviction.
2. A pardon in respect of the conviction has been obtained.
3. The conviction has been overturned on appeal.

(3) Nothing in this Regulation shall be interpreted as authorizing the disclosure of identifying information about an individual other than a member.

(4) In this section, "identifying information" means information that identifies an individual or for which it is reasonably foreseeable in the circumstances that it could be utilized, either alone or with other information, to identify an individual.



6. Where a certificate of authorization is revised, a notation of the effective date of the revision.
7. Where a registrant is engaged in the practice of chiropody in Ontario, the name and address of the person or business for whom or through which the registrant primarily engages in the practice of chiropody in Ontario, if applicable.
8. Where a registrant resigned, the date upon which the resignation took effect.
- 9.1 Where a decision of a panel of the Inquiries, Complaints and Reports Committee made on or after October 1, 2015 includes a requirement that the registrant attend before a panel of that committee to be cautioned (as is authorized by paragraph 3 of subsection 26(1) of the Code),
 - a) a notation of that fact including a summary of the caution; the date of the panel's decision;
 - b) once the registrant has received the caution, a notation to that effect and the date the registrant received the caution; and
 - c) if applicable, a notation that the panel's decision is subject to a review or appeal and therefore not yet final.
- 9.2 Where a decision of a panel of the Inquiries, Complaints and Reports Committee made on or after October 1, 2015 includes a requirement that the registrant complete a specified continuing education or remediation program (as is authorized by paragraph 4 of subsection 26(1) and subsection 26(3) of the Code),
 - a) a notation of that fact including the specified continuing education or remediation program(s);
 - b) the date of the panel's decision;
 - c) upon completion of the specified continuing education or remediation program(s), a notation to that effect and the date of completion; and



- d) if applicable, a notation that the panel's decision is subject to a review or appeal and therefore not yet final.
10. Where a registrant has any terms, conditions or limitations in effect on their certificate of registration, the effective date of those terms, conditions and limitations, whether the terms, conditions and limitations were imposed or voluntary and where applicable, the committee responsible for the imposition of those terms, conditions and limitations.
 - 10.1 A summary of any existing restriction on the registrant's right to practise that has been imposed by a Court or other lawful authority, if the College is aware of the restriction, including the name of the Court or other lawful authority that imposed the restriction, the date the restriction was imposed and where the restriction is under appeal, a notation of that fact, which notation shall be removed once the appeal is finally disposed of.
 - 10.2 Where a registrant resigned while a fitness to practise proceeding was outstanding, a notation of that fact.
 - 10.3 A summary of any existing restriction on the registrant's right to practise that has resulted from an undertaking given by the member to the College or an agreement entered into between the registrant and the College.
 11. Where a member has terms, conditions or limitations on their certificate of registration varied, the effective date of the variance of those terms, conditions and limitations and where applicable, the committee responsible for the variance of those terms, conditions and limitations.
 12. Where a registrant's certificate of registration is reinstated, the effective date of the reinstatement and where reinstated by a panel of the Discipline or Fitness to Practise Committee, the name of the committee responsible for the reinstatement.
 13. Where a suspension on a registrant's certificate of registration is lifted or otherwise removed, the effective date of the lifting or removal of that suspension and where applicable, the committee responsible for the lifting or removal of the suspension.



14. Where a certificate of registration or a certificate of authorization is revoked, suspended, cancelled or otherwise terminated, a notation of the effective date of the revocation, suspension, cancellation or other termination.
 - 14.1 Where a registrant's certificate of registration is suspended for non-payment of a fee, a notation of that fact and the date upon which the administrative suspension took effect.
 - 14.2 Where a registrant's certificate of registration is suspended for failure to submit to a physical or mental examination as required by the Inquiries, Complaints and Reports Committee, a notation of that fact and the date upon which the suspension took effect and, if applicable, the date upon which the suspension was lifted.
15. Where the Inquiries Complaints and Reports Committee has imposed an interim term, condition or limitation on the certificate of registration of a registrant in connection with an investigation which did not result in a referral to the Discipline Committee or the Fitness to Practise Committee, a notation of that fact, the nature of the order and its effective date, until the matter which was the subject of the investigation is finally concluded by the Inquiries, Complaints and Reports Committee.
 - 15.1 Where the Inquiries, Complaints and Reports Committee has imposed an interim term, condition or limitation on the certificate of registration of a registrant in connection with an investigation which resulted in a referral to the Discipline Committee or the Fitness to Practise Committee, a notation of that fact, the nature of the order and its effective date, until the referral is finally concluded by the Discipline Committee or the Fitness to Practise Committee.
16. Where one or more allegations of professional misconduct or incompetence has been referred to the Discipline Committee in respect of the registrant on or after October 1, 2015 and have not yet been disposed of,
 - a) the date of the referral;
 - b) a copy of the specified allegations;
 - c) the status of the hearing including the hearing date, if one has been set;



- d) the next scheduled date for the continuation of the hearing if the hearing was adjourned to a specific date or, if the hearing was adjourned without a specific date, a notation to that effect; and
 - e) the Notice of Hearing.
17. Where the question of the registrant's capacity has been referred to the Fitness to Practise Committee and not yet decided,
- a) a notation of that fact; and
 - b) the date of the referral.
18. Where the results of a disciplinary proceeding are contained in the College's register, the date on which the panel of the Discipline Committee made its decision including, if applicable, the date on which the panel ordered any penalty.
19. Where a decision of the Discipline Committee has been published by the College with the registrant's name included in any medium and the decision included a finding of professional misconduct or incompetence,
- a) a notation of that fact; and
 - b) identification of the specific publication of the College which contains that information.
- 19.1 Where a decision of the Discipline Committee has been published by the College with the registrant's name included in any medium but the decision did not make a finding of professional misconduct or incompetence,
- a) a notation of that fact; and
 - b) identification of the specific publication of the College which contains that information.
20. Where the result of an incapacity proceeding is contained in the College's register, the date on which the panel made the finding of incapacity and the effective date of any order made by the panel.



21. A summary of any finding of guilt of which the College is aware if made by a Court on or after January 1, 2015 against a registrant, in respect of any offence, in any jurisdiction, that the Registrar believes is in the public interest to be posted on the register.
22. Any information the College and the registrant have agreed should be included in the register.
23. Any information the College and a health profession corporation to which the College has issued a certificate of authorization have agreed should be included in the register.
24. Where a registrant holds an Inhalation Certificate,
 - a) a notation that the registrant is authorized by the College to administer a substance by inhalation; and
 - b) the date on which the Inhalation Certificate was first issued.
25. Where a registrant's Inhalation Certificate has been cancelled or voluntarily surrendered,
 - a) a notation that the Inhalation Certificate has been cancelled or voluntarily surrendered, whichever the case may be; and
 - b) the date it was cancelled or voluntarily surrendered, whichever the case may be.

42.07 A note required under paragraph 17 of Article 42.06 shall not include any detailed information about the subject matter of the proceeding or referral.

42.08 All of the information referred to in Articles 42.05 and 42.06 is information designated to be withheld from the public pursuant to subsection 23(6) of the Code such that the Registrar may refuse to disclose to an individual or post on the College's website any or all of that information if the Registrar has reasonable grounds to believe that disclosure of that information may jeopardize the safety of an individual.

42.08.01 Subject to the authority of the Code, all information required by the Code will remain on the Register.



42.08.02 Subject to the authority of the Code and the by-laws, all information required by the by-laws will remain on the Register.

Letter of Standing

42.09 Upon request by any person, the Registrar shall issue a letter of standing in respect of any registrant.

42.10 A letter of standing shall set out all the information in respect of the registrant contained in the register that is available to the public under Article 42 or under subsection 23(3) of the Code.

42.11 A person who requests a letter of standing shall pay a fee set by the Registrar but not to exceed \$25.00.

43. PROFESSIONAL LIABILITY INSURANCE

43.01 A **registrant** shall not practise unless the **registrant** provides the **College** with satisfactory evidence of

- i) professional liability insurance coverage of at least \$2,000,000; or
- ii) coverage of at least \$2,000,000 under a liability insurance policy carried by the **registrant's** employer.

44. INFORMATION FROM REGISTRANTS

44.01 The **College** shall forward to its **registrants** each year a request for information, in a form approved by the Registrar.

44.02 Each **registrant** shall accurately complete and return such form providing such information as may be requested including but not limited to

- i) their home address, being the address of the principal Ontario residence of the **registrant**, or if the **registrant** does not have a principal residence in Ontario, the address of the **registrant's** principal residence;



- i.1) their home phone number, cell phone number, e-mail address and facsimile number, to the extent the **registrant** has any or all of these;
- ii) where a **registrant** is engaged in the practice of chiropody, whether inside or outside of Ontario, information respecting all locations at which the **registrant** practices, including the name, address and telephone number of each of the **registrant's** practice locations and the name of each person or business for whom or through which the **registrant** engages in the practice of chiropody, if applicable;
- iii) information respecting the **registrant's** existing professional liability insurance coverage;
- iv) information respecting the **registrant's** participation in the Quality Assurance Program;
- v) information required to be contained in the **College's** register pursuant to the by-laws, the **RHPA**, the **Act**, or the regulations under the **RHPA** or the **Act**;
- vi) information required to be provided to the **College** pursuant to the by-laws, the **RHPA**, the **Act**, or the regulations under the **RHPA** or the **Act**;
- vii) information that relates to the professional characteristics and activities of the **registrant** that may assist the **College** in carrying out its objects; and
- viii) information for the purposes of compiling statistical information to assist the **College** in fulfilling its objects.

44.03 The form required by Article 44.02 shall be fully completed by the **registrant** and returned to the **College, together with payment of the Annual Fee**, by the 14th day of February next following the forwarding of the form to the **registrant**.

44.04 Where a **registrant** fails for any reason to return a fully completed form and/or pay the Annual Fee as required by Articles 44.02 and 44.03, the Registrar shall cause the **registrant** to be notified in writing of that failure.



- 44.05** Where the Registrar causes written notice to be given to a **registrant** in accordance with Article 44.04 and a fully completed form and/or payment of the Annual Fee is not provided by the registrant to the **College** within thirty days of the date of that notice, the fees required by the by-laws shall immediately be payable by the **registrant** and the **registrant's** certificate of registration will be administratively suspended.
- 44.06** Where any of the information provided to the **College** under Article 44.02 changes, the **registrant** shall notify the Registrar in writing of the change within thirty days of the effective date of the change.
- 44.07** A **registrant** shall inform the **College** in writing of any change of citizenship or immigration status within thirty days of the change occurring.
- 44.08** A **registrant** shall, upon written request of the Registrar,
- i) immediately provide particulars of any information required to be in the **College's** register pursuant to the by-laws, the **RHPA**, the Act, or the regulations under the **RHPA** or the **Act**;
 - ii) within thirty days, provide particulars of any information which was not information required to be in the **College's** register but was information that the **registrant** was required to provide to the **College** under the by-laws; and
 - iii) within ten days, confirm the accuracy of any information previously provided to the **College** by the **registrant** and where that information is no longer accurate, provide accurate information.

45. ELECTORAL DISTRICTS – INTERPRETATION

- 45.01** The counties, united counties, regional municipalities, municipalities, district municipalities and territorial districts described in Article 46.01 are those that existed as at December 31, 1996 and the geographical territory of each electoral district shall be interpreted to ensure that all parts of Ontario fall into one of the aforementioned counties, united counties, regional municipalities, municipalities, district municipalities and territorial districts described in Article 46.01.



46. ELECTORAL DISTRICTS

46.01 The following electoral districts are established for the purpose of the election of **elected councillors**:

1. Electoral district 1 (Toronto) composed of The Municipality of Metropolitan Toronto.
2. Electoral district 2 (South West) composed of the counties of Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford and Perth.
3. Electoral district 3 (Central West) composed of the counties of Brant, Bruce, Dufferin, Grey and Wellington and the regional municipalities of Haldimand-Norfolk, Halton, Hamilton-Wentworth, Niagara and Waterloo.
4. Electoral district 4 (East) composed of the counties of Frontenac, Hastings, Lanark, Prince Edward and Renfrew, and the united counties of Leeds and Grenville, Lennox and Addington, Prescott and Russell, Stormont, Dundas and Glengarry, and The Regional Municipality of Ottawa-Carleton.
5. Electoral district 5 (Central East) composed of the counties of Haliburton, Northumberland, Peterborough, Simcoe and Victoria and the regional municipalities of Durham, Peel and York.
6. Electoral district 6 (North) composed of the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Timiskaming and The District Municipality of Muskoka.

46.02 The electoral district in which a **registrant** is eligible to vote is the district in which, on the day nominations close, the **registrant** has their **designated address**.

47. VOTING ELIGIBILITY

47.01 A **registrant** is eligible to vote in an election if, on the thirty-fifth day before the election,

- i) the **registrant** meets the requirements of subsection 7(2) of the **Act**;



- ii) the **registrant** has their **designated address** in the electoral district for which an election is being held;
- iii) in respect of the election of a **chiropodist councillor**, the **registrant** is the holder of a certificate of registration in the chiropodist class; and
- iv) in respect of the election of a **podiatrist councillor**, the **registrant** is the holder of a certificate of registration in the podiatrist class.

48. ELECTED COUNCILLORS

48.01 Nine **registrants** of the **College** shall be elected to Council as **elected councillors** in the following manner:

- i) one **chiropodist councillor** for each of electoral districts 1 to 6, inclusive; and
- ii) one **podiatrist councillor** for each of the following pairs of electoral districts: electoral districts 1 and 2; electoral districts 3 and 4; and electoral districts 5 and 6.

Term of Office

48.02 Except in the case of a vacancy, the term of office of an **elected councillor** commences at the **First Council Meeting** following their election and ends at the commencement of the **First Council Meeting** which is more than two calendar years following that election.

Re-Election

48.03 An **elected councillor** may be re-elected but no **elected councillor** shall serve for more than two consecutive terms in that capacity.

48.04 Time spent as an **elected councillor** as a result of a by-election or an appointment by Council to fill a vacancy shall not be included for the purposes of Article 48.03.

49. TIMING OF ELECTIONS

49.01 Separate elections for **elected councillors** shall be held simultaneously as follows:



- i) in May of the year 2025 and in May of every third year thereafter for each of electoral districts 1 and 2 for the election of **chiropodist councillors** and for the combined electoral districts 1 and 2 (also referred to as combined district 1) for the election of a **podiatrist councillor**;
- ii) in May of the year 2023 and in May of every third year thereafter for each of electoral districts 3 and 4 for the election of **chiropodist councillors** and for the combined electoral districts 3 and 4 (also referred to as combined district 2) for the election of a **podiatrist councillor**; and
- iii) in May of the year 2024 and in May of every third year thereafter for each of electoral districts 5 and 6 for the election of **chiropodist councillors** and for the combined electoral districts 5 and 6 (also referred to as combined district 3) for the election of a **podiatrist councillor**.

49.02 Unless otherwise provided in this by-law, the Registrar shall

- i) set the date for each election; and
- ii) set the time deadline for the receipt of ballots.

50. ELIGIBILITY FOR ELECTION

50.01 Subject to the balance of the provisions of Article 50, a **registrant** is eligible for election in an electoral district if,

- i) on the deadline for receipt of nominations, the **registrant** is the holder of a general class certificate of registration and the certificate is not subject to a term, condition or limitation other than one applicable to all **registrants** of the class;
- ii) in the case of an election of a **chiropodist councillor**, the **registrant** holds a certificate of registration in the chiropodist class, on the deadline for receipt of nominations;
- iii) in the case of an election of a **podiatrist councillor**, the **registrant** holds a certificate of registration in the podiatrist class, on the deadline for receipt of nominations;



- iv) on the deadline for receipt of nominations, the **registrant** is not in default of the payment of any money owed to the College including but not limited to any fee prescribed by the **Regulations** or required by the by-laws;
- v) on the deadline for receipt of nominations, the **registrant** is not the subject of any disciplinary or incapacity proceeding;
- v.1) on the deadline for receipt of nominations, the **registrant** does not have a notation of a caution or a specified continuing education or remedial program on the register;³
- v.2) on the deadline for receipt of nominations, the **registrant** does not have a notation on the register of an undertaking provided to the College as a result of a decision or proceeding of the Discipline Committee, the Inquiries, Complaints and Reports Committee, or the Fitness to Practise Committee;⁴
- v.3) on the deadline for receipt of nominations, the **registrant** is not the subject of an undertaking provided to the College as a result of a decision or proceeding of the Discipline Committee, the Inquiries, Complaints and Reports Committee, or the Fitness to Practise Committee;⁵
- vi) on the deadline for receipt of nominations, the **registrant** is not the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee;⁶
- vii) the **registrant's** certificate of registration has not been revoked or suspended in the six years preceding the date of the election for any reason other than non-payment of fees;
- viii) the **registrant** has not been the subject of any professional misconduct, incompetence or incapacity finding in the three years preceding the date of the election;
- ix) the **registrant** has not been disqualified by Council in the three years preceding the date of the election;

³ This applies to elected councillors who are nominated and elected after January 27, 2023.

⁴ This applies to elected councillors who are nominated and elected after January 27, 2023.

⁵ This applies to elected councillors who are nominated and elected after January 27, 2023.

⁶ This applies to elected councillors who are nominated and elected after January 27, 2023.



- viii.1) the **registrant** has not been found by Council to have breached the Code of Conduct for councillors and committee members;⁷
- x) the **registrant** has not resigned as a Councillor in the three years preceding the date of the election unless the registrant has the approval of either the Executive Committee or the Council to be eligible for the election;
- xi) on the deadline for receipt of nominations, the **registrant** has their **designated address** in the electoral district for which they are nominated and has been nominated in accordance with this by-law; and
- xii) the **registrant** has completed and filed with the Registrar the Conflict of Interest Form by the deadline established by the Registrar in accordance with Article 51.06.

50.02 A **registrant** who has been elected to Council in two consecutive elections is not eligible for election until an election held in accordance with these by-laws which is more than five calendar years after the **registrant** was last elected to Council. For greater clarity and by way of example only, a **registrant** elected in 2007 and re-elected in 2010 would not be eligible until more than five calendar years had passed from 2010, namely, would not be eligible for the 2013 elections but would be eligible again in 2016.

50.03 An election in a by-election shall not be counted in determining whether a **registrant** is ineligible for election under Article 50.02.

50.04 A **registrant** who is a **selected councillor** may not be a candidate for election as an **elected councillor** unless he or she first resigns as a **selected councillor**.

50.05 A candidate may withdraw from an election by giving notice in writing to the Registrar. If the notice in writing is received at least forty-eight days prior to the date of the election, the name of the person shall not be placed on the ballot. In all other cases, the Registrar shall make reasonable efforts to notify the **registrants** eligible to vote that the candidate has withdrawn from the election.

⁷ This applies to elected councillors who are nominated and elected after January 27, 2023.



- 50.06** Subject to Article 50.07, a **registrant** is not eligible for election as a **councillor** if the **registrant** holds a position which would cause the individual, if elected as a **councillor**, to have a conflict of interest by virtue of having competing fiduciary obligations to both the **College** and another organization.
- 50.07** A **registrant** is not eligible for election as a **councillor** and shall be deemed to have a position which would result in a competing fiduciary obligation under Article 50.06 if the **registrant** holds or has held, in the preceding one year prior to the deadline for receipt of nominations, any of the following positions in an international, national or provincial association or organization whose members are predominately chiropodists, podiatrists or other foot care providers and whose mandate in any way relates to the provision of foot care by its members:
- i) director, officer or member of the governing body of the organization;
 - ii) Executive Director, Chief Administrative Officer or another position with similar duties in the organization; or
 - iii) a position which the Elections Committee of the **College** determines is one which would create a conflict of interest by virtue of having competing fiduciary obligations to both the **College** and another organization.
- 50.08** Disputes as to whether a **registrant** is eligible for election or to vote in an election will be determined by the Elections Committee.
- 50.09** Disputes relating to the election of an **elected councillor** shall be dealt with by the Elections Committee which shall investigate the facts and report its findings and recommendations to Council for such decision as Council considers appropriate.
- 50.10** A **registrant** who would not otherwise be eligible to stand for election to Council under paragraphs v.1, v.2, v.3, v.4 and viii.1 of Article 50.01 may submit to the Registrar, along with the registrant's nomination, a written request, a current Curriculum Vitae, and supporting documentation for review by the Elections Committee to determine if the Elections Committee will allow them to be eligible to stand for election.
- 50.11** Without limiting the Elections Committee's authority, the Elections Committee shall not exercise its discretion under Article 50.10 unless
- i) it is satisfied that a reasonable person, knowing all of the facts, would not consider the presence of the **registrant** on Council or any of its committees as impairing the public's trust in the College; and



- ii) the time elapsed since the event or conduct that caused the **registrant** not to be eligible under paragraphs v.1, v.2, v.3 and viii.1 of Article 50.01 is at least five years,
 - a) in the case of a caution, from when the **registrant** attended and received the caution,
 - b) in the case of a specified continuing education or remedial program, from when the **registrant** completed the specified continuing education or remedial program, including any monitoring required,
 - c) in the case of an undertaking noted on the register, from the date the notation was placed on the register,
 - d) in the case of an undertaking that is not noted on the register, from the date of the undertaking, or
 - e) in the case of a breach of the Code of Conduct for councillors and committee members, the date of the finding that the **registrant** breached the Code of Conduct for councillors and committee members.

51. ELECTIONS

- 51.01** The Registrar shall supervise the nominating and election of **elected councillors**.
- 51.02** At least sixty days before the date of an election or at least thirty days before the date of a by-election, the Registrar shall notify in writing each **registrant** who is then eligible to vote in that election or by-election of the date of the election, the nomination procedure and the deadline for returning nominations to the **College**.
- 51.03** The Registrar shall provide each **registrant** who is eligible to vote with access to the online nomination platform.
- 51.04** The nomination of a candidate for election shall be in writing, be received by the Registrar at least thirty days before the date of the election and shall include the written consent of the **registrant** wishing to stand for election and



the signature of one eligible nominator who may be the **registrant** wishing to stand for election.

- 51.05** Each nominator shall be a **registrant** who is eligible to vote in that election on the date of nomination and on the date on which the nominations close.
- 51.06** The Registrar shall establish a deadline by which each candidate shall complete and submit the **College's** conflict of interest form which deadline shall not be less than seven days after the date upon which nominations close.
- 51.07** The Registrar shall provide each nominated candidate with a copy of the **College's** conflict of interest form, notice of the submission for the filing of that form and relevant portions of the **College's** by-law relating to conflict of interest.
- 51.08** If, after the deadline referred to in Article 51.06, the number of eligible candidates nominated for an electoral district is equal to the number of **councillors** to be elected in that electoral district, the eligible candidates shall be elected by acclamation.
- 51.09** If, after the deadline referred to in Article 51.06, the number of eligible candidates nominated for an electoral district is less than the number of **councillors** to be elected in that electoral district, the Registrar shall establish a new election schedule including, where necessary, a new date for that election.
- 51.10** Time frames referred to in Articles 51.02, 51.04 and 51.06 do not apply where the Registrar acts under Article 51.09.
- 51.11** Where the Registrar acts under Article 51.09, the deadline for nominations for that election shall be re-opened for seven days or such greater number of days as determined by the Registrar and a new deadline by which the candidates shall complete and submit the conflict of interest form shall be established by the Registrar.
- 51.12** Where the Registrar acts under Article 51.09, the Registrar shall notify in writing each **registrant** referred to in Article 51.02 of the date of the election and the deadline for returning nominations to the **College** which deadline shall be determined by the Registrar.



- 51.13** If the number of eligible candidates nominated for election for an electoral district after the second call for nominations remains less than or equal to the number of **councillors** to be elected in the electoral district, those eligible candidates shall be elected by acclamation.
- 51.14** If after two calls for nominations there are still insufficient eligible candidates for election in any electoral district, the seat shall be considered vacant and the vacancy shall be dealt with by Council at its next regular meeting.
- 51.15** The Registrar shall advise each eligible candidate that they have an opportunity to have included with the ballot a candidate information page so long as the candidate provides to the Registrar the information in a form consistent with the guidelines set by the Registrar and on or before the deadline established by the Registrar.
- 51.16** No later than fifteen days before the date of an election, the Registrar shall send to every **registrant** eligible to vote in an electoral district in which an election is to take place, a link to the online election platform, which includes voting instructions, a list of eligible nominees and a brief biography of each nominee.
- 51.17** Voting for eligible candidates for election to Council shall be conducted by an online voting platform, approved by the Registrar.
- 51.18** A **registrant** eligible to vote may cast one vote for any one eligible candidate.
- 51.19** As soon as possible following the tabulation of the ballots, the Registrar shall, in respect of each election,
- i) notify each eligible candidate of the results of the election and the number of votes cast for each eligible candidate; and
 - ii) notify each eligible candidate that he or she may request details of the online voting process and a re-tabulation.
- 51.20** An eligible candidate may make a request as stated in Article 51.19(ii) by giving a written request to the Registrar no more than seven days after the date of an election and paying a fee of \$300.
- 51.21** A request made pursuant to Article 51.19(ii) shall be conducted within seven days of receipt of the request referred to in Article 51.20 on a date and at a time determined by the Registrar.



- 51.22** A request made pursuant to Article 51.19(ii), shall be dealt with by the Elections Committee which shall investigate the facts and report its findings and recommendations to the Registrar, for such decision as the Registrar deems appropriate.
- 51.23** Where a re-tabulation occurs, if the re-tabulation changes the election outcome, the **eligible candidate** requesting the re-tabulation shall be entitled to the return of the fee required in Article 51.20.
- 51.24** Subject to Article 51.26, the successful candidate in an election is the eligible candidate with the highest number of votes.
- 51.25** Subject to Article 51.26, in each election the Registrar shall declare the successful candidate elected after the tabulation of the ballots or in the case of a request pursuant to Article 51.19(ii), after the re-tabulation of the ballots.
- 51.26** If there is a tie in any election and it is necessary to break the tie to determine who shall be the successful candidate, the Registrar shall inform the tied nominees, and direct that the online voting platform be re-opened to eligible voting registrants to submit a second ballot where the tied nominees are the only eligible nominees.
- 51.27** If the Registrar acts under Article 51.26, the nominations are not re-opened. For clarity, a second vote under Article 51.26 is to determine the successful nominee arising from a tie.
- 51.28** The **College** shall notify its **registrants** of the results of all elections by publication of those results on the College's website or in such other or additional manner as Council may direct.

52. SELECTED COUNCILLOR

- 52.01** For the purpose of clause 7(1)(c) of the **Act**, one **councillor** shall be selected by Council from the Faculty of the Michener Institute for Applied Health Sciences (Ontario) in accordance with the process set out in **Schedule 2**.
- 52.02** Except in the case of a filling of a vacancy, the term of office of a **selected councillor** shall be from the date of the acceptance of the selection by the



selected **councillor** until the commencement of the **First Council Meeting** which is more than two calendar years following that appointment.

Reappointment

- 52.03** A **selected councillor** may be reappointed but a **selected councillor** shall not serve for more than two consecutive terms in that capacity.
- 52.04** A **selected councillor** who has served for two consecutive terms in that capacity shall not be reappointed as a **selected councillor** until more than five calendar years after the member was last appointed as a **selected councillor**. For greater clarity and by way of example only, a **selected councillor** appointed in 2007 and reappointed in 2010 would not be eligible until more than five calendar years had passed from 2010, namely, would not be eligible for appointment until 2016.
- 52.05** Time spent as a **selected councillor** as a result of an appointment by Council to fill a vacancy shall not be included for the purposes of Article 52.03.

Eligibility

- 52.06** Subject to the process set out in **Schedule 2**, a **registrant** is not eligible to be appointed as a **selected councillor** if, on the date of appointment,
- i) the **registrant** has a notation of a caution or a specified continuing education or remedial program on the register;⁸
 - ii) the **registrant** has a notation on the register of an undertaking provided to the College as a result of a decision or proceeding of the Discipline Committee, the Inquiries, Complaints and Reports Committee, or the Fitness to Practise Committee;⁹
 - iii) the **registrant** is the subject of an undertaking provided to the College as a result of a decision or proceeding of the Discipline Committee, the Inquiries, Complaints and Reports Committee, or the Fitness to Practise Committee;¹⁰

⁸ This applies to selected councillors who are appointed after January 27, 2023.

⁹ This applies to selected councillors who are appointed after January 27, 2023.

¹⁰ This applies to selected councillors who are appointed after January 27, 2023.



- iv) the **registrant** is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee;¹¹ and
- v) the **registrant** has been found by Council to have breached the Code of Conduct for councillors and committee members.¹²

52.07 A **registrant** who would not otherwise be eligible for appointment as a **selected councillor** under paragraphs i, ii, iii, iv and v of Article 52.06 may submit to the Registrar, a written request, a current Curriculum Vitae, and supporting documentation for review by the Elections Committee to determine if the Elections Committee will allow them to be eligible for appointment.

52.08 Without limiting the Elections Committee's authority, the Elections Committee shall not exercise its discretion under Article 52.07 unless

- i) it is satisfied that a reasonable person, knowing all of the facts, would not consider the presence of the **registrant** on any of its committees as impairing the public's trust in the College; and
- ii) the time elapsed since the event or conduct that caused the **registrant** not to be eligible under paragraphs i, ii, iii and v of Article 52.06 is at least five years,
 - a) in the case of a caution, from when the **registrant** attended and received the caution,
 - b) in the case of a specified continuing education or remedial program, from when the **registrant** completed the specified continuing education or remedial program, including any monitoring required,
 - c) in the case of an undertaking noted on the register, from the date the notation was placed on the register,
 - d) in the case of an undertaking that is not noted on the register, from the date of the undertaking, or

¹¹ This applies to selected councillors who are appointed after January 27, 2023.

¹² This applies to selected councillors who are appointed after January 27, 2023.



- e) in the case of a breach of the Code of Conduct for councillors and committee members, the date of the finding that the **registrant** breached the Code of Conduct for councillors and committee members.

53. COMMITTEE MEMBERS

- 53.01** Council shall appoint eligible registrants to be **non-council committee members** in accordance with the process set out in **Schedule 3**.
- 53.02** Council shall determine the number of registrants to be appointed bearing in mind the number of **non-council committee members** needed to constitute the **committees** of the **College**.

Term of Office – Non-Council Committee Members

- 53.03** The term of office of a **non-council committee member** shall be from the date of appointment until the **First Council Meeting** which is more than two calendar years following that appointment.

Reappointment – Non-Council Committee Members

- 53.04** A **non-council committee member** may be reappointed to a committee

Eligibility

- 53.06** Subject to the balance of the provisions this Article, an individual is eligible to be appointed to a committee if, on the date of appointment,
- i) if the individual is a **registrant**, the **registrant** practises chiropody in Ontario, or if the **registrant** does not practise chiropody, the **registrant** is resident in Ontario;
 - ii) if the individual is a **registrant**, the **registrant** is not in default of the payment of any money owed to the **College** including but not limited to any fee prescribed by the **Regulations** or required by the by-laws;



- iii) the individual is not the subject of any disciplinary or incapacity proceeding at the College or any other regulatory body;
 - iii.1) if the individual is a **registrant**, the **registrant** does not have a notation of a caution or a specified continuing education or remedial program on the register;¹³
 - iii.2) if the individual is a **registrant**, the **registrant** does not have a notation on the register of an undertaking provided to the College as a result of a decision or proceeding of the Discipline Committee, the Inquiries, Complaints and Reports Committee, or the Fitness to Practise Committee;¹⁴
 - iii.3) if the individual is a **registrant**, the **registrant** is not the subject of an undertaking provided to the College as a result of a decision or proceeding of the Discipline Committee, the Inquiries, Complaints and Reports Committee, or the Fitness to Practise Committee;¹⁵
 - iii.4) if the individual is a **registrant**, the **registrant** is not the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee;¹⁶
- iv) if the individual is a **registrant**, the **registrant's** certificate of registration has not been revoked or suspended in the six years preceding the date of the appointment for any reason other than non-payment of fees;
- v) the individual has not been the subject of any professional misconduct, incompetence or incapacity finding by the College or any other regulatory body in the three years preceding the date of the appointment;
- vi) if the individual is a **registrant**, the **registrant** is a holder of a general class certificate of registration and the certificate is not subject to a term, condition or limitation other than one applicable to all **registrants** of the class;

¹³ This applies to non-council committee members who are appointed after January 27, 2023.

¹⁴ This applies to non-council committee members who are appointed after January 27, 2023.

¹⁵ This applies to non-council committee members who are appointed after January 27, 2023.

¹⁶ This applies to non-council committee members who are appointed after January 27, 2023.



- vii) the individual has not been disqualified by Council in the three preceding years whether as an **elected** or **selected councillor**, a **non-council committee member** or committee member; and
- vii.1) the individual has not been found by Council to have breached the Code of Conduct for councillors and committee members.¹⁷

53.07 Subject to Article 53.08, a **registrant** is not eligible to be appointed as a **non-council committee member** if the **registrant** holds a position which would cause the individual, if appointed as a **non-council committee member**, to have a conflict of interest by virtue of having competing fiduciary obligations to both the **College** and another organization.

53.08 A person is not eligible to be appointed as a **non-council committee member** and shall be deemed to have a position which would result in a competing fiduciary obligation under Article 53.07 if the person holds or has held, in the preceding one year prior to the deadline for receipt of applications, as set by the Registrar under **Schedule 3** to By-Law No. 1, any of the following positions in an international, national or provincial association or organization whose members are predominately chiropodists, podiatrists or other foot care providers and whose mandate in any way relates to the provision of foot care by its members:

- i) director, officer or member of the governing body of the organization;
- ii) Executive Director, Chief Administrative Officer or another person with similar duties in the organization; or
- iii) a position which the Elections Committee of the **College** determines is one which would create a conflict of interest by virtue of having competing fiduciary obligations to both the **College** and another organization.

53.09 An individual who would not otherwise be eligible for appointment to a committee under paragraphs iii.1, iii.2, iii.3, iii.4 and vii.1 of Article 53.06 may submit to the Registrar, a written request, a current Curriculum Vitae, and supporting

¹⁷ This applies to non-council committee members who are appointed after January 27, 2023.



documentation for review by the Elections Committee to determine if the Elections Committee will allow them to be eligible for appointment.

53.10 Without limiting the Elections Committee’s authority, the Elections Committee shall not exercise its discretion under Article 53.09 unless

- i) it is satisfied that a reasonable person, knowing all of the facts, would not consider the presence of the individual on any of its committees as impairing the public’s trust in the College; and
- ii) the time elapsed since the event or conduct that caused the individual not to be eligible under paragraphs iii.1, iii.2, iii.3 and vii.1 of Article 53.06 is at least five years,
 - a) in the case of a caution, from when the **registrant** attended and received the caution,
 - b) in the case of a specified continuing education or remedial program, from when the **registrant** completed the specified continuing education or remedial program, including any monitoring required,
 - c) in the case of an undertaking noted on the register, from the date the notation was placed on the register,
 - d) in the case of an undertaking that is not noted on the register, from the date of the undertaking, or
 - e) in the case of a breach of the Code of Conduct for councillors and committee members, the date of the finding that the individual breached the Code of Conduct for councillors and committee members.

54. DISQUALIFICATION

54.01 Subject to the balance of the provisions of this Article, Council shall disqualify an **elected councillor** from sitting on Council if the **elected councillor**

- i) is determined by Council not to have met the eligibility requirements for election;



- ii) ceases to be the holder of a certificate of registration;
- iii) ceases to either practise or reside in the electoral district in which the **registrant** was elected;
- iv) is found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee;
- v) is found to be incapacitated by a panel of the Fitness to Practise Committee;
- vi) has a term, condition or limitation placed on his or her certificate of registration other than one applicable to all **registrants** holding that class of certificate;
 - vi.1) has a notation of a caution or a specified continuing education or remedial program placed on the register;¹⁸
 - vi.2) is the subject of an undertaking provided to the College in relation to a decision or proceeding of the Discipline Committee, the Inquiries, Complaints and Reports Committee, or the Fitness to Practise Committee;¹⁹
 - vi.3) is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee;²⁰
- vii) is determined by Council to have obtained a position which creates a conflict of interest by virtue of having competing fiduciary obligations to both the **College** and another organization;
- viii) fails, without reasonable cause, to attend two consecutive meetings of Council;
- ix) fails, without reasonable cause, to attend three consecutive meetings of a **Committee** of which they are a member; or
- x) fails, without reasonable cause, to attend a hearing or proceeding of a panel for which they have been selected.

¹⁸ This applies to elected councillors who are nominated and elected after January 27, 2023.

¹⁹ This applies to elected councillors who are nominated and elected after January 27, 2023.

²⁰ This applies to elected councillors who are nominated and elected after January 27, 2023.



- 54.02** Subject to the balance of the provisions of this Article, Council shall disqualify a **selected councillor** from sitting on Council if the **selected councillor**
- i) is determined by Council not to have met the requirements for selection;
 - ii) ceases to be a member of a faculty of the Michener Institute for Applied Health Sciences;
 - iii) ceases to be the holder of a certificate of registration;
 - iv) is found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee;
 - v) is found to be incapacitated by a panel of the Fitness to Practise Committee;
 - vi) has a term, condition or limitation placed on his or her certificate of registration other than one applicable to all **registrants** holding that class of certificate;
 - vi.1) has a notation of a caution or a specified continuing education or remedial program placed on the register;²¹
 - vi.2) is the subject of an undertaking provided to the College in relation to a decision or proceeding of the Discipline Committee, the Inquiries, Complaints and Reports Committee, or the Fitness to Practise Committee;²²
 - vi.3) is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee;²³
 - vii) is determined by Council to have obtained a position which creates a conflict of interest by virtue of having competing fiduciary obligations to both the **College** and another organization;
 - viii) fails, without reasonable cause, to attend two consecutive meetings of Council;

²¹ This applies to selected councillors who are appointed after January 27, 2023.

²² This applies to selected councillors who are appointed after January 27, 2023.

²³ This applies to selected councillors who are appointed after January 27, 2023.



- ix) fails, without reasonable cause, to attend three consecutive meetings of a **Committee** of which they are a member; or
- x) fails, without reasonable cause, to attend a hearing or proceeding of a panel for which they have been selected.

54.03 Subject to the balance of the provisions of this Article, Council shall disqualify a **committee member** from sitting on any **committee** of the **College** if the **committee member**

- i) ceases to be the holder of a certificate of registration;
- ii) is found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee of the College or of another regulatory body;
- iii) is found to be incapacitated by a panel of the Fitness to Practise Committee of the College or of another regulatory body;
- iv) if the individual is a registrant, has a term, condition or limitation placed on his or her certificate of registration other than one applicable to all **registrants** holding that class of certificate;
 - iv.1) if the individual is a registrant, has a notation of a caution or a specified continuing education or remedial program placed on the register;²⁴
 - iv.2) if the individual is a registrant, is the subject of an undertaking provided to the College in relation to a decision or proceeding of the Discipline Committee, the Inquiries, Complaints and Reports Committee, or the Fitness to Practise Committee;²⁵
 - iv.3) if the individual is a registrant, is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee;²⁶

²⁴ This applies to non-council committee members who are appointed after January 27, 2023.

²⁵ This applies to non-council committee members who are appointed after January 27, 2023.

²⁶ This applies to non-council committee members who are appointed after January 27, 2023.



- v) is determined by Council to have obtained a position which creates a conflict of interest by virtue of having competing fiduciary obligations to both the **College** and another organization;
- vi) fails, without reasonable cause, to attend three consecutive meetings of a **committee** of which they are a member; or
- vii) fails, without reasonable cause, to attend a hearing or proceeding of a panel for which they have been selected.

- 54.04** An **elected** or **selected councillor** or **committee member** is also subject to disqualification pursuant to the **College's** Conduct of Councillors and Committee Members By-Law if such a by-law has been passed by Council.
- 54.05** An **elected** or **selected councillor** who is disqualified by Council under this or any other by-law of the **College** ceases to be a **councillor** and ceases to be a member of all **committees**.
- 54.06** A **committee member** who is disqualified by Council under this or any other by-law of the **College** ceases to be a **committee member** and ceases to be a member of all **committees**.
- 54.07** An **elected** or **selected councillor** who becomes the subject of a disciplinary or incapacity proceeding, including one which originates at any time after the deadline for receipt of nominations, shall not serve on Council or on any **committee** until the proceeding is finally completed.
- 54.08** A **selected councillor** who becomes the subject of a disciplinary or incapacity proceeding shall not serve on Council or on any **committee** until the proceeding is finally completed.
- 54.09** A **committee member** who becomes the subject of a disciplinary or incapacity proceeding shall not serve on any **committee** until the proceeding is finally completed.
- 54.10** An **elected** or **selected councillor** or a **non-council committee member** who becomes in default of the payment of monies owed to the **College** including any fees prescribed by the **Regulations** or required by the by-laws, including a default



which originates at any time after the deadline for receipt of nominations, shall not serve on Council or any **committee** until the default is remedied.

- 54.10.1** An **elected** or **selected councillor** or a **committee member** who meets one or more of paragraphs vi.1, vi.2 and vi.3 of Article 54.01, paragraphs vi.1, vi.2 and vi.3 of Article 54.02 and paragraphs iv.1, iv.2 and iv.3 of Article 54.03 shall not serve on Council or any **committee** unless and until the Elections Committee is satisfied that a reasonable person, knowing all of the facts, would not consider the presence of the **registrant** on Council or any of its committees as impairing the public's trust in the College.
- 54.11** Where a **councillor** believes that Council should consider disqualifying an **elected** or **selected councillor** or **committee member** on the basis that they meet one or more of the disqualification factors set out in Article 54.01, Article 54.02 or Article 54.03, the **councillor** shall advise the Executive Committee in writing.
- 54.12** If the Registrar receives information that if true may result in Council disqualifying an **elected** or **selected councillor** or **committee member** on the basis that they meet one or more of the disqualification factors set out in Article 54.01, Article 54.02 or Article 54.03, the Registrar shall advise the Executive Committee in writing.
- 54.13** The Executive Committee shall notify the **elected** or **selected councillor** or **committee member** whose conduct is the subject of concern of the nature of the concern and provide them with a reasonable opportunity to make written or oral submissions or both to the Executive Committee.
- 54.14** The Executive Committee shall make a preliminary determination of the relevant facts and report those facts to the **elected** or **selected councillor** or **committee member** whose conduct is the subject of concern and, where applicable, to the **councillor** who brought the concern to the Executive Committee's attention.
- 54.15** If either the Executive Committee or the **councillor** who brought the matter to the Executive Committee's attention is of the view that further action may be required by Council, the issue shall be placed on the agenda for the next meeting of Council.
- 54.16** Should, pursuant to this by-law, the matter of the potential disqualification of an **elected** or **selected councillor** or **committee member** be placed on the agenda of Council, the Registrar shall advise the person who is potentially subject to disqualification of the date when Council intends to meet to deal with the issue and



of their opportunity to make either written or oral submissions to Council, should they wish to do so.

- 54.17** After providing the opportunity referred to in Article 54.16, Council shall determine the relevant facts and, if appropriate, disqualify the **elected** or **selected councillor** or **committee member** in accordance with this by-law.
- 54.18** A resolution of at least two-thirds of the **councillors** present at a meeting of Council duly called for that purpose shall be required in order to disqualify an **elected** or **selected councillor** pursuant to this Article.
- 54.19** A resolution of the **councillors** present at a meeting of Council duly called for that purpose shall be required in order to disqualify a **committee member** pursuant to this Article.
- 54.20** Where an **elected** or **selected councillor** is the subject matter of a motion for disqualification under this Article, that **elected** or **selected councillor** shall not be present during the debate or vote and shall not be counted as a member of Council in determining whether a quorum exists or whether the motion was carried or defeated.
- 54.21** Before any debate is had or vote taken by Council pursuant to this Article, Council shall consider whether the public should be excluded from the meeting in accordance with the **Code**.

55. VACANCY ON COUNCIL

- 55.01** The seat of an **elected** or **selected councillor** shall be deemed to be vacant upon the death, resignation or disqualification of the **elected** or **selected councillor**.
- 55.02** If the seat of an **elected councillor** becomes vacant in an electoral district less than eighteen months before the next election in that electoral district, Council may
- i) leave the seat vacant;



- ii) appoint as an **elected councillor** the eligible candidate who had the most votes of all of the unsuccessful eligible candidates for that position in that electoral district in the last election; or
- iii) direct the Registrar to hold a by-election for that electoral district which shall be held in a manner consistent with the elections held under this by-law.

55.03 If the seat of an **elected councillor** becomes vacant in an electoral district more than eighteen months before the next election in that electoral district, Council shall direct the Registrar to hold a by-election for that electoral district which shall be held in a manner consistent with the elections held under this by-law.

55.04 Where the seat of an **elected councillor** becomes vacant in an electoral district because, after two calls for nomination, there were no eligible candidates for election in that electoral district, Council shall appoint a **registrant** who at the time of the appointment is a chiropodist registrant, in the case of a vacancy in respect of the seat of a chiropodist councillor or a podiatrist registrant, in the case of a vacancy in respect of the seat of a podiatrist councillor.

55.05 The term of an **elected councillor** elected or appointed under Article 55.02 or Article 55.03 shall continue until their successor takes office in accordance with the bylaw or until a vacancy occurs in that office, whichever shall first occur.

55.06 If the seat of a **selected councillor** becomes vacant, that vacancy shall be filled in accordance with the process set out in **Schedule 2**.

55.07 Failure to fill a vacancy as required by this Article shall not affect the rights of the remaining **councillors** or **committee members** to fulfill their duties and responsibilities.

56. RESIGNATION

56.01 A **councillor** may resign either as a member of Council or as a **committee member** or both.

56.02 A **non-council committee member** may resign either as a **non-council committee member** or as a **committee member** or both.



56.03 A resignation may not be withdrawn, does not need acceptance and where no date is specified in the resignation, is effective on the date it is received by the President, Vice-President or Registrar.

56.04 A written resignation which contains a date upon which the resignation is intended to be effective, is effective on the date specified in the resignation or on the date it is received by the President, Vice-President or Registrar, whichever is later.

57. INTERPRETATION

57.01 In all by-laws of the **College**, the singular shall include the plural and the plural shall include the singular.

57.02 Wherever reference is made in the by-laws to a statute or section, such reference shall be deemed to extend and apply to any amendment or re-enactment of such statute or section, as the case may be.

57.03 A **Schedule** in this or any other by-law of the **College** shall form part of the by-law.

57.04 All provisions of this or any other by-law of the **College** shall be interpreted in a manner consistent with the **RHPA** and the **Act** and where any such inconsistency is found to exist, the inconsistent provision is to be severed therefrom so long as this severance is practical.

57.05 Where notice is required under this or any other by-law of the **College** and except where specifically provided otherwise, the following shall apply in determining whether sufficient notice was given:

- i) the number of days shall be calculated excluding the day on which the notice was sent or forwarded and excluding the day of the event for which the notice was given;
- ii) the number of days shall be calculated including all days whether or not they are business days, weekend days, or holidays;



- iii) where notice is provided by ordinary prepaid first class mail to the person's last known address, the notice shall be considered to have been received on the fifth day following mailing;
- iv) where notice is provided by facsimile, e-mail or other electronic means, the notice shall be considered to have been received on the date and time it was sent; and
- v) where notice is provided by courier to the person's last known address, the notice shall be considered to have been received on the date the courier delivered the notice, whether or not it was personally received on that date.



Schedule 1 to By-Law No. 1

Process for Election of Council Officers

1. (a) Following the **election of councillors**, the Registrar shall prepare a list of the names of the persons who the Registrar expects to constitute the new Council. The list shall be sent to all of the persons who the Registrar believes will constitute that Council with a request that any person who may wish to stand for election to the position of President or Vice-President or to be elected as (one of) the other members of the Executive Committee so indicate by notice in writing to the Registrar to be received at the **College** no later than ten days prior to the **First Council Meeting**. The Registrar shall circulate, along with the agenda for the **First Council Meeting**, a list of the names of all persons who have provided the aforesaid notice along with an indication of which position(s) each of those persons has indicated an interest in.
 - (b) A failure to file a notice of intent shall not restrict a person from nominating themselves for office/election at the time of the election.
2. At the **First Council Meeting**, the Registrar shall call the meeting to order and act as interim presiding officer.
3. The Registrar will present the report on elections for the approval of Council and will then call the roll.
4. The Registrar will call for nominations and applications for the position of President. Should only one **councillor** be a candidate for the Presidency, the interim presiding officer will thereupon declare said candidate elected. The newly elected President will immediately assume the chair.
5. Should there be more than one candidate for the position of President, an election by secret ballot shall be conducted. For the purpose of that selection, the interim presiding officer will, with the concurrence of Council appoint two returning officers to count the ballots and to report the results to Council.
6. When more than two **councillors** are nominated, the nominee who received the lowest number of votes on each ballot shall be deleted from the next ensuing ballot unless one



nominee receives a majority of the votes cast on the ballot. This procedure shall be followed until one nominee receives a majority of the votes cast. When one candidate receives a majority of the votes cast, he or she shall be declared elected as President and the newly elected President shall immediately assume the chair.

7. The election of the Vice-President will be conducted on a basis identical to that of the procedure applicable to the election of the President.
8. The President and Vice-President shall be members of the Executive Committee. The remaining member(s) of the Executive Committee shall be elected by Council in a manner identical to that procedure applicable to the election of the President bearing in mind the requirements for the composition of the Executive Committee under the by-laws.



Schedule 2 to By-Law No. 1

Process for the Appointment of a Selected Councillor

1. When it is reasonably anticipated that the appointment of a **selected councillor** will be required in the next one hundred and eighty days, whether to fill a vacancy or for any other reason, the Executive Committee shall
 - i) determine the names of all **registrants** who are members of the faculty of the Michener Institute for Applied Sciences;
 - ii) consult with the President of the Michener Institute for Applied Sciences and obtain their recommendations respecting the filling of the position on Council; and
 - iii) prepare for Council's consideration the name of the **registrant** who the Executive Committee would recommend that Council select to fill the position on Council.
2. The Executive Committee shall take reasonable steps to ensure that each prospective appointee is eligible for selection and does not hold a position which would cause the individual, if appointed as a **selected councillor**, to have a conflict of interest by virtue of having competing fiduciary obligations to both the **College** and another organization.
3. A person shall be deemed to have a position which would result in a competing fiduciary obligation under paragraph 2 if the person holds or has held, in the preceding one year prior to the person's date of appointment by **Council**, any of the following positions in an international, national or provincial association or organization whose members are predominately chiropodists, podiatrists or other foot care providers and whose mandate in any way relates to the provision of foot care by its members:
 - i) director, officer or member of the governing body of the organization;
 - ii) Executive Director, Chief Administrative Officer or another person with similar duties in the organization; or



- iii) a position which the Elections Committee of the College determines is one which would create a conflict of interest by virtue of having competing fiduciary obligations to both the College and another organization.
4. A person shall be deemed not to have a position which would result in a competing fiduciary obligation under paragraph 2 solely as a result of the person being or continuing to be a member of the faculty of the Michener Institute for Applied Sciences.
5. Disputes as to whether a **registrant** is eligible for selection shall be determined by the Elections Committee.
6. The **registrant** selected by Council shall not become a **selected councillor** until that **registrant** agrees to serve as a **selected councillor**.
7. Council shall rank its selections in order of its preference with the understanding that should the most preferred **registrant** refuse to serve as a **selected councillor** the next preferred **registrant** would be offered the position until a preferred **registrant** agrees to serve as the **selected councillor** or the list of preferred **registrants** has been exhausted.
8. In the event the process does not result in the filling of all the **selected councillor** position, the process shall be repeated.



Schedule 3 to By-Law No. 1

Process for the Appointment of Non-Council Committee Members

1. When it is reasonably anticipated that the appointment of one or more **non-council committee members** will be required whether to fill a vacancy or for any other reason, the Registrar shall distribute to all **registrants** information respecting the opportunity to serve Council as a **non-council committee member** in order to obtain applications from those **registrants** who are interested in being appointed.
2. The Registrar shall establish a deadline for receipt of applications.
3. After the deadline for receipt of applications, the Registrar shall compile a list of all **registrants** who completed the application and provide that list to the Executive Committee along with a copy of each **registrant's** application and supporting documentation.
4. The Executive Committee shall prepare for Council's consideration the name of the **registrant** or **registrants** who the Executive Committee would recommend that Council appoint as **non-council committee members**.
5. In making its recommendation to Council, the Executive Committee shall consider the following principles:
 - i) the importance of having **non-council committee members** who have diverse experience and who practise in different parts of the Province; and
 - ii) the importance of encouraging **registrants** who have not previously participated in **College** matters to serve as **non-council committee members**.
6. The Executive Committee shall take reasonable steps to ensure that each prospective appointee is eligible for appointment and does not hold a position which would cause the individual, if appointed as a **non-council committee member**, to have a conflict of interest by virtue of having competing fiduciary obligations to both the **College** and another organization.



7. A person shall be deemed to have a position which would result in a competing fiduciary obligation under paragraph 6 if the person holds or has held, in the preceding one year prior to the deadline for receipt of applications, any of the following positions in an international, national or provincial association or organization whose members are predominately chiropodists, podiatrists or other foot care providers and whose mandate in any way relates to the provision of foot care by its members:
 - i) director, officer or member of the governing body of the organization;
 - ii) Executive Director, Chief Administrative Officer or another person with similar duties in the organization; or
 - iii) a position which the Elections Committee of the **College** determines is one which would create a conflict of interest by virtue of having competing fiduciary obligations to both the **College** and another organization.

8. Disputes as to whether a **registrant** is eligible for appointment shall be determined by the Elections Committee.



COLLEGE OF CHIROPODISTS OF ONTARIO
Regulating Chiropodists and Podiatrists in Ontario

ITEM 3.5

COUNCIL BRIEFING NOTE
RE: RECOMMENDED AMENDMENTS TO BY-LAW 2: FEES
Allowing the College to Charge for CE Courses and Removing Cheques as a Payment Method

Background:

The College is developing continuing education modules for registrants, which they can get credit for as part of the annual [continuing education program](#). Topics include governability, record keeping, and other practice-management themes.

Section 94(1)(s) of the *Health Professions Procedural Code* gives the College the authority to pass a by-law to charge registrants fees for the following:

(s) requiring members to pay annual fees, fees upon application for a certificate and upon registration and fees for examinations, appeals from examinations, election recounts and **continuing education programs** and for anything the Registrar or a committee of the College is required or authorized to do and requiring members to pay penalties for the late payment of any fee; [emphasis added]

The intent of charging fees is to recoup the College's cost to develop the modules and make them available to registrants, which is consistent with the practice of other regulatory bodies. The proposed amendments to By-law 2 allow the Executive Committee to set fees for the modules. This will eliminate the need to revise By-law 2 if the fee for a module changes, and it gives the Committee the flexibility to set different fees for each module, based on the substance of the material and the work that went into producing it.

In making changes to the by-law, the College is also proposing an amendment to remove cheques as a method of payment for fees under By-law 2. Allowing payment of fees by cheque is administratively burdensome for the College's small staff, and it often results in payments not being received/processed by the deadline. To modernize the payment methods available, the proposed by-law amendment will allow payment by credit card or e-transfer only. Again, this is consistent with other regulatory bodies.

Finally, a few housekeeping changes were made, such as changing "member" to "registrant" and adding headings to a few sections.

The proposed amendments are outlined in **Appendix A: Redlined version of By-law 2 (Fees)**.

Public Interest Rationale for Decision:

It is in the public interest that the College provide registrants with resources to continue to improve their practice and to ensure that they meet the College's practice standards. It is also in the public interest that the College use its resources efficiently and that it continue to modernize and align itself with other regulators.

Recommended Motion:

That Council approve, in principle, the amendments to By-law 2 as set out in Appendix A, and that Council direct that the proposed amendments be circulated to registrants and other stakeholders for comment for 60 days before the matter is returned to Council.

Mover: _____

Seconder: _____



BY-LAW NO. 2: FEES

1.01 In this by-law,

“**certificate of registration**” means a certificate of registration in any class unless otherwise indicated;

“**fee**” includes a required fee(s) or charge, any outstanding monies owed to the College by a registrant in respect of a decision made by a committee of the College, an administrative fee(s) or an administration charge(s);

“**Annual Fee**” is defined to include all fees and/or outstanding monies required to be paid by a registrant to the College under Article 4.01, Article 4.02, Article 4.03, Article 4.03.1, and Article 4.03.2;

“**Inhalation Certificate**” is the authorization issued by the College to a registrant to permit the registrant to administer a substance to a patient by inhalation, as permitted by the *Chiroprody Act, 1991* and its regulations;

“**registrant**” includes a suspended registrant.

2.01 Fees described in this by-law are exclusive of any applicable taxes and are not refundable either in whole or in part.

APPLICATION & REGISTRATION FEES

3.01 A person who submits an application for a certificate of registration shall pay an application fee, which fee shall be submitted along with the application of:

- (a) \$200.00 where the application is based upon the applicant having completed an educational program which was approved by Council at the time the application is submitted; and
- (b) \$750.00 where the application is based upon the applicant having completed an education program which has not been approved by Council and therefore



must, in accordance with Council policy, be assessed before Council considers approving the program.

- 3.02** A person who is entitled to the issuance of a certificate of registration shall pay a registration fee of \$100.00 and an initial annual fee calculated in accordance with Article 3.03, which fees are required to be paid to the College prior to the issuance of the certificate of registration.
- 3.03** Subject to Article 4.03.1, the initial annual fee for the year in which a registrant is first issued a certificate of registration is:
- (a) \$1,800.00 if the certificate of registration is issued on or after February 14th but before July 1st; and
 - (b) \$900.00 if the certificate of registration is issued on or after July 1st provided the applicant had not previously been a registrant of the College.

ANNUAL FEE

- 3.04** The Annual Fee for a registrant who previously held a certificate of registration issued by the College is that fee set out in Article 4.03.
- 4.01** Every registrant shall pay an Annual Fee in accordance with this by-law.
- 4.02** Subject to article 4.03.1, the Annual Fee shall be paid by a registrant on or before February 14th for the year commencing on January 1st of that calendar year and ending on December 31st of that calendar year.
- 4.03** Subject to article 4.03.1, the Annual Fee is \$1,800.00 if paid on or before February 14th in the calendar year in which the fee is due and \$2,000.00 if paid thereafter.
- 4.03.1** Commencing with the Annual Fee for the 2023 calendar year, the Annual Fee otherwise payable shall automatically be increased by the annual increase in the Consumer Price Index (“CPI”), as published by Statistics Canada or any successor organization, for the year ending in July of the previous calendar year, rounded up to the nearest ten dollars. By way of example and for greater clarity the CPI increase for the 2023 Annual Fee will be the CPI increase from July 2021 to July 2022.



- 4.03.2** In addition to the amount required by Articles 4.03 and 4.03.1, any outstanding monies owed to the College in respect of a decision made by a committee of the College, and any other fees outstanding under the College's by-laws, will be added to and included in the Annual Fee to be paid by the registrant.
- 4.04** The Registrar shall notify each registrant of the amount of the Annual Fee owing by that registrant and the day by which the Annual Fee is required to be paid.

FEES RELATED TO INHALATION CERTIFICATE

- 4.1.01** A registrant who submits an application for an Inhalation Certificate shall pay a fee of \$100 which fee shall be submitted along with the application.
- 4.1.02** A registrant who is entitled to the issuance of an Inhalation Certificate shall pay a fee of \$100 which fee is due prior to the issuance of the Inhalation Certificate.
- 4.1.03** A registrant seeking to renew their Inhalation Certificate shall pay an annual fee of \$350 which fee is required to be paid on or before February 14th.

FEES RELATED TO EXAMINATIONS

- 5.01** A person who applies to attempt the College's jurisprudence exam without applying to attempt the other examinations required for a certificate of registration shall pay a fee of \$750.00.
- 5.02** A person who applies to attempt an examination which is a requirement for a certificate of registration but is not the jurisprudence examination referred to in Article 5.01 or the supplemental examination referred to in Article 5.03, shall pay a fee of \$3,600.00.
- 5.03** Where a person fails the examination referred to in Article 5.02 and the person applies for and is eligible to take a supplemental examination, the person shall pay a fee of:
- (a) \$750.00 for the written examination, if the requirement to take a supplemental examination was due solely to the applicant being unsuccessful on the jurisprudence portion of the written examination;



- (b) \$750.00 for the written examination, if the requirement to take a supplemental examination was due solely to the applicant being unsuccessful on the core competencies portion of the written examination;
- (c) \$1,500.00 for the written examination, if the requirement to take a supplemental examination was due to the applicant being unsuccessful on both the jurisprudence and core competencies portions of the written examination; and
- (d) \$2,100.00 if the requirement to take a supplemental examination was due to the applicant being unsuccessful on the clinical (OSCE) examination.

5.04 A person who applies to have the results of an examination referred to in Article 5.02 or 5.03 rescored shall pay a fee of \$75.00.

5.05 A separate fee is applicable for each application referred to in Articles 5.01, 5.02, 5.03 and 5.04 and shall be paid at the time the application is submitted.

FEES RELATED TO CONTINUING EDUCATION & COURSES

5.06 Where a registrant who is required to submit their Continuing Education Log and supporting documentation fails to do so on or before February 14th, the registrant shall pay a fee of \$250.00.

5.07 The Executive Committee shall determine what course fee, if any, to charge for a continuing education course offered by the College.

5.08 The Executive Committee may set a different course fee for registrants and non-registrants of the College.

5.09 An applicant for a course presented or offered by the College shall pay the applicable course fee upon application.

PRACTICE ASSESSMENTS AND EVALUATION

5.1.01 Where a registrant is required by a panel of the Quality Assurance Committee to undergo a practice assessment, other than one which was required as a result of the



registrant's random selection, or for a practice reassessment, the registrant shall pay a fee of \$475.00.

- 5.1.02** The fee referred to in Article 5.1.01 shall be payable for each assessment or reassessment and shall be paid by the registrant immediately upon receipt of notice from the College that an assessment or reassessment has been required by the panel of the Quality Assurance Committee.
- 5.1.03** Where a registrant is required by a panel of the Quality Assurance Committee to undergo an evaluation or re-evaluation, the registrant shall pay a fee of \$750.00.
- 5.1.04** The fee referred to in Article 5.1.03 shall be payable for each evaluation or re-evaluation and shall be paid immediately by the registrant upon receipt of notice from the College that the evaluation or re-evaluation has been required by the panel of the Quality Assurance Committee.

FEE FOR ASSESSMENT

- 5.2.01** Where a person or applicant wishes Council to assess whether they meet the Standard of Practice to permit that person to inject a substance into the foot or prescribe a drug, the registrant or applicant shall pay a fee of:
- (a) \$1,250.00 if the assessment relates to whether they meet the standard of practice to both inject a substance into the foot and to prescribe a drug;
 - (b) \$625.00 if the assessment relates to whether they meet the standards of practice to either inject a substance into the foot or to prescribe a drug, but not both.

FEES RELATED TO REINSTATEMENT

- 6.01** A person who applies pursuant to section 72 of the Health Professions Procedural Code of the *Regulated Health Professions Act, 1991* for the reinstatement of their certificate of registration shall pay an application fee of \$6,000 which fee shall be paid at the time the person makes such application.



- 6.02** Where a certificate of registration was administratively suspended for failure to pay a fee either prescribed by the Regulations or required by the by-laws and the registrant is otherwise entitled to have the suspension lifted, the registrant shall pay:
- (a) a reinstatement fee of \$150.00;
 - (b) the fee(s) the registrant failed to pay which gave rise to the suspension;
 - (c) the Annual Fee payable for the year in which the suspension is to be lifted; and
 - (d) any other monies owed to the College.
- 6.03** A former registrant who is otherwise entitled to reinstatement of their certificate of registration shall pay:
- (a) a reinstatement fee of \$100.00;
 - (b) if not previously paid, the Annual Fee payable for any and all years in which the former registrant practised in Ontario;
 - (c) if not previously paid, the Annual Fee payable for the year in which the former registrant is to be reinstated; and
 - (d) any other monies owed to the College.

REPLACEMENT CERTIFICATES

- 7.01** Where a certificate of registration was damaged, a registrant may request from the Registrar and the Registrar may provide a replacement certificate of registration upon return to the Registrar of the damaged certificate of registration and payment of a fee of \$50.00.
- 7.02** The Registrar may issue a replacement certificate of registration to a registrant who satisfies the Registrar that their certificate was lost or destroyed upon payment of a fee of \$50.00.

GENERAL – RULES RESPECTING PAYMENT



- 8.01** The College may accept payments made by credit card accepted by the College, electronic funds transfer (e-transfer), or other electronic means approved by the Registrar.
- 8.02** A fee or money shall be considered paid:
- (a) if payment is made by VISA, MasterCard or other credit card accepted by the College, on the date upon which appropriate authorization is received by the College; and
 - (b) if payment is made by electronic funds transfer, or other electronic means approved by the Registrar, the date upon which the funds are received by the College.
- 8.03** Payment by any other means other than those specified in Article 8.01 is not to be considered payment under this by-law.

OTHER FEES

- 9.01** A fee of \$50.00 shall be paid by a registrant where the registrant purports to make payment by VISA, MasterCard or other credit card accepted by the College and payment is refused by the credit card provider.
- (a) .
- 9.02** A fee of \$35.00 shall be paid by a registrant or applicant where the registrant or applicant makes payment by VISA, Mastercard or other credit card accepted by the College. Such fee shall apply to each credit card transaction made by a registrant or applicant.

Approved and amended by Council as of **September 27, 2024**



COLLEGE OF CHIROPODISTS OF ONTARIO
Regulating Chiropodists and Podiatrists in Ontario

IN CAMERA: ITEM 7.3

**COUNCIL BRIEFING NOTE
RE: PROPOSED AMENDMENTS TO THE REGISTRATION REGULATION**

Background

On May 1, 2023, the College submitted a Proposed Registration Regulation to the Ministry of Health which sought to:

1. modernize the registration of chiropodists in the province, remove barriers and enhance public protection; and,
2. create an Emergency Class of registrants as requested by the Ministry of Health.

Prior to its submission to the Ministry, the College had circulated the Proposed Registration Regulation to the membership between February 10, 2023 and April 11, 2023, and posted the Proposed Registration Regulation on the Ontario Regulatory Registry between February 15, 2023 and April 3, 2023.

At that time, the Ministry of Health advised that it was only willing to entertain amendments related to the creation of an Emergency Class. After discussion with the Ministry, an amended Registration Regulation, which created the Emergency Class, came into effect on August 21, 2023. Ministry staff has now reached out to the Registrar seeking an updated redlined document and to work with the College on its remaining proposed changes.

Legal Counsel conducted a further review of the Proposed Registration Regulation, suggested some additional enhancements, and incorporated a provision to register out-of-province podiatrists. The Revised Proposed Registration Regulation is attached as **Appendix B**.

Summary of Draft Proposed Registration Regulation and Advice

In reviewing the draft Revised Proposed Registration Regulation, it is important to understand the following:

In addition to the changes Council has already approved, the Revised Proposed Registration Regulation includes further enhancements (see **Appendix B**):

- Section 3(1): These proposed amendments are directed at clarifying the language; expanding what applicants will be required to disclose at the time of their application.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

- Section 3(4): These proposed amendments are directed to mirroring the language considered recently by the Divisional Court in *Amendola v. Law Society of Ontario*, 2023 ONSC 4123. While this language is untested in respect of a RHPA Colleges, it was recently sanctioned by the Divisional Court in conjunction with a licensee of the Law Society of Ontario who had made a misrepresentation in their LSO application. Relying on a similarly worded provision, the LSO referred the already licensed paralegal for good character hearing and then refused the license. The Court confirmed the LSO's jurisdiction to proceed in this fashion and that the process employed was fair.
- Section 4(1): These proposed amendments are intended to enhance the reporting requirements which are imposed as terms, conditions and limitations on a registrant's certificate.
- Section 5(1): No further changes are being made to this section from the earlier version.
- Section 7(2): As part of the College's continuing effort and commitment to promote the Full Scope Podiatry Model in Ontario for the protection of the public, this proposed amendment is intended to create a route for podiatrists from other provinces to obtain a license in the *podiatry class* in Ontario through labour mobility.

Appendix A: Clean Copy of the Revised Proposed Registration Regulation.

Appendix B: A Partial Redline Copy of the Revised Proposed Registration Regulation (Note: This document shows as redlined ***only*** the changes that were not previously reviewed by Council, and not previously circulated to registrants.

Appendix C: A Complete Redline Copy of the Revised Proposed Registration Regulation

September 27, 2024 Council Meeting Motion:

At the last Council Meeting Council voted to adopt the proposed Registration Regulation amendments in principle and the proposed amendments were circulated for 60 days for stakeholder input. As of December 2, 2024 the 60 day period will end. Attached at Appendix D is the anonymized comments we have collected from all stakeholders. Any comments received up to and including December 2, 2024 will be provided to Council for consideration.

Appendix D: Compilation of all comments received from stakeholders.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

Public Interest Rationale for Decision:

The College’s Registration Regulation governs the College’s authority to ensure that adequate measures are in place to grant qualified applicants a certificate of registration. Registering qualified chiropodists and podiatrists ensures that there are sufficient footcare specialists in the province to treat the ever-increasing rates of diabetes among an aging population. Proper footcare, including wound care, can greatly reduce the need for costly lower limb amputations. The ability to register properly trained and qualified chiropodists and podiatrists is central to permit the College to uphold its obligation to protect the public. As a result, amending the College’s Registration Regulation to modernize it and ensure it aligns with other laws, is a best practice.

Proposed Motion:

That the College Council recommend the proposed Registration Regulation amendments as circulated for consideration by the Ministry of Health.

Mover: _____

Secunder: _____

Appendix A

Chiropody Act, 1991 Loi de 1991 sur les podologues

ONTARIO REGULATION *** REGISTRATION

1. The following are prescribed as classes of certificates of registration:
 1. General.
 2. Emergency.
2. (1) A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar together with:
 - (a) any supporting documentation requested by the Registrar; and
 - (b) all applicable fees required under the by-laws.
3. (1) The following are requirements for the issuance of any certificate of registration:
 1. The applicant must provide details of any of the following that relate to the applicant at the time that the applicant submits the application or that relate to the applicant after the application is submitted and before a certificate of registration is issued:
 - i. Any finding of guilt for any criminal offence, any offence involving the use, possession or sale of drugs, any offence under the *Controlled Drugs and Substances Act* (Canada) or any other offence relevant to suitability to practise chiropody or another profession in any jurisdiction.
 - ii. Any charge relating to any criminal offence, any offence involving the use, possession or sale of drugs, any offence under the *Controlled Drugs and Substances Act* (Canada) or any other offence relevant to suitability to practise chiropody or another profession in any jurisdiction.
 - iii. A finding of professional misconduct, incompetency, incapacity, professional negligence, malpractice or any similar finding against the applicant in relation to the practice of chiropody or another profession in any jurisdiction.
 - iv. A current investigation, inquiry or proceeding for professional misconduct, incompetency or incapacity or any similar investigation or proceeding in relation to the practice of chiropody or another profession or occupation in any jurisdiction.
 - v. Any interim or final order or agreement as a result of a complaint, investigation or proceeding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction
 - vi. A refusal to register the applicant to practise chiropody or another profession in any jurisdiction.
 2. The applicant must provide the College with a police record check, including a Vulnerable Sector Check, which is dated not more than two months before the date on which the application was submitted.
 3. Where the applicant was previously or is currently registered or licensed to practise chiropody or podiatry in another jurisdiction, or any other profession in any jurisdiction, the applicant must provide a certificate of standing from the body responsible for the regulation or licensing of the profession in that jurisdiction which is dated not more than two months before the date on which the application was filed.
 4. The applicant's past and present conduct, in the opinion of the Registrar or a panel of the Registration Committee, must afford reasonable grounds for the belief that the applicant,

Appendix A

- i. does not suffer from any physical or mental condition or disorder that could affect his or her ability to practise chiropody or podiatry in a safe manner,
 - ii. will practise chiropody or podiatry with decency, integrity and honesty and in accordance with the law,
 - iii. has sufficient knowledge, skill and judgment to competently engage in the practice of chiropody or podiatry authorized by the certificate of registration, and
 - iv. will display an appropriate professional attitude.
5. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration and Refugee Protection Act* (Canada) to practise the profession in Ontario.
 6. The applicant must possess sufficient language proficiency, in either English or French, to be able to communicate and comprehend effectively, both orally and in writing.
 7. The applicant must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required under the by-laws as of the anticipated date for the issuance of his or her certificate of registration.
 8. The applicant must have paid any fees required under the by-laws for the issuance of the certificate of registration.
- (2) The requirements under subsection (1) are non-exemptible.
 - (3) An applicant must meet all of the requirements for registration within one year following the filing of the application, but this does not prevent the applicant from filing a new application.
 - (4) Despite any other provision in this regulation, an applicant who makes any false or misleading representation or declaration on or in connection with their application, by commission or omission, is deemed thereafter not to meet and not to have met the registration requirements for a certificate of registration of any class.
- 4 (1)** Every certificate of registration is subject to the following terms, conditions and limitations:
1. The member shall provide to the Registrar the details of any of the following that relate to the member and that occur or arise after the registration of the member:
 - i. A finding of guilt arising in any jurisdiction relating to any offence, including,
 - a. any criminal offence,
 - b. any offence relating to the practice of chiropody or any other profession or occupation, or
 - c. any offence involving the use, possession or sale of drugs.
 - ii. A charge arising in any jurisdiction relating to any offence, including,
 - a. any criminal offence,
 - b. any offence relating to the practice of chiropody or any other profession or occupation, or
 - c. any offence involving the use, possession or sale of drugs.
 - iii. A finding of professional misconduct, incompetence or incapacity or any like finding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction.
 - iv. A current investigation, inquiry or proceeding for professional misconduct, incompetence or incapacity or any like investigation or proceeding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction.
 - v. Any interim or final order or agreement as a result of a complaint, investigation or proceeding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction
 2. The member shall not engage in the practice of chiropody unless the member is a Canadian citizen or permanent resident of Canada or has authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of chiropody in Ontario.
 3. The member shall immediately advise the Registrar in writing in the event the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of chiropody in Ontario.
 4. If paragraph 3 applies to the member, and the member subsequently obtains Canadian citizenship or becomes a permanent resident of Canada or attains authorization under the *Immigration and Refugee Protection Act*

Appendix A

(Canada) permitting the member to engage in the practice of chiropractic in Ontario, the member shall immediately advise the Registrar in writing of that fact.

5. The member shall maintain professional liability insurance in the amount and in the form as required under the by-laws.
6. If the member fails to meet the requirement in paragraph 5, the member shall immediately advise the Registrar in writing of that fact and immediately cease to engage in the practice of chiropractic until such time as the member obtains professional liability insurance as required in paragraph 5.
7. If paragraph 6 applies to the member, and the member subsequently obtains professional liability insurance, the member shall notify the Registrar in writing of that fact and, if requested by the Registrar, shall provide details of that coverage.

GENERAL CERTIFICATES OF REGISTRATION

5. (1) The following are additional requirements for the issuance of a general certificate of registration:

1. The applicant must,
 - i. have a diploma or a degree evidencing the successful completion of a full-time program designed to educate and train persons to be practising chiropractors or podiatrists which was,
 - A. awarded or granted by the Michener Institute, or
 - B. awarded or granted by an educational institution as a result of successful completion of a program that was approved by the Registration Committee as one whose graduates should possess sufficient knowledge, skill and judgment to be able to practise chiropractic in Ontario in accordance with the standards of practice of the profession, or
 - ii. have successfully completed a full-time program in either chiropractic or podiatry, other than a program mentioned in subparagraph i, of at least three years duration designed to educate and train persons to be practising chiropractors and must have,
 - A. undergone an assessment or evaluation by the College or body approved by the College, and
 - B. satisfied a panel of the Registration Committee that the applicant has successfully completed any further education, training or combination of education and training that was identified as a result of the assessment or evaluation under sub-subparagraph A and that was approved by the panel as being necessary to evidence that the applicant possesses knowledge, skill and judgment at least equivalent to those of current graduates of a program mentioned in subparagraph i.
2. The applicant must have successfully completed every component of a competency examination set or approved by the Council, during a time when the examination was so set or approved.
3. The applicant must have successfully completed a jurisprudence examination set or approved by the Council, during a time when the examination was so set or approved.

(2) The requirements set out in subsection (1) are non-exemptible.

(3) The requirement in paragraphs 2 and 3 of subsection (1) must be met within three years before the date on which the applicant was entitled to the issuance of the certificate of registration.

(4) The requirements in paragraphs 1 and 3 of subsection (1) do not apply to an applicant if he or she held an emergency certificate of registration issued by the College within one year before submitting his or her application for that general certificate of registration.

6. (1) Every general certificate of registration is subject to the following additional terms, conditions and limitations:

1. The member shall practise the profession a minimum of three months during every two-year period, with the first two-year period beginning on the day that the member is issued a general certificate of registration, and each subsequent two-year period beginning on the first anniversary of the commencement of the previous period.
2. If the member fails to meet the requirement in paragraph 1, the member shall immediately advise the Registrar in writing of that fact and immediately cease to engage in the practice of chiropractic until such time as the member meets the conditions set out in subsection (3).

Appendix A

(2) If a member fails to meet the condition described in paragraph 1 of subsection (1), the Registrar shall refer the member to the Quality Assurance Committee for a peer and practice assessment.

(3) Where the Registrar refers a member to the Quality Assurance Committee under subsection (2), that member may not resume practising the profession until the member,

- (a) undergoes a peer and practice assessment;
- (b) successfully completes any continuing education or remediation programs that may be specified by the Quality Assurance Committee pursuant to section 80.2 of the Health Professions Procedural Code; and
- (c) pays the fees required under the by-laws that are applicable to the peer and practice assessment.

APPLICANTS WITH OUT-OF-PROVINCE CERTIFICATES

7. (1) Subject to subsection (3), if an applicant already holds an out-of-province certificate that is equivalent to a general certificate of registration issued by the College, the applicant is deemed to have met the requirements set out in paragraphs 1 and 2 of subsection 5 (1).

(2) Notwithstanding section 3(2) of the *Chiropractic Act*, 1991 S.O. 1991, c.20, and subject to subsection (3), if an applicant already holds an out-of-province certificate that is equivalent to a certificate of registration authorizing the scope of practice and controlled acts prescribed in s.5(2) of the *Chiropractic Act*, the applicant is deemed to have met the requirements set out in paragraphs 1 and 2 of subsection 5(1) and may be added to the podiatrist class, if all other registration requirements are met.

(3) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) and (2) provide one or more certificates or letters or other evidence satisfactory to the Registrar or panel of the Registration Committee confirming that the applicant is in good standing as a chiropractor or podiatrist in every jurisdiction where the applicant holds an out-of-province certificate.

(4) Without in any way limiting the generality of subsection (3), being in good standing with respect to a jurisdiction shall include the fact that,

- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim or final order or agreement as a result of a complaint, investigation or proceeding; and
- (b) the applicant is in compliance with all continuing competency and quality assurance requirements of the regulatory authority of the jurisdiction.

(5) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 6 of subsection 3 (1) if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(6) Despite subsection (1) and (2), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

EMERGENCY CERTIFICATES OF REGISTRATION

8. (1) The following are additional requirements for an Emergency certificate of registration:

1. The Minister has requested the College to initiate registrations under this class based on the Minister's opinion that emergency circumstances call for it, or Council has determined, after taking into account all of the relevant circumstances that impact the ability of applicants to meet the ordinary registration requirements, that there are emergency circumstances, and that it is in the public interest that the College issue emergency certificates.
2. The applicant meets the requirement of paragraph 1 of subsection 5 (1).
3. The applicant meets the requirement of paragraph 3 of subsection 5 (1). O. Reg. 276/23, s. 3.

(2) Subject to subsection (3), the requirements of subsection (1) are non-exemptible. O. Reg. 276/23, s. 3.

(3) Where the applicant is registered or licensed as a podiatrist in a jurisdiction approved by the Council, the applicant is deemed to have met the requirement of paragraph 2 of subsection (1). O. Reg. 276/23, s. 3.

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9. (1) Every Emergency certificate of registration is subject to the following terms, conditions and limitations:
1. The member may engage in the practice of chiropody only under the supervision of a member who holds a General certificate of registration and who has been approved by the Registrar to supervise a member of the Emergency class.
 2. The member may engage in the practice of chiropody only while holding themselves out as a member of the Emergency class (chiropodist) who is practising under supervision.
 3. The Emergency certificate of registration is automatically revoked 60 days after the Council determines that the emergency circumstances referred to in paragraph 1 of subsection 6.1 (1) have ended.
 4. The Emergency certificate of registration expires one year from the date on which the certificate was issued, unless extended by the Registrar, if the Council has not determined that the emergency circumstances have ended.
 5. The Emergency certificate of registration shall be revoked prior to its expiry if, in the opinion of the Registrar or the Registration Committee, it is in the public interest to do so. O. Reg. 276/23, s. 4.
- (2) The Registrar may extend an Emergency certificate of registration for one or more periods, each of which is not to exceed one year, if the Council has not determined the emergency circumstances have ended. O. Reg. 276/23, s. 4.

EXAMINATIONS

10. (1) The College shall ensure that the competency and jurisprudence examinations that are a requirement for a general certificate of registration pursuant to paragraphs 2 and 3 of subsection 5 (1) are held at least once per year.
- (2) A person who meets the following requirements is eligible to attempt the examinations:
1. The person must file with the College a completed application for examination in the form provided by the Registrar no less than 45 days before the day of the first examination, unless the Registrar approves a later filing.
 2. The person must pay the examination fee required under the by-laws no less than 45 days before the day of the examination unless the Registrar approves a later payment.
 3. The person must meet the requirement of paragraph 1 of subsection 5 (1).
 4. The person must not have failed on three previous occasions an examination which would, if successfully completed, have met the examination requirement of paragraphs 2 or 3 of subsection 5 (1).
- (3) Where, by virtue of paragraph 4 of subsection (2), a person is no longer eligible to attempt the examination referred to in paragraph 2 of subsection 5 (1), the person may not attempt the examination again unless and until the person obtains a new diploma or a degree which would meet the requirement of sub-subparagraph 1 i A or B of subsection 5 (1).
- (4) Where, by virtue of paragraph 4 of subsection (2), a person is no longer eligible to attempt the examination referred to in paragraph 3 of subsection 5 (1), the person may not attempt the examination again unless and until the person meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee.
- (5) A member who holds or a former member who held an Emergency certificate of registration within one year of applying for a general certificate of registration and who practiced chiropody or podiatry for at least 180 hours while in the Emergency class is exempt from the examination fee for the competency examination.

SUSPENSIONS, RESIGNATIONS, REINSTATEMENTS, ETC.

11. (1) If the Registrar requests evidence that a member holds professional liability insurance in the amount and in the form as required under the by-laws and the member fails to provide that evidence within 14 days of having been requested to do so or such longer period as is specified by the Registrar, the Registrar shall give the member notice of intention to suspend the member and may suspend the member's certificate of registration for failure to provide the evidence 15 days after notice is given.

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(2) Where the Registrar suspends the member's certificate of registration under subsection (1), the Registrar shall lift that suspension upon being satisfied that the former member holds professional liability insurance in the amount and in the form required under the by-laws and that any fees required under the by-laws for the lifting of that suspension have been paid.

12. (1) If a member fails to provide information about the member as required by the Act, the *Regulated Health Professions Act, 1991*, the regulations under the *Regulated Health Professions Act, 1991* or the by-laws, in the manner and form as may be required, the Registrar shall give the member notice of intention to suspend the member and may suspend the member's certificate of registration for failure to provide the information 30 days after notice is given.

(2) Where the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that the required information has been filed with the College and that any fees required under the by-laws for the lifting of that suspension have been paid.

13. Where the Registrar suspended a certificate of registration under section 24 of the Health Professions Procedural Code for failure to pay a fee that was required under the by-laws, the Registrar shall lift the suspension upon being satisfied that,

- (a) all amounts owing to the College at the time of the suspension have been paid;
- (b) any fees required under the by-laws for the lifting of the suspension have been paid; and
- (c) as of the anticipated date for the lifting of the suspension, the reinstated member will hold professional liability insurance in the amount and in the form as required under the by-laws.

14. (1) A member may resign as a member of the College by giving written notice to the College.

(2) A resignation under this section is effective on the date set out in the resignation or on the date it is received by the College, whichever is later.

15. The Registrar shall revoke the certificate of registration of a member or former member where,

- (a) the member or former member resigns;
- (b) the member or former member's certificate of registration was suspended for failure to pay a fee required under the by-laws and that suspension continued for 120 days; or
- (c) the member or former member's certificate of registration was suspended pursuant to subsection 11 (1) or 12 (1) and the suspension continued for 120 days.

16. (1) A former member who resigned as a member of the College under section 14 while a member holding a general class certificate of registration or a certificate in the podiatrist class or whose certificate was revoked pursuant to section 15 may apply for the reinstatement of their certificate of registration by submitting a completed application to the Registrar in the form provided by the Registrar.

(2) Subject to subsection (4), the Registrar may reinstate the former member's certificate of registration if,

- (a) the former member has paid,
 - (i) the reinstatement fees required under the by-laws, and
 - (ii) any other money otherwise owed by the former member to the College at the date the application for reinstatement is submitted, including, without limitation, any costs or expenses ordered to be paid under section 53.1 of the Health Professions Procedural Code, any costs awarded to the College by a court and any amount owing to the College under a by-law or former regulation made under the Act;
- (b) the application for reinstatement was submitted to the Registrar within three years of the effective date on which the former member resigned as a member of the College or the date on which the former member's certificate of registration was revoked;
- (c) the application meets the requirement set out in paragraph 7 of subsection 3 (1) with necessary modifications; and
- (d) the former member,
 - (i) satisfies the Registrar that the former member provided direct chiropodial care to patients in Canada or another jurisdiction approved by the Council while practising as a chiropodist within

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three years before the date on which the former member met all of the other requirements for the reinstatement of their certificate of registration,

- (ii) undergoes a practice assessment approved by the Registration Committee and meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee, within the time specified by the panel, and pays the fees required under the by-laws that are applicable to the peer and practice assessment, or
- (iii) pays the fees required under the by-laws, undergoes an evaluation of the applicant's knowledge, skill and judgment approved by the Registration Committee and meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee, within the time specified by the panel.

(3) A panel of the Registration Committee shall determine whether a former member to whom clause (2) (d) applies shall undergo a practice assessment or an evaluation.

(4) A former member is ineligible for reinstatement under subsection (2) if the former member,

(a) was, after ceasing to be a member, found guilty of any criminal offence in any jurisdiction or of any offence involving the use, possession or sale of drugs in any jurisdiction;

(b) was, after ceasing to be a member, found guilty of any offence in any jurisdiction relating to the practice of chiropody or any other profession or occupation;

(c) has been the subject of an inquiry or investigation by the Registrar that was not completed on its merits prior to the time that the former member ceased being a member or which resulted in the former member's resignation;

(d) was, at the time of ceasing to be a member, the subject of an outstanding order of a committee or of a panel of a committee of the College;

(e) was, at the time of ceasing to be a member, in breach of an order of a committee or of a panel of a committee of the College;

(f) was, prior to time of ceasing to be a member, selected or directed to undergo an assessment or reassessment under the College's Quality Assurance Program unless the assessment or reassessment was completed and any continuing education or remedial program required by the Quality Assurance Committee was completed before the time of ceasing to be a member;

(g) was, at the time of ceasing to be a member, in breach of any written agreement with or undertaking provided to the College;

(h) was, after ceasing to be a member, refused registration in any jurisdiction either in chiropody or any other health profession; or

(i) was, after ceasing to be a member, the subject of a finding of professional negligence or malpractice in any jurisdiction in relation to chiropody or any other health profession or occupation.

(5) Subsections 3 (3) and (4) apply with necessary modifications to an application for the reinstatement of a certificate of registration under this section.

(6) A former member who, at the time of resigning as a member, was a member of the podiatrist class may be reinstated in the podiatrist class if the former member meets the requirements of subsections 16(1) and (2) and is not ineligible under (4).

TRANSITION

[Note: This section assumes that the current Registration Regulation and the current Examination Regulation will be revoked as set out in section 18.]

17. (1) Every general certificate of registration that was in existence immediately before **[**insert date this Regulation is filed**]** is continued as a general certificate of registration with the same status under this Regulation until such time as it otherwise ceases to be effective.

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(2) Where an application for a certificate of registration had been made but not finally dealt with before **[**insert date this Regulation filed**]** the application shall be dealt with in accordance with this Regulation.

(3) A member who was deemed to be a member of the podiatrist class under subsection 15 (2) of Ontario Regulation 830/93 (Registration) made under the Act and who was a member of the podiatrist class immediately before **[**insert date this Regulation filed**]**, continues to hold a podiatrist class certificate of registration and is deemed to be a member of the podiatrist class of members until such time as he or she otherwise ceases to be a member.

REVOCATION AND COMMENCEMENT

18 The following Regulations are revoked:

1. Ontario Regulation 679/93.
2. Ontario Regulation 830/93.

19. This Regulation comes into force on the day it is filed.

Chiropody Act, 1991
Loi de 1991 sur les podologues

ONTARIO REGULATION ~~830/93~~***
REGISTRATION

1. The following are prescribed as classes of certificates of registration:
 1. General.
 2. Emergency.
2. (1) A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar together with:
 - (a) any supporting documentation requested by the Registrar; and
 - (b) all applicable fees required under the by-laws.
3. (1) The following are requirements for the issuance of any certificate of registration:
 1. The applicant must provide details of any of the following that relate to the applicant at the time that the applicant submits the application or that relate to the applicant after the application is submitted and before a certificate of registration is issued:
 - i. Any finding of guilt for any criminal offence, any offence involving the use, possession or sale of drugs, any offence under the *Controlled Drugs and Substances Act* (Canada) or any other offence relevant to suitability to practise chiropody or another profession in any jurisdiction, regardless of whether the offence took place in any jurisdiction.
 - ii. Any charge relating to any criminal offence, any offence involving the use, possession or sale of drugs, any offence under the *Controlled Drugs and Substances Act* (Canada) or any other offence relevant to suitability to practise chiropody or another profession in any jurisdiction, regardless of whether the alleged offence took place in any jurisdiction.
 - iii. A finding of professional misconduct, incompetency, incapacity, professional negligence, malpractice or any similar finding against the applicant in relation to the practice of chiropody or another profession in any jurisdiction.
 - iv. A current investigation, inquiry or proceeding for professional misconduct, incompetency or incapacity or any similar investigation or proceeding in relation to the practice of chiropody or another profession or occupation in any jurisdiction.
 - v. any interim or final order or agreement as a result of a complaint, investigation or proceeding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction
 - vi. A refusal to register the applicant to practise chiropody or another profession in any jurisdiction.
 2. The applicant must provide the College with a police record check, including a Vulnerable Sector Check, which is dated not more than two months before the date on which the application was submitted.
 3. Where the applicant was previously or is currently registered or licensed to practise chiropody or podiatry in another jurisdiction, or any other profession in any jurisdiction, the applicant must provide a certificate of standing from the body responsible for the regulation or licensing of the profession in that jurisdiction which is dated not more than two months before the date on which the application was filed.

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4. The applicant's past and present conduct, in the opinion of the Registrar or a panel of the Registration Committee, must afford reasonable grounds for the belief that the applicant,
 - i. ~~does not suffer from any physical or mental condition or disorder that could affect his or her ability to practise chiropody or podiatry in a safe manner, is mentally competent and physically able to practice in a safe manner,~~
 - ii. will practise chiropody or podiatry with decency, integrity and honesty and in accordance with the law,
 - iii. has sufficient knowledge, skill and judgment to competently engage in the practice of chiropody or podiatry authorized by the certificate of registration, and
 - iv. will display an appropriate professional attitude.
 5. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration and Refugee Protection Act* (Canada) to practise the profession in Ontario.
 6. The applicant must possess sufficient language proficiency, in either English or French, to be able to communicate and comprehend effectively, both orally and in writing.
 7. The applicant must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required under the by-laws as of the anticipated date for the issuance of his or her certificate of registration.
 8. The applicant must have paid any fees required under the by-laws for the issuance of the certificate of registration.
- (2) The requirements under subsection (1) are non-exemptible.
 - (3) An applicant must meet all of the requirements for registration within one year following the filing of the application, but this does not prevent the applicant from filing a new application.
 - (4) ~~Despite any other provision in this regulation, an applicant who makes any false or misleading representation or declaration on or in connection with their application, by commission or omission, is deemed thereafter not to meet and not to have met the registration requirements for a certificate of registration of any class. An applicant shall be deemed not to have satisfied the requirements for the issuance of a certificate of registration of any class if the applicant makes a false or misleading statement or representation in his or her application or supporting documentation.~~
- 4 (1) Every certificate of registration is subject to the following terms, conditions and limitations:
1. The member shall provide to the Registrar the details of any of the following that relate to the member and that occur or arise after the registration of the member:
 - i. A finding of guilt arising in any jurisdiction relating to any offence, including,
 - a. any criminal offence,
 - b. any offence relating to the practice of chiropody or any other profession or occupation, or
 - c. any offence involving the use, possession or sale of drugs.
 - ii. A charge arising in any jurisdiction relating to any offence, including,
 - a. any criminal offence,
 - b. any offence relating to the practice of chiropody or any other profession or occupation, or
 - c. any offence involving the use, possession or sale of drugs.
 - iii. A finding of professional misconduct, incompetence or incapacity or any like finding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction.
 - iv. A current investigation, inquiry or proceeding for professional misconduct, incompetence or incapacity or any like investigation or proceeding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction.
 - v. any interim or final order or agreement as a result of a complaint, investigation or proceeding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction
 2. The member shall not engage in the practice of chiropody unless the member is a Canadian citizen or permanent resident of Canada or has authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of chiropody in Ontario.

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3. The member shall immediately advise the Registrar in writing in the event the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of chiropractic in Ontario.
4. If paragraph 3 applies to the member, and the member subsequently obtains Canadian citizenship or becomes a permanent resident of Canada or attains authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of chiropractic in Ontario, the member shall immediately advise the Registrar in writing of that fact.
5. The member shall maintain professional liability insurance in the amount and in the form as required under the by-laws.
6. If the member fails to meet the requirement in paragraph 5, the member shall immediately advise the Registrar in writing of that fact and immediately cease to engage in the practice of chiropractic until such time as the member obtains professional liability insurance as required in paragraph 5.
7. If paragraph 6 applies to the member, and the member subsequently obtains professional liability insurance, the member shall notify the Registrar in writing of that fact and, if requested by the Registrar, shall provide details of that coverage.

GENERAL CERTIFICATES OF REGISTRATION

5. (1) The following are additional requirements for the issuance of a general certificate of registration:
 1. The applicant must,
 - i. have a diploma or a degree evidencing the successful completion of a full-time program designed to educate and train persons to be practising chiropractors or podiatrists which was,
 - A. awarded or granted by the Michener Institute, or
 - B. awarded or granted by an educational institution as a result of successful completion of a program that was approved by the Registration Committee as one whose graduates should possess sufficient knowledge, skill and judgment to be able to practise chiropractic in Ontario in accordance with the standards of practice of the profession, or
 - ii. have successfully completed a full-time program in either chiropractic or podiatry, other than a program mentioned in subparagraph i, of at least three years duration designed to educate and train persons to be practising chiropractors and must have,
 - A. undergone an assessment or evaluation by the College or body approved by the College, and
 - B. satisfied a panel of the Registration Committee that the applicant has successfully completed any further education, training or combination of education and training that was identified as a result of the assessment or evaluation under sub-subparagraph A and that was approved by the panel as being necessary to evidence that the applicant possesses knowledge, skill and judgment at least equivalent to those of current graduates of a program mentioned in subparagraph i.
 2. The applicant must have successfully completed every component of a competency examination set or approved by the Council, during a time when the examination was so set or approved.
 3. The applicant must have successfully completed a jurisprudence examination set or approved by the Council, during a time when the examination was so set or approved.
- (2) The requirements set out in subsection (1) are non-exemptible.
- (3) The requirement in paragraphs 2 and 3 of subsection (1) must be met within three years before the date on which the applicant was entitled to the issuance of the certificate of registration.
- (4) The requirements in paragraphs 1 and 3 of subsection (1) do not apply to an applicant if he or she held an emergency certificate of registration issued by the College within one year before submitting his or her application for that general certificate of registration.
6. (1) Every general certificate of registration is subject to the following additional terms, conditions and limitations:
 1. The member shall practise the profession a minimum of three months during every two-year period, with the first two-year period beginning on the day that the member is issued a general certificate of registration, and

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each subsequent two-year period beginning on the first anniversary of the commencement of the previous period.

2. If the member fails to meet the requirement in paragraph 1, the member shall immediately advise the Registrar in writing of that fact and immediately cease to engage in the practice of chiropody until such time as the member meets the conditions set out in subsection (3).

(2) If a member fails to meet the condition described in paragraph 1 of subsection (1), the Registrar shall refer the member to the Quality Assurance Committee for a peer and practice assessment.

(3) Where the Registrar refers a member to the Quality Assurance Committee under subsection (2), that member may not resume practising the profession until the member,

- (a) undergoes a peer and practice assessment;
- (b) successfully completes any continuing education or remediation programs that may be specified by the Quality Assurance Committee pursuant to section 80.2 of the Health Professions Procedural Code; and
- (c) pays the fees required under the by-laws that are applicable to the peer and practice assessment.

APPLICANTS WITH OUT-OF-PROVINCE CERTIFICATES

7. (1) Subject to subsection (32), if an applicant already holds an out-of-province certificate that is equivalent to a general certificate of registration issued by the College, the applicant is deemed to have met the requirements set out in paragraphs 1 ~~and 2~~ ~~and 3~~ of subsection 5 (1).

(2) Notwithstanding section 3(2) of the *Chiropody Act*, 1991 S.O. 1991, c.20, and subject to subsection (3), if an applicant already holds an out-of-province certificate that is equivalent to a certificate of registration authorizing the scope of practice and controlled acts prescribed in s.5(2) of the *Chiropody Act*, the applicant is deemed to have met the requirements set out in paragraphs 1 and 2 of subsection 5(1) and may be added to the podiatrist class, if all other registration requirements are met.

(3) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) ~~and (2)~~ provide one or more certificates or letters or other evidence satisfactory to the Registrar or panel of the Registration Committee confirming that the applicant is in good standing as a chiropodist or podiatrist in every jurisdiction where the applicant holds an out-of-province certificate.

(43) Without in any way limiting the generality of subsection (32), being in good standing with respect to a jurisdiction shall include the fact that,

- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim or final order or agreement as a result of a complaint, investigation or proceeding; and
- (b) the applicant is in compliance with all continuing competency and quality assurance requirements of the regulatory authority of the jurisdiction.

(54) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 6 of subsection 3 (1) if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(65) Despite subsection (1) ~~and (2)~~, an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

EMERGENCY CERTIFICATES OF REGISTRATION

8. (1) The following are additional specific requirements for an Emergency certificate of registration:

1. The Minister has requested the College to initiate registrations under this class based on the Minister's opinion that emergency circumstances call for it, or Council has determined, after taking into account all of the relevant circumstances that impact the ability of applicants to meet the ordinary registration requirements, that there are emergency circumstances, and that it is in the public interest that the College issue emergency certificates.
2. The applicant meets the requirement of paragraph 1 of subsection 54 (1).

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3. The applicant meets the requirement of paragraph ~~32.1~~ of subsection 54 (1). O. Reg. 276/23, s. 3.
- (2) Subject to subsection (3), the requirements of subsection (1) are non-exemptible. O. Reg. 276/23, s. 3.
- (3) Where the applicant is registered or licensed as a podiatrist in a jurisdiction approved by the Council, the applicant is deemed to have met the requirement of paragraph 2 of subsection (1). O. Reg. 276/23, s. 3.

9. (1) ~~Every~~The following are specific conditions to maintain an Emergency certificate of registration is subject to the following terms, conditions and limitations:

1. The member may engage in the practice of chiropody only under the supervision of a member who holds a General certificate of registration and who has been approved by the Registrar to supervise a member of the Emergency class.
 2. The member may engage in the practice of chiropody only while holding themselves out as a member of the Emergency class (chiropodist) who is practising under supervision.
 3. The Emergency certificate of registration is automatically revoked 60 days after the Council determines that the emergency circumstances referred to in paragraph 1 of subsection 6.1 (1) have ended.
 4. The Emergency certificate of registration expires one year from the date on which the certificate was issued, unless extended by the Registrar, if the Council has not determined that the emergency circumstances have ended.
 5. The Emergency certificate of registration shall be revoked prior to its expiry if, in the opinion of the Registrar or the Registration Committee, it is in the public interest to do so. O. Reg. 276/23, s. 4.
- (2) The Registrar may extend an Emergency certificate of registration for one or more periods, each of which is not to exceed one year, if the Council has not determined the emergency circumstances have ended. O. Reg. 276/23, s. 4.

EXAMINATIONS

10. (1) The College shall ensure that the competency and jurisprudence examinations that are a requirement for a general certificate of registration pursuant to paragraphs 2 and 3 of subsection 5 (1) are held at least once per year.
- (2) A person who meets the following requirements is eligible to attempt the examinations:
1. The person must file with the College a completed ~~examination~~ application for examination in the form provided by the Registrar form with the College no less than 45 days before the day of the first examination, unless the Registrar approves a later filing.
 2. The person must pay the examination fee required under the by-laws no less than 45 days before the day of the examination unless the Registrar approves a later payment.
 3. The person must meet the requirement of paragraph 1 of subsection 5 (1).
 4. The person must not have failed on three previous occasions an examination which would, if successfully completed, have met the examination requirement of paragraphs 2 or 3 of subsection 5 (1).
- (3) Where, by virtue of paragraph 4 of subsection (2), a person is no longer eligible to attempt the examination referred to in paragraph 2 of subsection 5 (1), the person may not attempt the examination again unless and until the person obtains a new diploma or a degree which would meet the requirement of sub-subparagraph 1 i A or B of subsection 5 (1).
- (4) Where, by virtue of paragraph 4 of subsection (2), a person is no longer eligible to attempt the examination referred to in paragraph 3 of subsection 5 (1), the person may not attempt the examination again unless and until the person meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee.
- (5) A member who holds or a former member who held an ~~E~~emergency class certificate of registration within one year of applying for a general certificate of registration and who practiced chiropody or podiatry for at least 180 hours while in the ~~E~~emergency class is exempt from the examination fee for the competency examination.

SUSPENSIONS, RESIGNATIONS, REINSTATEMENTS, ETC.

11. (1) If the Registrar requests evidence that a member holds professional liability insurance in the amount and in the form as required under the by-laws and the member fails to provide that evidence within 14 days of having been requested to do so or such longer period as is specified by the Registrar, the Registrar shall give the member notice of intention to suspend the member and may suspend the member's certificate of registration for failure to provide the evidence 15 days after notice is given.

(2) Where the Registrar suspends the member's certificate of registration under subsection (1), the Registrar shall lift that suspension upon being satisfied that the former member holds professional liability insurance in the amount and in the form required under the by-laws and that any fees required under the by-laws for the lifting of that suspension have been paid.

12. (1) If a member fails to provide information about the member as required by the Act, the *Regulated Health Professions Act, 1991*, the regulations under the *Regulated Health Professions Act, 1991* or the by-laws, in the manner and form as may be required, the Registrar shall give the member notice of intention to suspend the member and may suspend the member's certificate of registration for failure to provide the information 30 days after notice is given.

(2) Where the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that the required information has been filed with the College and that any fees required under the by-laws for the lifting of that suspension have been paid.

13. Where the Registrar suspended a certificate of registration under section 24 of the Health Professions Procedural Code for failure to pay a fee that was required under the by-laws, the Registrar shall lift the suspension upon being satisfied that,

- (a) all amounts owing to the College at the time of the suspension have been paid;
- (b) any fees required under the by-laws for the lifting of the suspension have been paid; and
- (c) as of the anticipated date for the lifting of the suspension, the reinstated member will hold professional liability insurance in the amount and in the form as required under the by-laws.

14. (1) A member may resign as a member of the College by giving written notice to the College.

(2) A resignation under this section is effective on the date set out in the resignation or on the date it is received by the College, whichever is later.

15. The Registrar shall revoke the certificate of registration of a member or former member where,

- (a) the member or former member resigns;
- (b) the member or former member's certificate of registration was suspended for failure to pay a fee required under the by-laws and that suspension continued for 120 days; or
- (c) the member or former member's certificate of registration was suspended pursuant to subsection 11 (1) or 12 (1) and the suspension continued for 120 days.

16. (1) A former member who resigned as a member of the College under section 14 while a member holding a general class certificate of registration or a certificate in the podiatrist class under section 14 or whose certificate was revoked pursuant to section 15 may apply for the reinstatement of their certificate of registration by submitting a completed application to the Registrar in the form provided by the Registrar.

(2) Subject to subsection (4), the Registrar may reinstate the former member's certificate of registration if,

- (a) the former member has paid,
 - (i) the reinstatement fees required under the by-laws, and
 - (ii) any other money otherwise owed by the former member to the College at the date the application for reinstatement is submitted, including, without limitation, any costs or expenses ordered to be paid under section 53.1 of the Health Professions Procedural Code, any costs awarded to the

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College by a court and any amount owing to the College under a by-law or former regulation made under the Act;

(b) the application for reinstatement was submitted to the Registrar within three years of the effective date on which the former member resigned as a member of the College or the date on which the former member's certificate of registration was revoked;

(c) the application meets the requirement set out in paragraph 7 of subsection 3 (1) with necessary modifications; and

(d) the former member,

- (i) satisfies the Registrar that the former member provided direct chiropodial care to patients in Canada or another jurisdiction approved by the Council while practising as a chiropodist within three years before the date on which the former member met all of the other requirements for the reinstatement of their certificate of registration,
- (ii) undergoes a practice assessment approved by the Registration Committee and meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee, within the time specified by the panel, and pays the fees required under the by-laws that are applicable to the peer and practice assessment, or
- (iii) pays the fees required under the by-laws, undergoes an evaluation of the applicant's knowledge, skill and judgment approved by the Registration Committee and meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee, within the time specified by the panel.

(3) A panel of the Registration Committee shall determine whether a former member to whom clause (2) (d) applies shall undergo a practice assessment or an evaluation.

(4) A former member is ineligible for reinstatement under subsection (2) if the former member,

(a) was, after ceasing to be a member, found guilty of any criminal offence in any jurisdiction or of any offence involving the use, possession or sale of drugs in any jurisdiction;

(b) was, after ceasing to be a member, found guilty of any offence in any jurisdiction relating to the practice of chiropody or any other profession or occupation;

(c) has been the subject of an inquiry or investigation by the Registrar that was not completed on its merits prior to the time that the former member ceased being a member or which resulted in the former member's resignation;

(d) was, at the time of ceasing to be a member, the subject of an outstanding order of a committee or of a panel of a committee of the College;

(e) was, at the time of ceasing to be a member, in breach of an order of a committee or of a panel of a committee of the College;

(f) was, prior to time of ceasing to be a member, selected or directed to undergo an assessment or reassessment under the College's Quality Assurance Program unless the assessment or reassessment was completed and any continuing education or remedial program required by the Quality Assurance Committee was completed before the time of ceasing to be a member;

(g) was, at the time of ceasing to be a member, in breach of any written agreement with or undertaking provided to the College;

(h) was, after ceasing to be a member, refused registration in any jurisdiction either in chiropody or any other health profession; or

(i) was, after ceasing to be a member, the subject of a finding of professional negligence or malpractice in any jurisdiction in relation to chiropody or any other health profession or occupation.

(5) Subsections 3 (3) and (4) apply with necessary modifications to an application for the reinstatement of a certificate of registration under this section.

(6) A former member who, at the time of resigning as a member, was a member of the podiatrist class may be reinstated in the podiatrist class if the former member meets the requirements of subsections 16(1) and (2) and is not ineligible under (4).

TRANSITION

[Note: This section assumes that the current Registration Regulation and the current Examination Regulation will be revoked as set out in section 18.]

17. (1) Every general certificate of registration that was in existence immediately before **[**insert date this Regulation is filed**]** is continued as a general certificate of registration with the same status under this Regulation until such time as it otherwise ceases to be effective.

(2) Where an application for a certificate of registration had been made but not finally dealt with before **[**insert date this Regulation filed**]** the application shall be dealt with in accordance with this Regulation.

(3) A member who was deemed to be a member of the podiatrist class under subsection 158 (2) of Ontario Regulation 830/93 (Registration) made under the Act and who was a member of the podiatrist class immediately before **[**insert date this Regulation filed**]**, continues to hold a podiatrist class certificate of registration and is deemed to be a member of the podiatrist class of members until such time as he or she otherwise ceases to be a member.

REVOCATION AND COMMENCEMENT

18 The following Regulations are revoked:

1. Ontario Regulation 679/93.
2. Ontario Regulation 830/93.

19. This Regulation comes into force on the day it is filed.

Chiropody Act, 1991
Loi de 1991 sur les podologues

ONTARIO REGULATION *****
REGISTRATION

1. The following are prescribed as classes of certificates of registration:
 1. General.
 2. Emergency.
2. (1) A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar together with:
 - (a) any supporting documentation requested by the Registrar; and
 - (b) all applicable fees required under the by-laws.
3. (1) The following are requirements for the issuance of any certificate of registration:
 1. The applicant must provide details of any of the following that relate to the applicant at the time that the applicant submits the application or that relate to the applicant after the application is submitted and before a certificate of registration is issued:
 - i. Any finding of guilt for any criminal offence, any offence involving the use, possession or sale of drugs, any offence under the *Controlled Drugs and Substances Act* (Canada) or any other offence relevant to suitability to practise chiropody or another profession, ~~regardless of whether the offence took place~~ in any jurisdiction.
 - ii. Any charge relating to any criminal offence, any offence involving the use, possession or sale of drugs, any offence under the *Controlled Drugs and Substances Act* (Canada) or any other offence relevant to suitability to practise chiropody or another profession, ~~regardless of whether the alleged offence took place~~ in any jurisdiction.
 - iii. A finding of professional misconduct, incompetency, incapacity, professional negligence, malpractice or any similar finding against the applicant in relation to the practice of chiropody or another profession in any jurisdiction.
 - iv. A current investigation, inquiry or proceeding for professional misconduct, incompetency or incapacity or any similar investigation or proceeding in relation to the practice of chiropody or another profession or occupation in any jurisdiction.
 - v. Any interim or final order or agreement as a result of a complaint, investigation or proceeding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction
 - vi. A refusal to register the applicant to practise chiropody or another profession in any jurisdiction.
 2. The applicant must provide the College with a police record check, including a Vulnerable Sector Check, which is dated not more than two months before the date on which the application was submitted.
 3. Where the applicant was previously or is currently registered or licensed to practise chiropody or podiatry in another jurisdiction, or any other profession in any jurisdiction, the applicant must provide a certificate of standing from the body responsible for the regulation or licensing of the profession in that jurisdiction which is dated not more than two months before the date on which the application was filed.

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4. The applicant's past and present conduct, in the opinion of the Registrar or a panel of the Registration Committee, must afford reasonable grounds for the belief that the applicant,
 - i. ~~is mentally competent and physically able~~ _____ ~~does not suffer from any physical or mental condition or disorder that could affect his or her ability to practice~~ practise chiropody or podiatry in a safe manner,
 - ii. will practise chiropody or podiatry with decency, integrity and honesty and in accordance with the law,
 - iii. has sufficient knowledge, skill and judgment to competently engage in the practice of chiropody or podiatry authorized by the certificate of registration, and
 - iv. will display an appropriate professional attitude.
 5. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration and Refugee Protection Act* (Canada) to practise the profession in Ontario.
 6. The applicant must possess sufficient language proficiency, in either English or French, to be able to communicate and comprehend effectively, both orally and in writing.
 7. The applicant must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required under the by-laws as of the anticipated date for the issuance of his or her certificate of registration.
 8. The applicant must have paid any fees required under the by-laws for the issuance of the certificate of registration.
- (2) The requirements under subsection (1) are non-exemptible.
 - (3) An applicant must meet all of the requirements for registration within one year following the filing of the application, but this does not prevent the applicant from filing a new application.
 - (4) ~~An~~ Despite any other provision in this regulation, an applicant shall be who makes any false or misleading representation or declaration on or in connection with their application, by commission or omission, is deemed thereafter not to meet and not to have satisfiedmet the registration requirements for ~~the issuance of~~ a certificate of registration of any class ~~if the applicant makes a false or misleading statement or representation in his or her application or supporting documentation.~~
- 4 (1) Every certificate of registration is subject to the following terms, conditions and limitations:
1. The member shall provide to the Registrar the details of any of the following that relate to the member and that occur or arise after the registration of the member:
 - i. A finding of guilt arising in any jurisdiction relating to any offence, including,
 - a. any criminal offence,
 - b. any offence relating to the practice of chiropody or any other profession or occupation, or
 - c. any offence involving the use, possession or sale of drugs.
 - ii. A charge arising in any jurisdiction relating to any offence, including,
 - a. any criminal offence,
 - b. any offence relating to the practice of chiropody or any other profession or occupation, or
 - c. any offence involving the use, possession or sale of drugs.
 - iii. A finding of professional misconduct, incompetence or incapacity or any like finding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction.
 - iv. A current investigation, inquiry or proceeding for professional misconduct, incompetence or incapacity or any like investigation or proceeding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction.
 - v. Any interim or final order or agreement as a result of a complaint, investigation or proceeding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction

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2. The member shall not engage in the practice of chiropody unless the member is a Canadian citizen or permanent resident of Canada or has authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of chiropody in Ontario.
3. The member shall immediately advise the Registrar in writing in the event the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of chiropody in Ontario.
4. If paragraph 3 applies to the member, and the member subsequently obtains Canadian citizenship or becomes a permanent resident of Canada or attains authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of chiropody in Ontario, the member shall immediately advise the Registrar in writing of that fact.
5. The member shall maintain professional liability insurance in the amount and in the form as required under the by-laws.
6. If the member fails to meet the requirement in paragraph 5, the member shall immediately advise the Registrar in writing of that fact and immediately cease to engage in the practice of chiropody until such time as the member obtains professional liability insurance as required in paragraph 5.
7. If paragraph 6 applies to the member, and the member subsequently obtains professional liability insurance, the member shall notify the Registrar in writing of that fact and, if requested by the Registrar, shall provide details of that coverage.

GENERAL CERTIFICATES OF REGISTRATION

5. (1) The following are additional requirements for the issuance of a general certificate of registration:
 1. The applicant must,
 - i. have a diploma or a degree evidencing the successful completion of a full-time program designed to educate and train persons to be practising chiropodists or podiatrists which was,
 - A. awarded or granted by the Michener Institute, or
 - B. awarded or granted by an educational institution as a result of successful completion of a program that was approved by the Registration Committee as one whose graduates should possess sufficient knowledge, skill and judgment to be able to practise chiropody in Ontario in accordance with the standards of practice of the profession, or
 - ii. have successfully completed a full-time program in either chiropody or podiatry, other than a program mentioned in subparagraph i, of at least three years duration designed to educate and train persons to be practising chiropodists and must have,
 - A. undergone an assessment or evaluation by the College or body approved by the College, and
 - B. satisfied a panel of the Registration Committee that the applicant has successfully completed any further education, training or combination of education and training that was identified as a result of the assessment or evaluation under sub-subparagraph A and that was approved by the panel as being necessary to evidence that the applicant possesses knowledge, skill and judgment at least equivalent to those of current graduates of a program mentioned in subparagraph i.
 2. The applicant must have successfully completed every component of a competency examination set or approved by the Council, during a time when the examination was so set or approved.
 3. The applicant must have successfully completed a jurisprudence examination set or approved by the Council, during a time when the examination was so set or approved.
- (2) The requirements set out in subsection (1) are non-exemptible.
- (3) The requirement in paragraphs 2 and 3 of subsection (1) must be met within three years before the date on which the applicant was entitled to the issuance of the certificate of registration.
- (4) The requirements in paragraphs 1 and 3 of subsection (1) do not apply to an applicant if he or she held an emergency certificate of registration issued by the College within one year before submitting his or her application for that general certificate of registration.
6. (1) Every general certificate of registration is subject to the following additional terms, conditions and limitations:

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1. The member shall practise the profession a minimum of three months during every two-year period, with the first two-year period beginning on the day that the member is issued a general certificate of registration, and each subsequent two-year period beginning on the first anniversary of the commencement of the previous period.
2. If the member fails to meet the requirement in paragraph 1, the member shall immediately advise the Registrar in writing of that fact and immediately cease to engage in the practice of chiropractic until such time as the member meets the conditions set out in subsection (3).
 - (2) If a member fails to meet the condition described in paragraph 1 of subsection (1), the Registrar shall refer the member to the Quality Assurance Committee for a peer and practice assessment.
 - (3) Where the Registrar refers a member to the Quality Assurance Committee under subsection (2), that member may not resume practising the profession until the member,
 - (a) undergoes a peer and practice assessment;
 - (b) successfully completes any continuing education or remediation programs that may be specified by the Quality Assurance Committee pursuant to section 80.2 of the Health Professions Procedural Code; and
 - (c) pays the fees required under the by-laws that are applicable to the peer and practice assessment.

APPLICANTS WITH OUT-OF-PROVINCE CERTIFICATES

7. (1) Subject to subsection (23), if an applicant already holds an out-of-province certificate that is equivalent to a general certificate of registration issued by the College, the applicant is deemed to have met the requirements set out in paragraphs 1, 2 and 3 and 2 of subsection 5 (1).
- ~~(2)~~ (2) Notwithstanding section 3(2) of the Chiropractic Act, 1991 S.O. 1991, c.20, and subject to subsection (3), if an applicant already holds an out-of-province certificate that is equivalent to a certificate of registration authorizing the scope of practice and controlled acts prescribed in s.5(2) of the Chiropractic Act, the applicant is deemed to have met the requirements set out in paragraphs 1 and 2 of subsection 5(1) and may be added to the podiatrist class, if all other registration requirements are met.
- (3) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) and (2) provide one or more certificates or letters or other evidence satisfactory to the Registrar or panel of the Registration Committee confirming that the applicant is in good standing as a chiropractor or podiatrist in every jurisdiction where the applicant holds an out-of-province certificate.
- ~~(34)~~ Without in any way limiting the generality of subsection (23), being in good standing with respect to a jurisdiction shall include the fact that,
- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim or final order or agreement as a result of a complaint, investigation or proceeding; and
 - (b) the applicant is in compliance with all continuing competency and quality assurance requirements of the regulatory authority of the jurisdiction.
- ~~(45)~~ An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 6 of subsection 3 (1) if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.
- ~~(56)~~ Despite subsection (1) and (2), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

EMERGENCY CERTIFICATES OF REGISTRATION

8. (1) The following are ~~specific~~additional requirements for an Emergency certificate of registration:
1. The Minister has requested the College to initiate registrations under this class based on the Minister's opinion that emergency circumstances call for it, or Council has determined, after taking into account all of the relevant circumstances that impact the ability of applicants to meet the ordinary registration requirements, that there are emergency circumstances, and that it is in the public interest that the College issue emergency certificates.

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2. The applicant meets the requirement of paragraph 1 of subsection 45 (1).
3. The applicant meets the requirement of paragraph ~~2-13~~ of subsection 45 (1). O. Reg. 276/23, s. 3.
- (2) Subject to subsection (3), the requirements of subsection (1) are non-exemptible. O. Reg. 276/23, s. 3.
- (3) Where the applicant is registered or licensed as a podiatrist in a jurisdiction approved by the Council, the applicant is deemed to have met the requirement of paragraph 2 of subsection (1). O. Reg. 276/23, s. 3.

9. (1) ~~The following are specific conditions to maintain an~~Every Emergency certificate of registration is subject to the following terms, conditions and limitations:

1. The member may engage in the practice of chiropody only under the supervision of a member who holds a General certificate of registration and who has been approved by the Registrar to supervise a member of the Emergency class.
 2. The member may engage in the practice of chiropody only while holding themselves out as a member of the Emergency class (chiropodist) who is practising under supervision.
 3. The Emergency certificate of registration is automatically revoked 60 days after the Council determines that the emergency circumstances referred to in paragraph 1 of subsection 6.1 (1) have ended.
 4. The Emergency certificate of registration expires one year from the date on which the certificate was issued, unless extended by the Registrar, if the Council has not determined that the emergency circumstances have ended.
 5. The Emergency certificate of registration shall be revoked prior to its expiry if, in the opinion of the Registrar or the Registration Committee, it is in the public interest to do so. O. Reg. 276/23, s. 4.
- (2) The Registrar may extend an Emergency certificate of registration for one or more periods, each of which is not to exceed one year, if the Council has not determined the emergency circumstances have ended. O. Reg. 276/23, s. 4.

EXAMINATIONS

10. (1) The College shall ensure that the competency and jurisprudence examinations that are a requirement for a general certificate of registration pursuant to paragraphs 2 and 3 of subsection 5 (1) are held at least once per year.

- (2) A person who meets the following requirements is eligible to attempt the examinations:
1. The person must file with the College a completed ~~examination~~ application for examination in the form with provided by the College Registrar no less than 45 days before the day of the first examination, unless the Registrar approves a later filing.
 2. The person must pay the examination fee required under the by-laws no less than 45 days before the day of the examination unless the Registrar approves a later payment.
 3. The person must meet the requirement of paragraph 1 of subsection 5 (1).
 4. The person must not have failed on three previous occasions an examination which would, if successfully completed, have met the examination requirement of paragraphs 2 or 3 of subsection 5 (1).
- (3) Where, by virtue of paragraph 4 of subsection (2), a person is no longer eligible to attempt the examination referred to in paragraph 2 of subsection 5 (1), the person may not attempt the examination again unless and until the person obtains a new diploma or a degree which would meet the requirement of sub-subparagraph 1 i A or B of subsection 5 (1).
- (4) Where, by virtue of paragraph 4 of subsection (2), a person is no longer eligible to attempt the examination referred to in paragraph 3 of subsection 5 (1), the person may not attempt the examination again unless and until the person meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee.
- (5) A member who holds or a former member who held an ~~emergency class~~Emergency certificate of registration within one year of applying for a general certificate of registration and who practiced chiropody or podiatry for at least 180 hours while in the ~~emergency~~Emergency class is exempt from the examination fee for the competency examination.

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SUSPENSIONS, RESIGNATIONS, REINSTATEMENTS, ETC.

11. (1) If the Registrar requests evidence that a member holds professional liability insurance in the amount and in the form as required under the by-laws and the member fails to provide that evidence within 14 days of having been requested to do so or such longer period as is specified by the Registrar, the Registrar shall give the member notice of intention to suspend the member and may suspend the member's certificate of registration for failure to provide the evidence 15 days after notice is given.

(2) Where the Registrar suspends the member's certificate of registration under subsection (1), the Registrar shall lift that suspension upon being satisfied that the former member holds professional liability insurance in the amount and in the form required under the by-laws and that any fees required under the by-laws for the lifting of that suspension have been paid.

12. (1) If a member fails to provide information about the member as required by the Act, the *Regulated Health Professions Act, 1991*, the regulations under the *Regulated Health Professions Act, 1991* or the by-laws, in the manner and form as may be required, the Registrar shall give the member notice of intention to suspend the member and may suspend the member's certificate of registration for failure to provide the information 30 days after notice is given.

(2) Where the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that the required information has been filed with the College and that any fees required under the by-laws for the lifting of that suspension have been paid.

13. Where the Registrar suspended a certificate of registration under section 24 of the Health Professions Procedural Code for failure to pay a fee that was required under the by-laws, the Registrar shall lift the suspension upon being satisfied that,

- (a) all amounts owing to the College at the time of the suspension have been paid;
- (b) any fees required under the by-laws for the lifting of the suspension have been paid; and
- (c) as of the anticipated date for the lifting of the suspension, the reinstated member will hold professional liability insurance in the amount and in the form as required under the by-laws.

14. (1) A member may resign as a member of the College by giving written notice to the College.

(2) A resignation under this section is effective on the date set out in the resignation or on the date it is received by the College, whichever is later.

15. The Registrar shall revoke the certificate of registration of a member or former member where,

- (a) the member or former member resigns;
- (b) the member or former member's certificate of registration was suspended for failure to pay a fee required under the by-laws and that suspension continued for 120 days; or
- (c) the member or former member's certificate of registration was suspended pursuant to subsection 11 (1) or 12 (1) and the suspension continued for 120 days.

16. (1) A former member who resigned as a member of the College under section 14 while a member holding a general class certificate of registration ~~under section 14~~ or a certificate in the podiatrist class or whose certificate was revoked pursuant to section 15 may apply for the reinstatement of their certificate of registration by submitting a completed application to the Registrar in the form provided by the Registrar.

(2) Subject to subsection (4), the Registrar may reinstate the former member's certificate of registration if,

- (a) the former member has paid,
 - (i) the reinstatement fees required under the by-laws, and
 - (ii) any other money otherwise owed by the former member to the College at the date the application for reinstatement is submitted, including, without limitation, any costs or expenses ordered to be paid under section 53.1 of the Health Professions Procedural Code, any costs

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awarded to the College by a court and any amount owing to the College under a by-law or former regulation made under the Act;

(b) the application for reinstatement was submitted to the Registrar within three years of the effective date on which the former member resigned as a member of the College or the date on which the former member's certificate of registration was revoked;

(c) the application meets the requirement set out in paragraph 7 of subsection 3 (1) with necessary modifications; and

(d) the former member,

—(i) satisfies the Registrar that the former member provided direct chiropodial care to patients in Canada or another jurisdiction approved by the Council while practising as a chiropodist within three years before the date on which the former member met all of the other requirements for the reinstatement of their certificate of registration,

—(ii) undergoes a practice assessment approved by the Registration Committee and meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee, within the time specified by the panel, and pays the fees required under the by-laws that are applicable to the peer and practice assessment, or

—(iii) pays the fees required under the by-laws, undergoes an evaluation of the applicant's knowledge, skill and judgment approved by the Registration Committee and meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee, within the time specified by the panel.

(3) A panel of the Registration Committee shall determine whether a former member to whom clause (2) (d) applies shall undergo a practice assessment or an evaluation.

(4) A former member is ineligible for reinstatement under subsection (2) if the former member,

(a) was, after ceasing to be a member, found guilty of any criminal offence in any jurisdiction or of any offence involving the use, possession or sale of drugs in any jurisdiction;

(b) was, after ceasing to be a member, found guilty of any offence in any jurisdiction relating to the practice of chiropody or any other profession or occupation;

(c) has been the subject of an inquiry or investigation by the Registrar that was not completed on its merits prior to the time that the former member ceased being a member or which resulted in the former member's resignation;

(d) was, at the time of ceasing to be a member, the subject of an outstanding order of a committee or of a panel of a committee of the College;

(e) was, at the time of ceasing to be a member, in breach of an order of a committee or of a panel of a committee of the College;

(f) was, prior to time of ceasing to be a member, selected or directed to undergo an assessment or reassessment under the College's Quality Assurance Program unless the assessment or reassessment was completed and any continuing education or remedial program required by the Quality Assurance Committee was completed before the time of ceasing to be a member;

(g) was, at the time of ceasing to be a member, in breach of any written agreement with or undertaking provided to the College;

(h) was, after ceasing to be a member, refused registration in any jurisdiction either in chiropody or any other health profession; or

(i) was, after ceasing to be a member, the subject of a finding of professional negligence or malpractice in any jurisdiction in relation to chiropody or any other health profession or occupation.

(5) Subsections 3 (3) and (4) apply with necessary modifications to an application for the reinstatement of a certificate of registration under this section.

(6) A former member who, at the time of resigning as a member, was a member of the podiatrist class may be reinstated in the podiatrist class if the former member meets the requirements of subsections 16(1) and (2) and is not ineligible under (4).

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TRANSITION

[Note: This section assumes that the current Registration Regulation and the current Examination Regulation will be revoked as set out in section 18.]

17. (1) Every general certificate of registration that was in existence immediately before **["**insert date this Regulation is filed**"]** is continued as a general certificate of registration with the same status under this Regulation until such time as it otherwise ceases to be effective.

(2) Where an application for a certificate of registration had been made but not finally dealt with before **["**insert date this Regulation filed**"]** the application shall be dealt with in accordance with this Regulation.

(3) A member who was deemed to be a member of the podiatrist class under subsection [1815](#) (2) of Ontario Regulation 830/93 (Registration) made under the Act and who was a member of the podiatrist class immediately before **["**insert date this Regulation filed**"]**, continues to hold a podiatrist class certificate of registration and is deemed to be a member of the podiatrist class of members until such time as he or she otherwise ceases to be a member.

REVOCATION AND COMMENCEMENT

18 The following Regulations are revoked:

1. Ontario Regulation 679/93.
2. Ontario Regulation 830/93.

19. This Regulation comes into force on the day it is filed.

APPENDIX D:

Stakeholder Feedback received from October 2 to December 2, 2024, to the Proposed Amendments to Registration Regulation

[1] 10-02-2024

My only suggestion is to include First Nations/Indigenous languages along with English & French proficiency. Recognizing the first languages needs to be included for equity and inclusion. Depending where in Ontario a Podiatrist/Chiropodist will be practising.

[2] 10-03-2024

Thank you for sharing the proposed amendments and for inviting feedback.

I agree that updating the name and scope of practice from chiropodist to podiatrist is a positive step. It reflects the broader role we aim to fulfill in providing high-quality foot care.

However, I have concerns regarding the proposal to allow the registration of podiatrists from outside the province without aligning their license and scope of practice with the current chiropodist model in Ontario. If podiatrists are introduced under different standards, the ongoing efforts to transition fully to the podiatry model for chiropodists will stall. It feels premature to shift the focus to new challenges before resolving this longstanding issue.

Until the scope of practice and title change for chiropodists is fully in place, introducing podiatrists from outside Ontario with different credentials risks complicating an already complex situation.

Thank you for considering my feedback. I hope the College continues prioritizing aligning chiropody and podiatry before taking on new initiatives.

[3] 10-09-2024

I fully support the College clarifying various wordings to conform with those of other regulatory Colleges. All Colleges are moving in the direction of the free movement of practitioners with comparable competencies to move to other provinces. This action is totally consistent with the past attempts to fulfill the federal governments direction of the Internal Trade Agreement that promotes the free movement of goods across Canada and inclusion of professions.

[4] 10-09-2024

I want to express my support for the Proposed Amendment to Registration Regulation. Allowing DPM trained practitioners to work in Ontario, similar to their present work allowance in other provinces, makes sense!

[5] 10-09-2024

I fully support the changes proposed by COCOO to Notwithstanding section 3(2) of the *Chiropody Act, 1991 S.O. 1991, c.20*. This will benefit the health of Ontarians and improve healthcare outcomes.

[6] 10-09-2024

Please note that I am strongly in favour of these proposed amendments to registration regulations.

Thank you for your good work in this regard.

[7] 10-09-2024

I strongly support the proposed amendments.

[8] 10-09-2024

I strongly support the proposed amendments.

[9] 10-15-2024

I agree with the proposed amendments to the registration regulation, which includes the ability to allow for registration of podiatrists from outside the province in order to provide high-quality footcare to Ontarians.

[10] 10-17-2024

To whom it may concern. I recently read the proposed changes to the registration regulations pertaining to interprovincial movement and registration of practitioners from other provinces and I highly support those changes and hope they are adopted by the college.

[11] 10-18-2024

I wish to express my strong endorsement of the proposed registration regulation amendments. Aside from updating the Regulation to bring it in line with the best practices of other health regulatory colleges, it is in the public interest to register DPMs as podiatrists and to permit them to practice to the ON podiatrist scope of practice commensurate with their demonstrated competence. Thank you.

[12] 10-20-2024

As a member of the College I am in favour of the proposed amendments and strongly support them going forward.

[13] 11-03-2024

As a DPM from the United States forced to practice as a registered Chiropractor in Ontario, you have my strong support for the proposed amendments to modernize the Registration Regulation and bring it into line with the Labour Mobility Act (Ontario) that is designed to facilitate the mobility of members of regulated professions into Ontario from other provinces and territories.

Since I began practicing in Windsor, Ontario I have been forced to underutilize my professional skills to the upmost degree. For over 20 years I practiced in Detroit, Michigan and was a very active staff member at several area hospitals, routinely performing surgery. In the state of Michigan a DPM is allowed to also perform minor procedures of the hands. It has been very degrading and frustrating to go from this degree of skillset to the chiropractor regulation, of not even being able to make a diagnosis. I see how my community of Windsor-Essex is underserved, with months, if not a year, to obtain an initial consult with an orthopedic surgeon for foot surgery. I am more than ready to begin offering my Windsor patients the level of care a DPM, like myself, is more than capable of.

Once again, you have my full support. I understand this is of extreme importance to the podiatry profession in Ontario. Thank you for taking this initiative, I greatly appreciate it.

[14] 11-18-2024

We are writing in response to the College's consultations on the proposed changes to the registration regulation, particularly regarding the support for labour mobility. While we support the principle of facilitating greater mobility for practitioners, we have concerns about how these changes interact with existing legislative frameworks, notably the restriction that has prevented new podiatrists from registering in Ontario since 1991.

It remains unclear how a change to the registration regulation could override or conflict with the legislated Act that enforces this restriction. Without clarity, the proposal raises concerns about its ability to achieve its stated goals within the current legal framework. If passed, these changes could significantly alter the landscape of footcare in Ontario, particularly in the context of the ongoing debate surrounding the modernization of the practice toward a podiatry model.

The proposed access to the Podiatry class via regulation changes appears to be limited to those holding equivalent out-of-province certificates and not to practitioners registered solely in Ontario. This effectively restricts access to the podiatry class to those with a DPM qualification or its equivalent, even if they are certified as podiatrists in another Canadian jurisdiction. This approach does not seem to align with the principle of labour mobility.

Moreover, the proposal risks undermining efforts to modernize footcare by renaming the Chiropractor class of practitioners, upgrading skill sets, and granting access to an expanded scope of practice. Should this regulation be adopted, it could inadvertently lead to the "orphaning" of the Chiropractor education program and the entire class of practitioners currently under this designation. Such a shift could undermine the momentum for reforming the system in favor of a podiatry-based model, which is recognized for its broader scope and capabilities in addressing foot and ankle health issues.

As we consider these regulatory changes, it is essential to weigh not only the immediate impact on practitioner mobility but also the broader implications for the development of the profession in Ontario. A cohesive strategy that aligns the regulatory framework with modernized standards for footcare, while ensuring continuity of care and professional growth, is crucial.

We appreciate the opportunity to provide input on this matter and urge the College to consider these points carefully as it moves forward with the proposed changes.

Thank you for your attention to this important issue.

[15] 11-20-2024

I am writing to express my concerns regarding the proposed amendments to the Registration Regulation, particularly the potential to register podiatrists from outside Ontario. While I appreciate the effort to modernize and clarify the registration process, I believe it's essential to consider the impact this change could have on locally trained chiropodists. Ontario has a well-established chiropody program through the Michener Institute, which produces highly qualified chiropodists prepared to meet the needs of the province. Allowing podiatrists from outside Ontario to register could introduce significant competition for these professionals, potentially limiting employment opportunities for Ontario-trained chiropodists who are entering the workforce.

In my view, podiatrists, who typically have a broader scope of practice in other jurisdictions, may pose serious competition to local chiropodists. This could create an imbalance, where Ontario graduates might struggle to secure positions or face challenges in their early careers due to increased competition with out-of-province practitioners.

I respectfully urge COCOO to consider the interests of Ontario's own chiropody graduates by implementing measures to support and prioritize their entry into the profession. Some potential solutions include:

1. **Prioritizing Ontario-Trained Practitioners:** Establishing policies that prioritize registration for chiropodists trained within Ontario could help maintain local graduates' employment prospects and ensure their talents contribute to the provincial healthcare system.
2. **Facilitating Employment Pathways for Local Graduates:** Collaborating with healthcare institutions to create more dedicated job opportunities for Michener graduates could provide essential support for these individuals in the early stages of their careers.
3. **Implementing Balanced Entry Requirements:** Should COCOO move forward with the registration of external podiatrists, I recommend specific criteria that consider the differences in training and scope of practice, preserving Ontario's standards and protecting the job market for local chiropodists.

I believe that addressing these considerations will support Ontario-trained chiropodists while still promoting a high standard of care for patients. Thank you for considering these concerns in the ongoing discussion of regulatory updates.

[16] 11-22-2024

The proposed registration regulation for Podiatrist entering Ontario is essential to ensure that only highly qualified and competent professionals practice in the province. By implementing clear standards, the regulation safeguards public health and ensures that patients receive consistent, high-quality foot care. It also supports the integration of skilled podiatrists from diverse regions, enhancing the province's healthcare capacity while maintaining accountability. Moreover, the regulation fosters trust between patients and practitioners by guaranteeing that all registered podiatrists meet rigorous educational and clinical benchmarks. Ultimately, this policy aligns with Ontario's commitment to excellence in healthcare and strengthens its ability to address the growing demand for specialized podiatry services.

[17] 11-23-2024

I am writing to inform you that I do not support the proposed amendments to the Registration Regulation, and specifically, I do not agree with section 7 (2) for applicants with out- of- province certificates to be permitted registration to enter the Podiatry Class of Members/Registrants, until such time that all Members/Registrants of the College are able to use the internationally recognized name of this profession, Podiatrist.

In my opinion, it is detrimental to the Ontario public to continue to experience this confusion within the regulated foot care sector. The ongoing use of the antiquated term of "Chiropody/Chiropodist" is preventing much needed access to professional foot care services, as well as missed referrals from primary health care providers and confusion with translation from other languages, where the term "Podiatry" is the only recognized name for the profession. We speak to Equity, Diversity and Inclusivity, yet this very confusion with old terminology may be preventing immigrants and new Canadians from accessing our services.

Since the failed HPRAC Review Process, I am not aware of any efforts or proposals made by our College to the Government of Ontario and to the Ontario Ministry of Health to rectify this concern and proceed with a Podiatry Model and Podiatry title for ALL Members/Registrants of COCOO. Therefore, until such time that the entire profession is permitted to use the title Podiatrist, I do not support lifting the cap to allow any new Members to enter the Podiatry Class of Registrants.

[18] 11-25-2024

I am in favour of creating an emergency class of registration to fill the need for additional podiatrists in Ontario. I also think that it should be made permanent since Ontario desperately needs more podiatrists. I believe it is in the interest of the public to have more podiatrists in Ontario

[19] 11-25-2024

I support the proposed amendments. I support the removal of the podiatric cap and a full scope podiatry model.

[20] 11-26-2024

I'm writing to you to register my complete and profound support for the proposed changes. As the College well knows, principally because of the "podiatric cap" there is a huge and growing HR crisis for podiatrists in Ontario. That crisis has a severe impact on the health of Ontarians, particularly those with diabetes, seniors and Ontario's indigenous population. In an emergency, that crisis is seriously exacerbated. The proposed amendments will mitigate that effect. Furthermore, I support any initiative that reduces the impact of the podiatric cap. I firmly believe is bad public policy that undermines the health status of Ontarians, particularly vulnerable populations such as seniors, those without access to a primary care physician, the diabetic population and First Nations communities. I look forward to acceptance and ultimate promulgation of the proposed amendments.

[21] 11-28-2024

I do not have any issues with the proposed changes.

[22] 11-29-2024

Thank you for your email regarding the proposed amendments to the registration regulation.

I reviewed the proposed changes to the registration regulation including sections 3(1), 3(4), 4(1), and section 7(2).

I support all the amendments to clarify the language in the application process, what applicants must disclose, and the reporting requirements.

I reviewed and support section 7(2) amendments to create a route for podiatrists outside the Province to obtain licenses in Ontario.

I agree with all the proposed amendments to the Ontario Registration Regulation and support the college's effort to promote the full-scope podiatry model in Ontario.

[23] 12-01-2024

I am perplexed by the College proposing this amendment. The proposal is vaguely worded Section 7 (2). Do they mean DPM only or any podiatrist from across the country to be given the privileges that exist currently for only DPMs registered prior to 1993?

I see no supporting documentation for this change and wonder if it is the role of the College to advocate for out of Province providers? Secondly, I am assuming the College has already prepared a parallel document that advocates for the majority of the College membership(chiropodists) to practice in BC and Alberta. Now the concept of removing the barriers (academic) placed against the largest stakeholder at the College (chiropodists) is long overdue, and it makes sense to piggy back on the legislative successes of other provinces most recently in BC to try and move Ontario out of the antiquated.

There is no question that legislative paralysis in Ontario has resulted in Ontarians not accessing timely cost - effective care at right place at the right time. And members of the College have been leaders in establishing care in underserved and First Nation communities across the province for decades. The government talks about reducing red tape and expanding care delivered by HPRAC professionals and yet when it comes to extending those changes to members of COCOO they sit on their hands either petrified to make some very simple changes for fear of what nobody knows. The time has come for there to be one College of Podiatry in Ontario. To be a leader in care of lower extremity care. Like other HPRAC regulated professions that have classifications of competencies to mirror the care delivered.

It's time for the Premier to be a leader and make this change

It is also good to see the College wanting to ensure that chiropodists are given the same privileges as foreign trained members of the College- but this bylaw in NO way identifies that pathway. All it does is give a privileged sub group advantage and further subjugates the indigenous trained members of the College. Until that pathway is articulated in a cogent manner with real and defined academic pathways in place this is a bylaw of exclusion and exclusivity that has failed to demonstrate with data and facts that the changed bylaw will enhance the care of Ontarians. I am not in agreement with the proposed bylaw as it is currently worded.

[24] 12-01-2024

I am writing you today to express my strong and complete disagreement with the inclusion of section 7. (2) to the Registration regulations for "Applicants With Out Of Province Certificates."

It is my opinion that the college does not have the authority to change the Chiropody Act 1991 without the instruction of the government and without the consent of the majority of the registrants that it regulates and supports, and that to do so in this manner through the addition of a "notwithstanding" clause" does not support the needs of the member's, protect the public or advance the profession in a meaningful way.

The College of Chiropodist of Ontario was tasked with creating an "Emergency Certificate of Registration" by the Ontario government as part of the "Pandemic and Emergency Preparedness Act 2022." This act was a response

by the Ontario government to the COVID -19 global pandemic and includes updates to laws which regulate food production, agriculture, health information, personal protective equipment and the regulated health professions act. The regulated health professions act amendments were aimed at increasing the ability of bringing in regulated medical professionals from outside jurisdictions into Ontario to practice during an emergency without having to have the requirement of a “Canadian experience,” in order to qualify. This modification was aimed primarily at the provincially funded professions who work in hospitals, nursing homes and funded clinical settings which suffered tremendous shortages and burn out during the pandemic and include such professions as doctors, nurses, respiratory therapists and medical lab technologists. However, in order to add to the publicly funded medical professions, all professions under the act were required to modify their registration rules, including our profession, that even though being designated essential during the pandemic, were basically totally closed due to the requirement of seeing only emergency or extremely urgent patients. Subsequent to submitting these changes to the emergency act, the college was tasked with “clarifying the language of the application process, enhance reporting requirements and modernize the process of registering chiropractors,” not to allow new members of the podiatry class registrants to enter the province.

The Regulated Health Professions Act 1991 regulates 27 medical professions in Ontario through individual acts including our own, the Chiropractic Act 1991. This act defines the profession of chiropractic and by doing so provides the name of our profession in Ontario, Chiropractic, an antiquated name but the one that we are required to use. Within the chiropractic profession there are two defined terms chiropractor, chiropractic registrant and chiropractor, podiatry registrant, but both practice chiropractic the defined profession under the act. The law lays out the controlled acts available to both types of registrants with “communication of a diagnosis” (chiropractors can make a diagnosis but communicate it) and “forefoot bone surgery” being exclusive to the podiatry registrants, however, in the act and on the College of Chiropractors web site it is reinforced that “no persons shall be added to the class of members called podiatrist after 31 July 1993”.

The reason for this was outlined in our recent Health Profession Regulatory Advisory Council (HPRAC) review of the chiropractic profession. Firstly, during consultations in the 1960, 70’s and 80’s by the committee on Healing Arts, the Ontario Council of Health and on the recommendation of the Health Professions Legislation review, that a program be established in Ontario based on the UK model of foot care that more closely mirrored the hospital and community health model of the time. This program was established in 1980 producing Ontario trained practitioners, chiropractors.

The second reason was more concerning that it was noted the podiatrists of the time had developed “an antagonistic relationship with physicians” and that podiatrists were “performing limited bone surgery on the toes and forefoot that was an illegal act because podiatrists were not authorized to do so by the governing legislation.” (HPRAC report 2015 pg43) In the end a compromise was reached;

“whereby podiatrists would essentially be phased out of Ontario, but those podiatrists who are currently in practice and who were registered prior to the cutoff date that was selected would be permitted to perform legally the bone surgery which they have been performing illegally to date. The benefit to these podiatrists is clearly lawful. Their illegal practice is made lawful and they are recognized as legitimate providers of this service, but there are not going to be any more of them.” (HPRAC report 2015 pg44)

The Health Profession Regulatory Advisory Council unfortunately after this exhaustive review noted “that the applicant did not satisfy the criteria for a scope of practice change and that no changes be made at this time to

the current legislation that prohibits the registration of new podiatrists in Ontario.” (letter to the minister of health from Thomas Corcoran chair HPRAC) It is for this reason that I object to section 7(2) as since the report was released to the public in 2017, there has been no change to or movement forward as to how we would improve our education to do new controlled acts, protect the public with these more invasive procedures or for that matter demonstrate why forefoot bone surgery is of high priority to our medical system at this time. Throughout its review of the profession, HPRAC was continually reminded of the need to provide access for preventative and affordable foot care to the public, which I don’t feel more podiatry registrants, who’s only discernible difference to a chiropodist being forefoot bone surgery, would help.

As to the matter of labour mobility, during the time of the HPRAC review I had the honour of being the president of the Canadian Federation of Podiatric Medicine, so in addition to meeting with the Minister and Deputy Minister of Health and their staff, I also worked on inter-provincial free trade, to which an agreement has never really been finalized on many fronts including podiatry. The barrier to labour mobility, however, has never been Ontario as we have always welcomed and allowed practitioners from all around the world and within our country to practice, but under the title chiropodist and under the chiropody scope of practice. These practitioners come from the UK, South Africa, Quebec and the United States and have practiced as chiropodist for the thirty years that the Chiropody Act has been enacted.

Having a different title or different abilities to practice in each jurisdiction is very common and occurs throughout Canada and the rest of the world. Another example of titles that differ but are regulated under one body are lawyers, who depending on the type of law and where they were trained can also use the term barrister, solicitor, attorney and in French avocat. As long as they pass the bar exam in the location that they wish to work, they can practice law to the extent that each jurisdiction allows. Their title does not define their abilities to practice.

In Canada, there are approximately 1365 podiatrist/chiropodists practicing throughout the ten provinces based on an online review of the provincial regulatory bodies and societies. Of these practitioners, Ontario trained chiropodist make up 58% of total with Quebec trained practitioners 21%, followed by US trained with 15%. Ontario and Quebec trained practitioners practice in every province using either podiatrist or chiropodist as their title, except in British Columbia and Alberta where they at this moment do not qualify to practice. This barrier to labour mobility has been set up by the regulatory bodies in those two provinces that require a degree in a recognized podiatry program plus a two-year surgical residency. This means that no practitioners other than US trained Doctor of Podiatric Medicine graduates can work there, barring Canadian born and trained foot specialist from working within their own country. Until such time as this barrier is corrected, there is no labour mobility for podiatrists but there has never been a barrier here in Ontario.

Finally, the use of a “notwithstanding” clause to over-ride or set precedence over another law that it may contradict, in this case the Chiropody Act 1991 and its provision of no new members of the podiatry class of registrants after July 31, 1993, is a heavy handed and quite frankly a sneaky way of re-introducing a class of practitioners that have both shown reason not to be allowed back in under the current act, but one that the Ministry of Health has not shown a need for to provide excellent medical foot care to the people of Ontario. Notwithstanding clauses have a history of controversy in our country as they have been used in the province of Quebec to enforce strict language rights and religious symbol removal from government buildings and jobs and most recently in Saskatchewan to override Charter of Rights provisions of individuals who identify as members of the LGBTQ population. Such legal precedence should not be allowed in our Act.

At the end of the day, we all want to be podiatrists and get rid of the antiquated name and see our profession grow as it has done so around the world. However, those who chose to stay and be educated and work in our home province, this progression to podiatrist must be a made in Ontario solution and to let foreign trained partitioners gain abilities under our act that we cannot do ourselves is unheard of.

In the HPRAC report, the two recommendations put forward were, a change of name to podiatrist and podiatric surgeon and an independent body to examine surgical sites to make sure of safety and compliance, much like what is happening with private physician led surgical centres. To this point the college has not acted on either. The name change is the first necessary move. Having worked on HPRAC, I had the opportunity to talk with representatives from universities about our program and it was widely seen that no move to a post-secondary degree will happen until the name is consistent across the country and they can offer this education to everyone from coast to coast and not just in one province. Around the world and including the US where up until the 1960 the degree was surgical chiropodist (SCh a degree title that until this year was represented in the college members) the name change from chiropody to podiatry has been the starting point to growth in our profession. So, until that time that there is a name change and strong and clear movement toward improving all our education to perform new acts, no new members of the podiatry registrant class should be allowed and we all should continue to practice chiropody under the present controlled acts and continue to welcome qualified registrants from all around the world as we always have.

Thank you for your time and taking into consideration my passionate opinions on the future of our profession.

[25] 12-01-2024

I do not support the Proposed Amendments to Registration Regulation. I do not support applicants to be added to the podiatry class as stated in section 7(2). This would only perpetuate the ongoing confusion faced by the public when trying to access footcare in Ontario. Until all registrants are able to use the "Podiatrist" title, the proposed changes as stated in section 7(2) would not be in the best interest of the residents of Ontario.

[26] 12-01-2024

Thank you for the opportunity to respond to this proposed change as a member of the College of Chiropodists of Ontario. The proposal posted on the cocoo.on.ca website is unfortunately vague with no clearly stated pathway of how these steps would occur. I believe the membership would benefit from more transparency of the details of how these amendments would come to be. I will speak to what is stated with clarity.

1. **College Name Change – College of Podiatrists of Ontario** – this follows the model in the UK where chiropodists assumed the name of podiatrists and there exists a subclass of podiatric surgeons. Personally, I don't mind either way but recognise the divide it causes.
2. **Registrant Name Change** – 'Podiatrists' – as above- Podiatrist is a more recognised title and people will more easily find a foot care provider when the over 700 registered chiropodists in Ontario have the Podiatry title
3. **Expanded Scope** – Full Scope Podiatry (modeled on the existing models in Alberta and BC)
4. **Program of Podiatry in the Province** – The Michener Institute of Education at UHN has been the home of the chiropody model since it's inception, it has the necessary facilities to host more students and expand the program.
5. **Removal of Legislative Cap Preventing the registration of Podiatrists-see below**

Comments:

A) Caution of lifting the cap:

I would like to firstly make note of reminder of “Dr. Pierre Dupont” an out of province trained podiatrist who is now known well to the College, for their gross malpractice suit and devastating effects on the public. These patients were not protected by the college, had there been due process in properly vetting ensuring their knowledge of juris prudence and a board level appropriate examination, as well as regular supervision and check in with a registered provider as the Emergency class podiatrist. I would suggest that podiatrists performing bony surgery are required to pay a higher annual college dues, recognizing the increased risk to health and life, and therefore address the requirement to ensure the college **protects the public**.

B) “Based on comparative data, Ontario’s footcare needs can be met by over 3000 registered podiatrists in the province.”

I would kindly request that the college share the method with which this number was reached.

There is a very publicly known shortage of family physicians in Ontario and OPMA sites the need for 2,500 family physicians in Ontario in January 2024 (https://www.oma.org/newsroom/news/2024/january/ontarios-doctors-warn-of-worsening-health-care-crisis-if-family-doctor-shortage-is-not-addressed-immediately/#:~:text=Far%20too%20many%20Ontarians%2C%20a,physicians%20needed%20in%20the%20province.)). The above number of 3000 podiatrists seems grossly inflated and appears to discount the fact more than 800 chiropractors and podiatrists are already working in Ontario.

Quebec’s population in 2023 was 8,604,500 and had 276 podiatrists listed as registered (<https://podiapaedia.org/wiki/podiatry-practice/podiatry-worldwide/canada/number-of-podiatrists-in-canada/>) however with not quite twice the population in Ontario(15,801,768 pop), COCOO cited 800 registered members 2023 annual report (https://www.cocoo.on.ca/pdf/annual_report/annual_report_2021.pdf). The “Ontario Foot care association also cites 1200 qualified foot care nurses working in the province. In essence, the projected numbers don’t add up and require further clarification.

Why podiatrists?

The point of lifting the cap is in some ways taken to mean that chiropractors and current registered podiatrists as well as foot care nurses and other qualified foot care providers aren’t providing enough care. Our population is growing by the day and it is a challenge in so many areas to keep up.

There is a mention of a backlog of foot surgeries in the letter posted, do we have any statistics on the numbers? Are they limb saving surgeries? A foot or toe amputation means an increased risk of further amputation and even death. If the foot care needs are not being met due to lack of bony surgeons, let’s consider the current situation of orthopedic surgeons. Despite the growing demand for musculoskeletal care and the pressures of an aging population on our healthcare system, a concerning number of new orthopaedic graduates are struggling to secure stable employment. The Canadian Orthopedic Association cites an employment crisis with 127 of their recent 430 graduates in the past 6 years in Canada still searching for employment. (<https://coa-aco.org/current-issues/>) Would these challenges not be similar for the podiatrists who would be coming from out of province?

Considering the ongoing challenge of keeping up with demand, the scope of practice for Chiropractors could be further expanded with the title change. Many of us have received training whether in Ontario or outside, to include pharmacology, radiology, and laboratory testing for culture and sensitivity and fungal culture however we have still not achieved the ability to order such tests. It seems counterintuitive that after so many years, we can treat the problem without the ability to order the test to confirm a diagnosis, nor diagnose what we are treating with medications that we are prescribing. It would be protecting the public if we had these capabilities, instead, we must waste the time of both the patient, who would have to make an appointment with their doctor to then

request a test, and for the doctor who, as we know in Ontario, are under overwhelming demand that cannot be met at this time. Accepting and graduating a higher number of providers from the already existing Michener Institute of Education would be recommended.

Documents used for evidence of need:

- Shah, B. R., Frymire, E., Jacklin, K., Jones, C. R., Khan, S., Slater, M., Walker, J. D., & Green, M. E. (2019). Peripheral arterial disease in Ontario First Nations people with diabetes: a longitudinal population-based cohort study. *CMAJ open*, 7(4), E700–E705. <https://doi.org/10.9778/cmajo.20190162>
- Loewen, K., Vigliarolo, J., Lance, B., Rockley, M., Schreiber, Y., Kivi, C., Dwyer, C., & Kelly, L. (2017). Rates of diabetes-related lower-limb amputation in northwestern Ontario: an incidence study and introduction of a standardized diabetic foot ulcer management protocol. *Canadian Journal of Rural Medicine*, 22(3), 100+. [pdf \(srpc.ca\)](#)

The articles cited above emphasize the overall systemic lack of care for the Northern Ontario populations as well as need for education and prevention of diabetes and vascular complications like wounds and amputations. We know that an amputation means a higher risk of another amputation or even death within 5 years. So we actually want to first prevent the wound from happening with **education and preventative care** this can be provided by chiropodists, current podiatry members as well as foot care nurses, pedorthists, orthotists and other qualified foot care providers.

The problem of not having enough providers in the northern areas has been so for many years. Even after opening a medical school there, accessing a primary care provider remains a huge challenge. Having more incentives and resources as well as recruiting more foot care providers in these communities would be of great benefit. More importantly, having actual Northern Ontario community members and people of indigenous heritage be encouraged to apply to chiropody and nursing programs to receive necessary training in diabetic foot and lower limb examination would bring a greater impact. The benefit of training community members with the knowledge of traditions and culture would be an asset and improve trust of health care providers. To improve accessibility, the government should have accessible covered foot care and wound care as well as offloading devices of all classes.

What we need to protect and better serve the public:

Accessibility

We should look at ensuring foot care in Ontario is covered for anyone with diabetes and other high risk conditions and that people can access needed footcare through any hospital, any Ontario health team, as well as through Ontario Health at Home services. Ontario Health at Home should have foot care specialist teams that include a chiropodist or podiatrist with wound care training who are prepared to offload feet or send people for revascularisation or amputation when needed. The main focus should be on prevention and accessibility. With preventative care and education, the government would save millions when compared to the high cost of amputations, bony surgery/reconstruction, hospital stays and necessary post surgical rehabilitation, etc. Ensuring that any person with a foot problem leaving a hospital in Ontario is connected a qualified chiropodist or podiatrist or specialized foot care nurse on discharge would bring down amputation rates drastically. There are often many warning signs but the fragmented healthcare system does not connect the whole team that is needed when someone is diagnosed with diabetes.

Overall, I agree to change the name of chiropody to podiatry, if for no other reason than to ensure the public knows what chiropodists do and that there are more than 800 of us already registered in Ontario to help them care for their feet. To improve access and knowledge of this already available care would be protecting the health of the public. The proposed changes to the amendment which includes lifting the cap and attempting to

have 3000 podiatrists flood Ontario would not only cause challenges for employment for those podiatrists trained in surgery looking for work, but also cause a saturated job market, meaning less jobs, with lower pay. Addressing accessibility in Northern Ontario with improved compensation and considering specialized Limb Salvage clinics where several chiropodists/podiatrists and foot care nurses are available on site and within the community would be of great benefit. Ultimately, immediately linking someone with diabetes or a high risk foot to a qualified foot care provider and a full team when a wound develops is the best path forward. To best protect the public from diabetes related limb amputation, a campaign on television, internet, and radio that explains the need to have annual foot checks with a chiropodist, podiatrist, or specialized foot care nurse when you have diabetes and educates the public on signs of a problem and who to see would be a great start. This method taught many the signs of a stroke, and could reach millions of people who don't know what to do when a problem arises.

[27] 12-01-2024

The following is my feedback regarding the proposed changes to the Chiropody Act, more specifically: 7 (2) Notwithstanding section 3(2) of the Chiropody Act, 1991 S.O. 1991, c.20, and subject to subsection (3), if an applicant already holds an out-of-province certificate that is equivalent to a certificate of registration authorizing the scope of practice and controlled acts prescribed in s.5(2) of the Chiropody Act, the applicant is deemed to have met the requirements set out in paragraphs 1 and 2 of subsection 5(1) and may be added to the podiatrist class, if all other registration requirements are met. There are great positives for patients for access to care by welcoming Podiatrists into Ontario BUT certainly not at the expense of unnecessary negatives that could be eliminated by addressing the timing of actions. Standardization of the title should happen before or at the same time as we open the registration to outside DPMs to be able to practice as Podiatrists. It is my opinion that changing the act as suggested does not protect the people of Ontario for the following reasons:

- I have been practicing as a Chiropodist in Ontario for over 25 years. Every day I educate the public and other health professionals about the scope of practice of Chiropodists. There is a great a void in understanding about what a Chiropodist is. It saddens me that I so regularly see patients that have suffered with no care or inappropriate care for far too long because they didn't know to come to me. Ontario is the only jurisdiction in Canada to use the term Chiropodist. The United States uses the term Podiatrist, most media references for foot health professionals only use the term Podiatrist, and some insurance companies only use the term Podiatrist. With such limited exposure to the term Chiropodist, the public has very little, if any knowledge about what the scope of practice of a Chiropodist is ... BUT they do understand what a Podiatrist is. This leads to serious confusion for the public and as noted above, I very often see that care is compromised for patients. In 2015 and HPRAC review noted the same concerns and recommended name standardization. So, if access to appropriate care is already compromised, I believe adding more Podiatrists in the Province, the College would be further creating a misunderstanding in the public's mind regarding the term and scope of care provided by a Chiropodist. The public could think that Podiatrists are the only specialists and that Chiropodists are lesser like a PodoNurse, Foot Care nurse and others.
- The public already has barriers to access care through insurance companies coverage – this will only get worse. There are already insurance companies that only cover Podiatry services and not Chiropody. Of note, they cover D.Ch care in other provinces like New Brunswick; this is because they are permitted to use the term Podiatrist. If you open the Podiatry class, and their numbers increase, insurance companies may restrict care to ONLY Podiatrists as access to Podiatrists would be greater. Insurance companies may decided not cover D.Ch/Chiropody care, severely furthering the barriers to care for the people of Ontario.
- Opening registration will also risk the financial health of many Chiropody practitioners currently practicing as it may lead to a decrease in referrals, a decrease in insurance coverage, and the general

publics knowledge of who they see for foot problems – this could very much lead to clinics closing and severely decrease the access to care in this province. This is counter intuitive to the goal of the change being suggested.

All three serious concerns noted above can be eliminated, and protection for the public can be easily addressed with one simple step: If the plan is to change the name for ALL practitioners in Ontario to Podiatrists this should happen before or at the same time as we open the registration to outside DPMs. This would protect the current 807 Chiropracist members who have been providing services to the

people of Ontario. There is absolutely NO reason that this change needs to occur before the standardization of title. Again, as noted above, in 2015 the Ontario Health Profession Advisory Council (HPRAC) was clear that changes “should be made to titles within the profession.”

Again, there are great positives for patients for access to care by welcoming Podiatrists into Ontario BUT certainly not at the expense of unnecessary negatives that could be eliminated by addressing the timing of actions. Standardization of the title should happen before or at the same time as we open the registration to outside DPMs to be able to practice as Podiatrists. This would protect the public from misunderstandings and delays to appropriate care and it would protect the Chiropracists currently devoting themselves to providing care to those in need.

[28] 12-02-2024

I am writing to express concerns regarding the proposed changes by the College of Chiropracist. While I acknowledge the importance of modernizing the profession to meet evolving healthcare needs, I am concerned about the lack of clarity and transparency surrounding these changes, as well as their potential impact on the chiropractic profession and the healthcare system as a whole.

The following issues require attention:

1. Lack of a Clear Pathway for Change Communication:

The College has not provided its members with a clear pathway or strategy on how they plan to transition from the existing chiropractic model to the proposed changes. Members are left without sufficient information on the College’s website, making it challenging for practitioners to prepare for or adapt to these changes.

2. Key Changes with Adequate Explanation:

While the College outlines certain proposed changes such as:

- a. **Changing the Name of the College**
- b. **Renaming the Profession**
- c. **Expanding the Scope of Practice**

These are significant shifts that could impact the identity of the profession, the training pipeline, and public trust. Without clear and actionable plans, there is risk of confusion and resistance from practitioners, educators, and the public.

3. Concerns About Removing the Cap on Foreign-Trained Providers:

The suggestion to remove the current cap on foreign-trained podiatrists is troubling. The data provided to justify this decision appears grossly amplified, particularly when considering that many Ontarians lack access to a family doctor. The focus should first be on ensuring current members/Canadian trained Chiropracists are supported to practice to their full scope of practice, which would alleviate some of the burdens on family physicians and the healthcare system.

Given these concerns, I respectfully recommend the following actions:

- **Enhanced Communication and Transparency:** The College should provide a detailed and accessible plan for its members regarding the proposed changes, including timelines, goals, and the rationale behind each major decision.
- **Cautious Approach to Expanding Practitioner Caps:** Before removing the cap on foreign-trained podiatrists, the focus should be on optimizing the utilization of current practitioners. Supporting existing Canadian trained members to practice to their full scope could address system inefficiencies without risking oversaturation or quality concerns.
- **Stakeholder Consultations:** The College should involve its members, training institutions, and other key stakeholders in a meaningful consultation process before implementing any changes.
- **Re-evaluation of Workforce Data:** Conduct an independent review of the workforce data to validate the necessity of lifting the foreign-trained cap, ensuring alignment with actual healthcare needs.
- **Ensure Public Safety:** Apply lessons from past cases, such as Dr. Pierre Dupont, to implement rigorous regulatory measures for any foreign-trained practitioners entering the field.
- **Fair Cost Structures:** Introduce a tiered fee model to ensure practitioners with expanded scopes, such as those performing bony surgeries, contribute equitably to regulatory and administrative costs.

These measures will not only ensure a smoother transition for the College and its members but also uphold the integrity and effectiveness of the chiropody profession within the broader healthcare system.

Thank you for your attention to this important matter.

[29] 12-02-2024

Our Order does support the basic objective of the regulation. The College of Chiropodists should be permitted to register out of province applicants in the podiatrists class, providing that the competency requirements are adequately fulfilled. Please find enclosed our proposed changes to the Registration Regulation. Should you require additional information, please do not hesitate to contact the undersigned.

3(1) in any jurisdiction including the province of Québec

(ii) any other offence relevant to suitability to practice chiropody **resulting in the impaired ability to engage in the practice of chiropody/podiatry**, or another profession in any jurisdiction.

(iii) **a final and definitive** (appeal process) finding of professional misconduct...

(iv) a current **ongoing** investigation, inquiry or proceeding

(vi) a refusal to register the applicant to practice chiropody or another profession (**Based on what criteria, be more explicit**).

3.Provide a certificate of **good** standing, **as defined in article 7(4)** from the body...

4.The applicant's past and present conduct, in the opinion of the Registrar or panel of registration committee, **said opinion being substantiated through functional and mental capacity assessments by an independent medical evaluator.**

(iv) will display an appropriate professional attitude **in accordance with the professional Code of conduct.**

6.1

(2) If member fails to meet the requirement in paragraph 1, the member shall immediately advise the Registrar in writing of that fact and shall immediately cease to engage in the practice of chiropody until such time as the member meets the conditions set out in subsection (3). (Reversal of actions).

6(1) If a member fails to meet the condition described in paragraph 1 of subsection 1, the Registrar shall refer, within 5 days of reception of notice by member, the member to the Quality Assurance Committee for a peer and practice assessment. (or within another delay).

7(1) Holder of an out-of-province certificate that is equivalent to a general certificate of registration issued by the College, **as elaborated by the College's equivalency process procedure...**

9(5) revocation of emergency certificate if it is in the public interest to do so.

Revocation may be initiated by the complaint of a patient or member of the College.

[30] 12-02-2024

I am writing to express my support for these proposed changes.

It is wonderful to see some proposed amendments that will help mitigate the current podiatric cap in Ontario. I greatly look forward to seeing the acceptance of the proposed amendments.

Thank you very much.

[31] 12-02-2024

I have read and reviewed the proposed changes to the Registration Regulation and believe these amendments constitute a step in a positive direction for the College of Chiropodists of Ontario.

Feedback from the Ontario Podiatric Medical Association (OPMA) President:

On behalf of the OPMA Board of Directors and membership I wish to register with the College our enthusiastic and complete support for the proposed amendments.

Please let us know if there is anything the OPMA can do in support of their approval.

Thank you,
Bruce Ramsden, DPM
OPMA President

November 26, 2024

College of Chiropodists of Ontario

180 Dundas Street West, Suite 1901

Toronto, Ontario, M5G 1Z8

www.cocoo.on.ca

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By email: info@cocoo.on.ca.

Response to Proposed Changes to College's Registration Regulations

I'm writing on behalf of the OPMA Board of Directors and members to register our complete and profound support for the proposed changes. I'm sure you will also hear from individual podiatrists directly.

As the College well knows, principally because of the "podiatric cap" there is a huge and growing HR crisis for podiatrists in Ontario. That crisis has a severe impact on the health of Ontarians, particularly those with diabetes, seniors and Ontario's indigenous population. In an emergency, that crisis is seriously exacerbated. The proposed amendments will mitigate that effect.

Furthermore, the OPMA supports any initiative that reduces the impact of the podiatric cap, which as you know this Association firmly believes is bad public policy that undermines the health status of Ontarians, particularly vulnerable populations such as seniors, those without access to a primary care physician, the diabetic population and First Nations communities.

We look forward to acceptance and ultimate promulgation of the proposed amendments.

Yours sincerely,



James Hill, DPM, FACFAS
OPMA Board Member



November 29, 2024

Nicole Zwiars
Registrar and CEO
College of Chiropodists of Ontario
180 Dundas Street West, Suite 1901
Toronto, ON M5G 1Z8

Sent by email to: info@cocoo.on.ca

Nicole,

RE: Ontario Society of Chiropodists – Response to Proposed Changes to Registration Regulation (O. Reg. 830/93)

This letter is submitted as the Ontario Society of Chiropodists' (OSC) response to the proposed changes to the Registration Regulation (O. Reg. 830/93) under the *Chiropody Act, 1991*, as circulated for comment by the College of Chiropodists of Ontario (COCOO) in October 2024. Thank you for the opportunity to provide this response and feedback.

OSC has completed its review of the proposed changes to the Registration Regulation. We understand that this proposed amendment was previously submitted by COCOO to the Ministry of Health in May 2023, with COCOO's explanation that it would further assist Ontario's labour mobility for healthcare professionals. At that time, the Ministry advised COCOO that it would only consider amendments pertaining directly to the creation of an Emergency Class of registration. OSC remains supportive of removing interprovincial barriers and easing the path to registration for foot health professionals seeking to practice in Ontario as part of a full modernization of Ontario's framework for the professions.

It is our understanding that the Ministry has now requested the re-submission of these proposed changes to fulfill its prior commitment to consider other amendments to the Registration Regulation at a future date.

OSC is concerned that the proposed regulatory amendment, specifically the changes related to labour mobility, are not aligned with the current legislation – and whether the matter is best addressed through COCOO's ongoing efforts to develop a modernized framework for foot health professions in Ontario. OSC has identified four areas for additional clarity about the proposed regulatory amendment, which are identified under separate headings below. Each heading is accompanied by questions that OSC believes need further explanation and consideration prior to any finalization of the proposed regulation.

1. Addressing Ontario's legislative podiatry cap through regulation.

The *Chiropody Act, 1991* contains a specific legislative prohibition regarding the registration of new Podiatrists in Ontario.

3 (2) No person shall be added to the class of members called podiatrists after the 31st day of July, 1993.

The proposed regulatory amendment being put forward by COCOO proposes to modify the Registration Regulation (O. Reg. 830/93) to include the following provision for out-of-province applicants holding certificates of registration equivalent to the podiatrist class in Ontario.

7 (2) Notwithstanding section 3 (2) 12 of the *Chiropody Act, 1991 S.O. 1991, c. 20*, and subject to subsection (3), if an applicant already holds an out-of-province certificate that is equivalent to a certificate of registration authorizing the scope of practice and controlled acts prescribed in s. 5 (2) of the *Chiropody Act*, the applicant is deemed to have met the requirements set out in paragraphs 1 and 2 of subsection 5 (1) and may be added to the podiatrist class, if all other registration requirements are met.

The intended effect of this regulatory amendment appears to be neutralizing the existing prohibition that exists in statute, thereby circumventing the podiatry registration cap through regulation. It also appears to avoid the ordinary course of amending legislation in Ontario, a change that in this instance would be straightforward in the context of an overall modernized framework.

- *Does the interpretation of Ontario law permit a regulation to either ignore or supersede legislation, unless that legislation provides regulatory authority to create specific exemptions?*
- *Does the Chiropody Act, 1991 provide a regulation-making authority to ignore or create exemptions to the existing statute on this matter?*
- *Are there other examples where this specific regulatory mechanism is applied in the context of professional regulation in Ontario?*
- *Why is COCOO proposing this regulatory amendment at this time, rather than seeking a specific legislative amendment as part of a proposal to the Ministry of Health outlining a modernized framework for foot health professions in Ontario?*



2. Impact on qualified Ontario-based registrants.

As stated at the outset, OSC remains supportive of removing interprovincial barriers and easing the path to registration for foot care professionals seeking to practice in Ontario. We want to ensure that any updates or modernization to Ontario's framework for foot health professionals are appropriately applied to Ontario-based registrants as well.

OSC notes that the proposed regulatory change [7 (2)] to the Registration Regulation is to be included under the section specifically pertaining to Applicants with Out-of-Province Certificates. There does not appear to be a corresponding regulatory amendment applicable to those existing registrants in Ontario who possess comparable educational and experiential credentials but do not have an out-of-province certificate of registration.

The 2022 Position Paper identifies that Ontario does not presently have an in-province educational program to train practitioners to meet the requirements to be registered in the podiatrist class under the current framework (were such registration permitted). The creation of such a program is a key principle of the Position Paper and of a modernized framework going forward.

It is our understanding that there are upwards of 25 registered chiropodists in Ontario that possess education and/or experience equivalent to registered podiatrists under the current Ontario framework. Nevertheless, they were registered in Ontario as chiropodists due to the existing statutory cap and may not possess out-of-province certificates. Presuming that the intent of this regulatory proposal is to increase the number of registered practitioners in Ontario capable of performing additional care services, addressing these Ontario-based practitioners would appear to be an important consideration.

- *Will these Ontario-based practitioners be eligible under the proposed regulatory amendment as drafted?*

3. Interaction with the Emergency Class and Supervision.

COCOO Council approved an Emergency Class policy in January 2024, which states that the College's Registration Regulation was amended in August 2023 to include the Emergency Class and that the Emergency Class "exists for the sole purpose of allowing qualified registrants to provide care during an emergency".

The Emergency Class Policy states that individuals trained as podiatrists in jurisdictions approved by Council (such as out-of-province podiatrists) are eligible to be registered in the Emergency Class as chiropodists when the Ontario government or Council determines that it is in the public interest to register qualified chiropodists to respond to emergency situations. Individuals trained as podiatrists in other jurisdictions would be eligible to be registered in the Emergency Class but would be registered as chiropodists.



All Emergency Class certificates are automatically revoked 60 days after Council determines that the circumstances that led to the opening of the Emergency Class have ended. The certificates also expire one year after they are issued but can be renewed if the emergency circumstance has not ended. To practice in the Emergency Class, the registrant must be supervised by a member of the General Class. This is outlined in the Registration Regulation and the Supervision in the Emergency Class Policy. The supervisor must always be onsite when the supervisee is providing chiropody services and the two must consult at least once a day when the supervisee provides chiropody services.

By contrast, the current regulatory proposal may contradict the policies implemented by COCOO in establishing the Emergency Class, which requires supervision for out-of-province registrants.

- *Will any supervision requirement be implemented for registrants admitted under this proposal?*
- *Why was supervision deemed necessary for the Emergency Class, but not under this proposed amendment?*

4. Alignment with ongoing modernization of foot health professional regulation in Ontario.

OSC supports the modernization of the legislative and regulatory framework for foot health professionals in Ontario, consistent with the principles outlined in the 2022 Position Paper jointly signed by OSC, COCOO and the Ontario Podiatric Medicine Association (OPMA). The signatory organizations agreed that the completion and introduction of a modernized framework should reflect several defining features, including the removal of the legislative prohibition on the registration of new practitioners in the Podiatrist class in Ontario.

Since that time, OSC has worked closely with COCOO and OPMA to inform the detailed design and implementation of a proposed modernized framework. This proposal would subsequently be submitted by COCOO to the Ministry of Health for its review and consideration. Substantial work on this proposal has been completed to date, and all parties continue to work towards its finalization.

While the signatories to the Position Paper agreed to the principle that Ontario's legislative cap on the registration of new podiatrists should be lifted, OSC understood that it was to be done in the context of an overall modernization of the professional regulation of foot care in Ontario. We are uncertain as to whether this is the appropriate time to pursue this regulatory amendment. Other than meeting the request initiated by the Ministry of Health to fulfill its earlier commitment to COCOO to revisit the issue, it is not clear how the proposed regulatory amendment fits within the broader modernization effort, particularly if the matter in question can more directly and appropriately be resolved through legislative amendment.



- *Does moving forward with the proposed regulatory amendment at this time best reflect the principle of addressing the podiatry cap within the context of a broader modernization proposal for the foot health professions framework in Ontario?*

OSC appreciates the opportunity to bring these observations and questions to COCOO's attention for further clarification. We look forward to COCOO's response and further discussion as we continue our collective efforts towards modernizing Ontario's legislative and regulatory framework governing foot health professionals in the province.

Sincerely,



Colin McQuistan
President, Ontario Society of Chiropodists