



College of Chiropodists of Ontario

Council Meeting Agenda

Friday, May 12, 2023
66 Wellington Street W., Toronto
41st Floor Conference room
Weirfoulds
9:00 a.m. – 5:00 p.m.

8:30am – 9:00am – A hot breakfast will be served in the Conference Room

9:00 am	1.0	Call to Order – Peter Stavropoulos, President	Page Number(s)
	1.1	Call to Order, Appointment of Secretary 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.” Approval of Professional Member Prep Time Motion: <i>That Council approve the preparation time for professional members on Council.</i>	
	1.2	Approval of Agenda Motion: <i>That Council approve the agenda for the May 12, 2023 Council meeting.</i>	N/A
	1.3	Declaration of Conflict of Interest**	1-8
	1.4	Approval of Minutes of the January 27, 2023 Council Meeting and the April 17, 2023 Special Council Meeting** Motion: <i>That Council approve the minutes of the January 27, 2023 and April 17, 2023 Council meeting.</i>	9-16
	1.5	Introduction of Michael Aubé, Manager, Registration, Examinations and Quality Programs	N/A

9:30 a.m. – 10:30 a.m.	4.0	Council Education Item – Denitha Breau, Deputy Registrar, College of Social Workers and Social Service Workers of Ontario	Page Number(s)
	4.1	Governance Review of the OCSWSSW – Guest Denitha Breau,	N/A

		Deputy Registrar, OCSWSSW	
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10:30 a.m.	2.0	Consent Agenda Items	Page Number(s)
		<p>Consent Agenda Items</p> <p>A consent agenda is a bundle of items that is voted on, without discussion, as a package.</p> <p>It differentiates between routine matters not needing explanation and more complex issues needing examination. The Chair will ask if anyone wishes to remove an item from the consent agenda. Any Council member may request an item be removed so it can be discussed. To test whether an item should be included in the consent agenda, ask:</p> <ol style="list-style-type: none"> 1. Is this item self-explanatory and uncontroversial? Or does it contain an issue that warrants board discussion? 2. Is this item for information only? Or is it needed for another meeting agenda issue? <p>Motion: <i>That Council approve consent agenda items 2.1, 2.2. and 2.3</i></p>	
	2.1	Council Meeting Survey Results from the January 27, 2023 Council Meeting**	17-23
	2.2	Practice Advisor Report**	24
	2.3	Committee Reports	
	2.3.1	Discipline Committee Report**	25-27
	2.3.2	ICRC Report**	28-33
	2.3.3	QAC Report**	34-35
	2.3.4	Exam Committee Report**	36-37
	2.3.5	Standards and Guidelines Committee Report**	38-39
	2.3.6	Registration Committee Report**	40-41
	2.3.7	Patient Relations Committee Report**	42
	2.3.8	Fitness to Practise Committee Report**	43
	2.3.9	Technical Committee Report**	44
	2.3.10	Standing Drug Committee Report**	45
	2.3.11	Elections Committee Report**	46
	2.3.12	Strategic Planning Committee Report**	47-48
	2.3.13	Registrar’s Compensation Committee Report**	49-50

10:45 a.m.- 11:15 a.m.	3.0	Decision Items (with briefing notes)	Page Number(s)
	3.1	Motion to approve 2024 Council Meeting Dates: January 26, 2024, May 31, 2024, September 27, 2024	

		Motion: <i>That Council approve the proposed 2024 Council meeting dates.</i>	
	3.2	Amendments to Bylaw 2 to align with other College Bylaw to create consistency in fee charged for declined credit card charge (Difference between Bylaw 2 item 9.01 and Bylaw 3 item 6.1)** Motion: <i>That Council approve the amendment to Bylaw 2 (9.01) to align it with Bylaw 3 (item 6.1).</i>	51-52
	3.3	Amendments to Bylaw 1 to allow for 1 (one) selected member on Council** Motion: <i>That Council approve the amendment to Bylaw 1 to reduce the number of selected members on Council from two to one.</i>	53-57
	3.4	Amendments to relevant Bylaws to create consistency in the eligibility requirements for selected members to be appointed to Council and/or College Committees Motion: That Council approve the amendments as set out in Appendices A and B to the Briefing Note Re: Eligibility	58-86
11:15 a.m. – 11:30 a.m.		Break	

11:30 am- 12:30 p.m.	3.0	Decision Items Continued (with briefing notes)	Page Number(s)
	3.5	Surgical Competencies Guideline** Motion: <i>That Council approve the Surgical Competencies Guideline.</i>	87-93
	3.6	Auditor’s Report** Motion: <i>That Council approve the Auditor’s Report.</i>	94-121
	3.7	Appointment of Hilborn LLP as the Auditor for 2023 Motion: <i>That Council reappoint Hilborn LLP as the College’s auditor for the 2023 fiscal year.</i>	N/A

12:30 pm - 1:30 pm	Lunch Break		
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1:30 p.m. - 3:30 pm	5.0	Discussion Items	Page Number(s)
	5.1	Registrar’s Report** – Nicole Zwiers	
	5.2	College Performance Measurement Framework 2022	N/A

	5.3	Good Governance and Council Workshop	N/A
3:30 p.m. – 3:45 p.m.		Break	

3:45 p.m. – 5:00 p.m.	6.0	In-Camera	Page Number(s)
	6.1	Motion to move in-camera Motion: <i>That Council vote 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.</i>	
	6.2	Approval of In Camera Minutes of January 27, 2023 Council Meeting and the April 17, 2023 Special Council Meeting Motion: <i>That Council approve the in-camera minutes of the January 27, 2023 meeting and the April 17, 2023 meeting.</i>	
	6.3	In Camera Decision Items	
	6.3.1	HR Matters	

5:00 p.m.	7.0	Next Meeting
	7.1	Council Meeting Dates for 2023: <ul style="list-style-type: none"> September 22, 2023
	7.2	Council Survey Reminder
	7.3	Proposed Agenda Items for Next Council Meeting

5:00 p.m.	8.0	Adjournment
		Motion: <i>That Council adjourned the meeting.</i>

*The agenda items may not necessarily be dealt with in the order in which they appear.
 ** Denotes an agenda item with supporting document



College of Chiropractors of Ontario

Conflict of Interest Disclosure Form

Meeting Date: ,

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](#) (Appendix A), the **Conflict of Interest Worksheet** (Appendix B) and the Process for Considering & Declaring a Conflict of Interest (Appendix C).

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.
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. Where a member of Council or its Committees feels compelled to publicly oppose or speak against a policy adopted by Council, or a decision made by a Committee, the member should first resign from Council and/or its Committees.

8. Council and Committee members shall refrain from engaging in any discussion in relation to the³ 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.

WORKSHEET: Conflict of Interest

What is a conflict of interest?

A conflict of interest may be 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 above 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 the College follows 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 will not 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.



College of Chiropodists of Ontario

**Minutes of the Council Meeting
Friday, January 27, 2023 at 9:00 a.m.
66 Wellington St. W., 41st Floor Conference Room**

Council Members in Attendance:

1. Matthew Andrade
2. Melanie Atkinson – via Zoom
3. Chad Bezaire
4. Ed Chung
5. Matthew Doyle
6. Donna Shewfelt
7. Peter Stavropoulos
8. Deborah Loundes, Selected Member
9. Ramesh Bhandari, Public Appointee
10. Jim Daley, Public Appointee – via Zoom
11. Allan Katz, Public Appointee
12. Reshad Nazeer, Public Appointee (from 9:45 a.m.)
13. Jannel Somerville (after appointment) – via Zoom
14. Andrew Klayman (after appointment)

Regrets:

1. Andrew Simmons, Public Appointee
2. Winnie Linker, Public Appointee
3. Orlando Moreno, Public Appointee

Staff in Attendance:

1. Nicole Zwiers, Registrar and CEO
2. Meghan Clarke, Deputy Registrar and Manager, Professional Conduct and Hearings
3. Christine Hickey, Manager, Registration, Examination and Quality Programs
4. Stanley Huang, Executive Assistant

General Legal Counsel:

1. Sarah Yun

Guests:

1. Bruce Ramsden, President, OPMA – via Zoom
2. Jana Charyk, OSC – via Zoom
3. Nanci Harris – Governance Consultant

1. Call to Order

1.1 Call to Order, Appointment of Secretary

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P. Stavropoulos called the meeting to order at 9:05 a.m., noting that notice of the meeting was given, and the meeting was properly constituted with a quorum present. Meghan Clarke was appointed as Secretary.

Allan Katz delivered a land acknowledgement.

M. Doyle proposed 3.5 hours of preparation time for professional members.

It was moved by M. Doyle and seconded by P. Stavropoulos to approve the preparation time for professional members of the Council. Motion CARRIED

1.2 Approval of Agenda

It was moved by C. Bezaire and seconded by M. Andrade to approve the agenda. Motion CARRIED.

1.3 Declaration of Conflict of Interest

No conflict of interest was declared.

1.4 Approval of Minutes of October 28, 2022 and November 14, 2022 Council Meetings

It was moved by D. Shewfelt and seconded by C. Bezaire to approve the minutes of the October 28, 2022 and November 14, 2022 Council meetings. Motion CARRIED.

1.5 Presentation by Nanci Harris, Governance Consultant on Third-Party Assessment

N. Zwiers introduced N. Harris who has an extensive background in health regulation and governance. She was selected to conduct a third-party assessment of Council, as required by the College Performance Measurement Framework (CPMF).

N. Harris provided a background of the CPMF, and explained that she will be performing a third-party audit of the governance of the College, including, the material, meeting, effectiveness of decision-making, and how the public interest is considered. The report is intended to provide feedback to the College to help Council improve. It will be appended to the College's CPMF submission.

2. Consent Agenda Items

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

3. Decision Items

3.1 Election of Chiropodist District 6 and Appointment of Podiatrist Combined District 2

a) Appointment of Podiatrist – Combined District 2

N. Zwiers explained that the College put a call-out to the membership for a podiatrist position on Council. A. Klayman put his name forward. A. Klayman has been practising as a podiatrist for 30 years and has volunteered as an assessor and mentor with the College.

It was moved by D. Shewfelt and seconded by M. Doyle to appoint A. Klayman as the Podiatrist member on Council for combined district 2. Motion CARRIED.

b) Election of Chiropodist – District 6

The College put a call-out to solicit interest from district 6. After two calls, it was opened to any interested chiropractors, and there was significant interest in the position. Candidates provided their bios/resumes for Council's consideration and they are being given the opportunity to speak to Council today for five minutes. Following that, Council will move in-camera to vote.

It was moved by D. Loundes and seconded by E. Chung that Council vote 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. Motion CARRIED.

It was moved by M. Doyle and seconded by C. Bezaire to appoint Jannel Somerville as the Chiropractor member on Council for district 6. Motion CARRIED.

3.2 Motion to Approve Amendments to Bylaw 2: Fees – Examination Fee Increase

N. Zwiers advised that Council approved this fee increase in principle and it was distributed to the membership for feedback, and that feedback was provided to Council. The goal is to move towards cost neutrality for the exam. A. Katz commented that the feedback was editorialized in that it was noted that three members made the same submission rather than simply providing the submissions without comment. A. Katz suggested that there should not be any editorializing of submissions. Also, N. Zwiers suggested that, in the future, feedback should not be anonymized, and names should be included in the submission to Council.

It was moved by E. Chung and seconded by A. Klayman that Council approve the amendment to Bylaw 2: Fees – Examination Fee Increase. Motion CARRIED.

3.3 Motion to Approve Exam Honorarium Policy

M. Doyle raised a concern that the fee for attendance at the OSCE is too low, which could mean the College will struggle to get volunteers. D. Shewfelt read a statement about the fact that there should be equity across committees in terms of per diem rates.

P. Stavropoulos noted that the Policy was supported by the Executive Committee. N. Zwiers noted that, because the College is seeking cost neutrality for the exam, it needs to be mindful of all costs associated with the exam, in that those costs will ultimately be passed on to students. She noted that the per diems/expenses for the OSCE have been outliers in terms of what members have billed, and there was a perception that members were taking advantage.

M. Doyle questioned whether paying OSCE examiners less than other committee members could give the perception to the membership that the OSCE is not as important as the work of other committees. M. Doyle proposed that the full-day rate for the OSCE be \$300 and the half-day rate be \$150.

It was moved by E. Chung and seconded by R. Bhandari that Council approve the Exam Honorarium Policy. Motion DEFEATED.

In Favour: E. Chung, M. Andrade and J. Daley

Opposed: R. Bhandari, D. Loundes, P. Stavropoulos, D. Shewfelt, M. Doyle, M. Atkinson, A. Klayman, J. Somerville, A. Katz, R. Nazeer, C. Bezaire

It was moved by M. Doyle and seconded by D. Shewfelt that Council approve the Exam Honorarium Policy, with the full-day OSCE rate revised to \$300 and the half-day OSCE rate revised to \$150. Motion CARRIED.

3.4 Motion to Approve Election Bylaw Amendment

N. Zwiers explained that the proposed amendment will move election dates to align with the change in Council date from October to September. It also updates the bylaw to account for electronic elections. 12

It was moved by A. Katz and seconded by M. Doyle that Council approve the amendments to the election bylaw as proposed. Motion CARRIED.

3.5 Motion to Approve Key Performance Indicators (KPIs)

N. Zwiers noted that the Strategic Planning Committee brought the Strategic Plan to Council in 2022. To satisfy the CPMF, the College needs key performance indicators to measure the College's success in trying to meet its objectives/goals in the plan. The Committee met and developed the KPIs, which are now before Council.

It was moved by A. Katz and seconded by J. Daley that Council approve the Key Performance Indicators. Motion CARRIED.

3.6 Motion to Approve College 2023 Operating Budget

N. Zwiers advised that the operating budget is normally brought before the Audit Committee and the Executive Committee, before coming to Council, but that did not happen in this case. N. Zwiers proposed that Council can either discuss the budget today and then it can go before the Audit Committee and back to a special Council meeting, or Council can vote on the budget because the Audit Committee members are on Council and have reviewed the material.

It was moved by D. Shewfelt and seconded by J. Daley that Council approve the 2023 operating budget. Motion CARRIED.

3.7 Motion to Approve Declaring Clinical Practice Hours Guideline

The College's regulation requires that members/applicants complete three months of practice in two years to declare currency of practice on application/renewal. The Standards and Guidelines Committee considered what is clinical practice and how many hours are required to achieve the three months in two years requirement.

It was moved by C. Bezaire and seconded by E. Chung that Council approve the Declaring Clinical Practice Hours Guideline. Motion CARRIED.

3.8 Motion to Approve Social Media Standard of Practice

N. Zwiers explained that this new standard is intended to replace the current Social Media Advisory.

It was moved by M. Andrade and seconded by A. Klayman that Council approve the Social Media Standard of Practice. Motion CARRIED.

3.9 Motion to Approve Amendments to Bylaw 3: Professional Health Corporation

N. Zwiers explained that the fees for professional health corporations have not been updated since 2014 when it was enacted. The increase is intended to reflect inflation.

It was moved by D. Shewfelt and seconded by M. Doyle that Council approve the amendments to Bylaw 3: Professional Health Corporation. Motion CARRIED.

3.10 Motion to Approve Amendments to Bylaw 1: General – Elections Eligibility

N. Zwiers explained that the intent is to have Council and committee members who are members in good standing – the bylaw changes outline criteria that would make a member ineligible to serve on Council or College committees. It also provides a mechanism for ineligible members to appeal to the Elections Committee.

It was moved by A. Katz and seconded by J. Daley to approve the amendment to Bylaw 1: General – Elections Eligibility. Motion CARRIED.

4. Education Session – Position Paper

N. Zwiers presented the position paper to Council, which uses Ontario-based data to show the correlation between access to chiropodists and podiatrists and lower rates of diabetes and lower limb amputation. The position paper builds on the submission to HPRAC and includes a proposal to move towards a full-scope podiatry model, which includes a name change (College of Podiatrist of Ontario) and the development of Ontario-based podiatry program(s).

N. Zwiers discussed two announcements from the Ontario government that may impact the College’s work – the announcement that private surgical suites can be used for OHIP funded surgery and the “as of right” legislation that allows out of province members to practice in Ontario without registering with the College. The College has submitted a letter to the Premier with its position on these two proposals.

5. Discussion Items

5.1 Registrar’s Report

N. Zwiers advised that the College has not had a profile among other regulators. She has been trying to remedy that by being visible at HPRO and other conferences. Staff will be attending the CNAR and CLEAR conferences. Now that the KPIs have been passed by Council, N. Zwiers will be looking to measure the College’s success against those benchmarks.

Yesterday, there was a business meeting for the Quality Assurance Committee, ICRC and the Discipline Committee. It was an opportunity for the College to provide education to committee members, and to contribute to the College’s goal of sustainability.

The College will be working to complete the CPMF, which is due March 31.

In terms of collaboration, N. Zwiers has developed good working relationships with other RHPA registrars. The town hall in December 2022 was well received. That outreach is important to the College, and another town hall will be scheduled this year. N. Zwiers also works closely with the presidents of the two associations.

The College is looking to modernize, which includes being as transparent as possible. For example, the membership practice survey was new for this College, but it is not uncommon in regulation. The goal is to embed that data into the annual renewal. N. Zwiers explained that this data helps inform the work of the QA Committee.

N. Zwiers advised that she provided her written report in advance and offered to answer any questions – there were no questions from Council.

5.2 In-Person versus Online Proctored Exam

N. Zwiers said this is being brought to Council for discussion – the question is whether the College should return to an in-person exam, versus the online proctored exam.

D. Shewfelt said she is in favour of returning to an in-person proctored exam. She noted that the online proctored exam is more expensive. M. Doyle explained the College moved to online exams because the College could not rent

out enough space during covid (six feet of space was required between writers). M. Doyle also noted that the cost to students is more to write in-person exams because they have to be downtown for three days. 14

C. Hickey explained that the College pays \$40/per student (per test) for online proctored exams. This year, those costs will increase because the core competency and jurisprudence exam will be held separately. C. Hickey is working on costing out the in-person exams. N. Zwiers noted that the boardroom in the College's office could be used for the exam, depending on the numbers. She also noted that not all students have the internet speed to facilitate online exams.

D. Loundes noted that in-person exams are likely the most effective in terms of exam security.

D. Shewfelt and M. Doyle stated that the exams should be held back-to-back.

C. Bezaire noted that in-person exams are more equitable for all writers in terms of avoiding internet connectivity issues. C. Hickey clarified that, if a writer has technical issues, the exam is paused. She also outlined the security measures in place to mitigate cheating.

N. Zwier said the College will conduct a cost comparison between online and in-person exams. Any changes to the exam administration will be implemented in 2024.

5.3 Draft Registration Regulation

N. Zwiers explained that the College is required to update its Registration Regulation because of Bill 106 to include an emergency class of registrant – it would apply to an emergency declared by government or by Council. As part of the draft changes, the College is proposing the removal of the podiatry cap in emergency situations. S. Yun reviewed the proposed changes with Council.

In terms of timeline, the College needs to provide the draft regulation to government by May 1, 2023.

6. In Camera

It was moved by D. Shewfelt and seconded by C. Bezaire 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.

Council moved in camera at 2:48 p.m.

7. Next Meeting

7.1 Council Meeting Dates for 2023

- May 12, 2023
- September 22, 2023

7.2 Council Survey Reminder

7.3 Proposed Agenda Items for Next Meeting

8. Adjournment

It was moved by M. Doyle and seconded by D. Loundes that the meeting be adjourned. Motion CARRIED.

The meeting was adjourned at 3:40 p.m.

ITEM 1.4**Special Council Meeting, April 17, 2023****College of Chiropractors of Ontario****8:00pm****Council Members in Attendance:**

Peter Stavropoulos, President and Chair
Matthew Doyle, Vice-President
Melanie Atkinson, Professional Member
Winnie Linker, Public Member
Jim Daley, Public Member
Allan Katz, Public Member
Reshad Nazeer, Public Member
Ramesh Bhandari, Public Member
Debra Loundes, Selected Member
Matthew Andrade, Professional Member
Chad Bezaire, Professional Member
Ed Chung, Professional Member
Andrew Klayman, Professional Member
Donna Shewfelt, Professional Member
Jannel Somerville, Professional Member

Nicole Zwiers, Registrar/CEO

Regrets:

Andrew Simmons, Public Member

Guests:

Vivian Pang, Ministry of Health
Sarah Yun, Legal Counsel

The meeting was called to order by the Chair. Nicole Zwiers was appointed as secretary for the meeting.

A motion was made to amend the Agenda by adding "Regulatory Update to item 4.1", by Ed Chung, seconded by Matt Doyle. MOTION CARRIED UNANIMOUSLY

Professional members agreed that 30 minutes of preparation time for the meeting was sufficient.

The Chair asked for anyone to declare a Conflict of Interest. No declarations were made.

Item 3.1 – Draft Registration Regulation

Nicole Zwiers provided that the draft regulation had been approved by the Executive Council and circulated February 11, 2023 for 60 days during which the College accepted all submissions made. Council was provided with an anonymized document capturing all of the comments made. An additional submission was received on April 17th from the Competition Bureau and provided to Council prior to the Special Council Meeting.

Sarah Yun explained the nature of proposed amendments to the draft Registration Regulation, including the emergency class provisions.

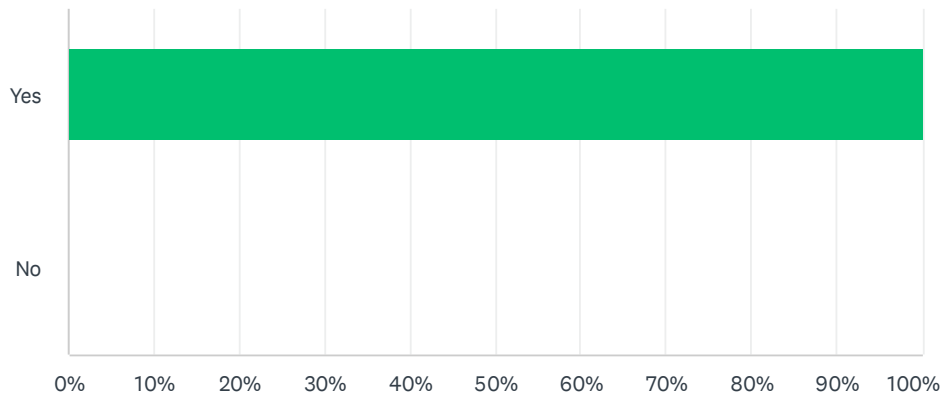
A motion was made by Peter Stavropoulos, seconded by Matthew Doyle to recommend the draft Registration Regulation as it was circulated to the Ministry of Health for consideration and enactment.

MOTION CARRIED UNANIMOUSLY

A motion was made by Donna Shewfelt, seconded by Allan Katz to move in camera at 8:15pm. MOTION CARRIED UNANIMOUSLY

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

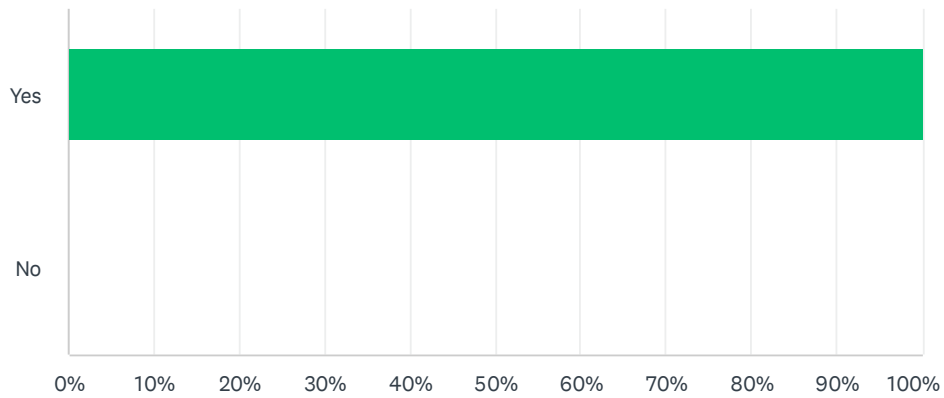
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	8
No	0.00%	0
TOTAL		8

Q2 Did the chair run an efficient and effective meeting?

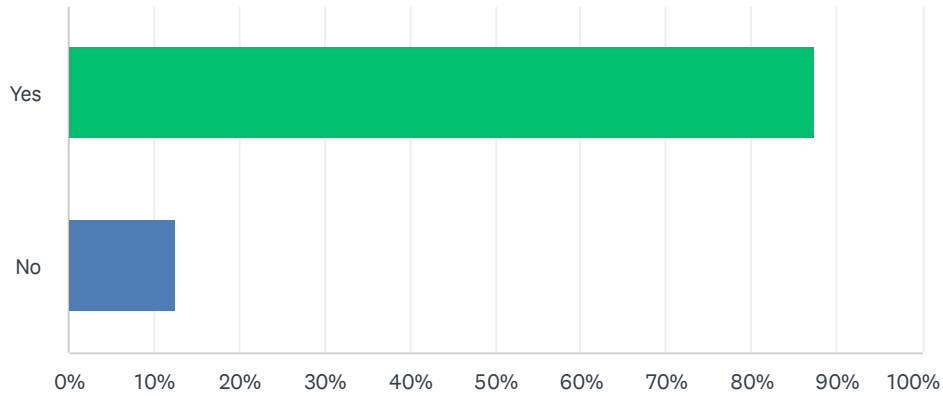
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	8
No	0.00%	0
TOTAL		8

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

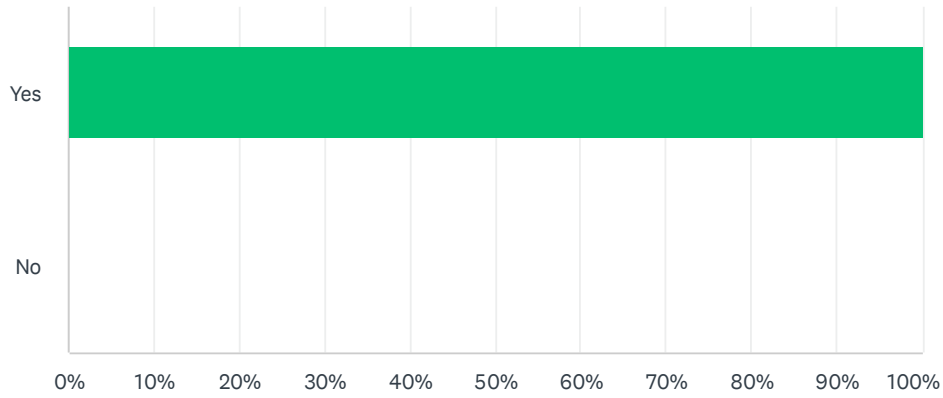
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	87.50%	7
No	12.50%	1
TOTAL		8

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

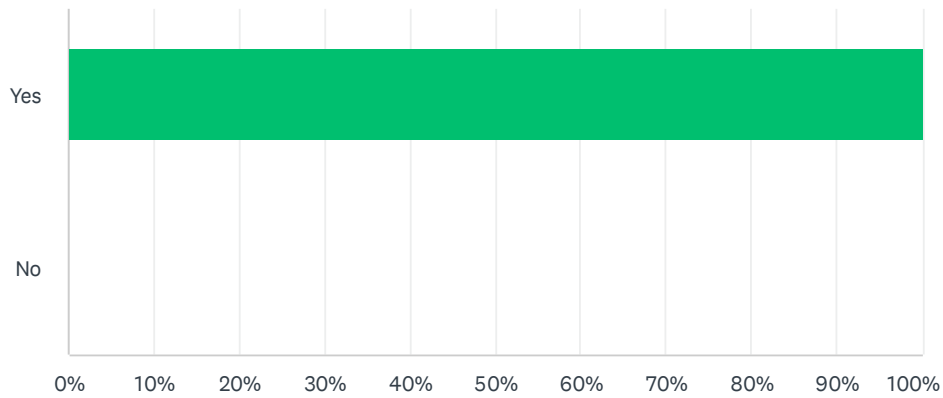
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	8
No	0.00%	0
TOTAL		8

Q5 Did all committee members participate in the meeting appropriately?

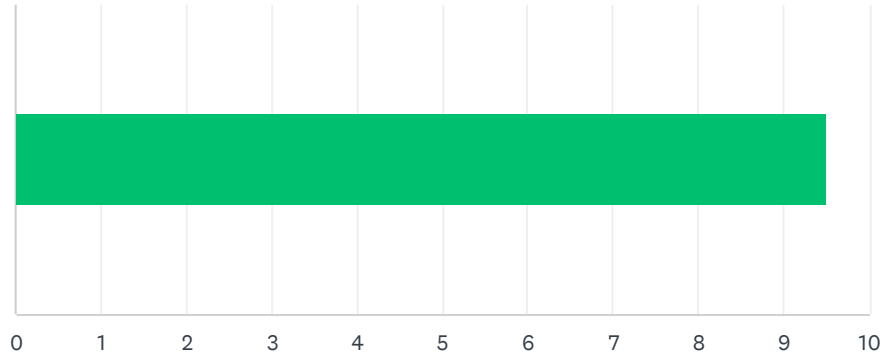
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	8
No	0.00%	0
TOTAL		8

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

Answered: 8 Skipped: 0



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	10	76	8
Total Respondents: 8			

#		DATE
1	8	1/30/2023 6:01 PM
2	10	1/28/2023 3:39 PM
3	10	1/28/2023 1:41 PM
4	10	1/28/2023 1:35 PM
5	10	1/28/2023 8:52 AM
6	9	1/27/2023 10:11 PM
7	10	1/27/2023 5:57 PM
8	9	1/27/2023 4:20 PM

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

Answered: 6 Skipped: 2

#	RESPONSES	DATE
1	NA	1/28/2023 3:39 PM
2	Very well run! Facilities were excellent.	1/28/2023 1:41 PM
3	Excellent Meeting	1/28/2023 1:35 PM
4	The meeting was executed with efficiency and in a very timely manner. No recommendation for changes	1/28/2023 8:52 AM
5	Well organized and very respectful process I was very impressed with the collegial atmosphere. Would like to see more members watching this process and providing a zoom link to the all the College members prior to a meeting to show them all the good hard work that is being done for our profession by the college as well it's very informative for just daily practice which in turn will educate the practitioners thus hopefully protecting the public	1/27/2023 5:57 PM
6	None	1/27/2023 4:20 PM

Practice Advisor Report – May 12, 2023

Acting Practice Advisor - Peter Stavropoulos, DPM, Registered Podiatrist

Purpose: To provide Council with an overview of the Practice Advisor activities since the last meeting of Council. The Practice Advisor (PA) provides professional practice advice on behalf of the College, supporting Members by making sound and ethical clinical decisions that comply with legislative requirements, the Standards of Practice, and College policies and guidelines. The PA is also available to support the public with questions about the practice of chiropodists and podiatrists.

The Public Interest: The practice advisory service responds to inquiries from multiple stakeholders including the public. The PA is also available to support the public with questions about the practice of chiropodists and podiatrists in Ontario.

Data breakdown since the January Council meeting:

- Received 229 phone calls and emails relating to the practice advisory service between January 27, 2023, and April 19, 2023.
- Collaborated with the practice advisors of other Colleges consistent with College Performance Measurement Framework recommended best practices.
- Sources of enquiries during this cycle included: members of the public, registrants, clinic managers, other regulated health professionals (for example, pharmacists, RNs), third party insurance companies, and referrals from College staff.

Ongoing work: Seeking to improve the practice advisory service to Registrants and stakeholders by:

- Continuing to increase awareness of the services provided by the PA.
- Enhance learning resources available on the College website.

Respectfully submitted,

Peter Stavropoulos, DPM
Acting Practice Advisor



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.1

DISCIPLINE COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Cesar Mendez, Chiropodist

Professional Members (Council):

Matthew Andrade, Chiropodist
 Melanie Atkinson, Chiropodist
 Chad Bezaire, Chiropodist
 Edward Chung, Podiatrist
 Donna Shewfelt, Chiropodist
 Jannel Somerville, Chiropodist
 Peter Stavropoulos, Podiatrist

Professional Members (Non-Council):

Riaz Bagha, Chiropodist
 Peter Guy, Chiropodist
 Stephen Haber, Podiatrist
 Brooke Mitchell, Chiropodist
 Eliot To, Chiropodist
 Shael Jeffrey Weinberg, Podiatrist

Public Appointees:

Ramesh Bhandari, Public Appointee
 Jim Daley, Public Appointee
 Allan Katz, Public Appointee
 Winnie Linker, Public Appointee
 Reshad Nazeer, Public Appointee

Selected Member:

Deborah Loundes, Chiropodist

ROLE OF THE COMMITTEE

The Discipline Committee supports the College's public protection mandate by conducting hearings to adjudicate allegations of professional misconduct and incompetence against registrants of the College.

MEETINGS

The Discipline Committee is scheduled to hold a business meeting on May 11, 2023.

Completed Matters – January to March 2023

Disciplinary matters are resolved by way of uncontested or contested hearings. Matters are resolved or disposed of when:

- All allegations are withdrawn or dismissed;
- No findings of professional misconduct and/or incompetence are made by a panel;
- Findings of professional misconduct and/or incompetence are made and a penalty is ordered;
- Reinstatement requests are granted, not granted or abandoned; and
- Removal of information requests are granted, not granted or abandoned.

Between January and March 2023, the Discipline Committee disposed of two matters.

In the first case, the registrant signed an agreed statement of facts, admitting that he engaged in professional misconduct, including that he:

- failed to meet or contravened the College's standards,
- failed to keep records as required by the regulations,
- signed or issued, in his professional capacity, a document that contained false or misleading information,
- charged a fee that was excessive in relation to the services or device charged for, and
- engaged in conduct that was disgraceful, dishonourable and unprofessional.

The Panel accepted a joint submission on penalty and ordered that the registrant receive an oral reprimand, that his certificate of registration be suspended for eight months (prior to returning to work, the registrant must complete the ProBe Ethics Course), and that he be restricted from imaging, casting, prescribing, constructing, fitting, dispensing or ordering the fabrication of orthotics for 12 months from the date his suspension end. The registrant is also required to have supervision of his chiropody practice for 12 months from the date he returns to practice after his suspension. Finally, the registrant was ordered to pay costs in the amount of \$35,000 to the College.

In the second matter, after a contested hearing, the Panel found that the registrant engaged in professional misconduct, in that he:

- failed to meet or contravened the College's standards,
- practised the profession in a conflict of interest,
- provided treatment to a patient where the registrant knew, or ought to have known, that the provision of treatment was ineffective, unnecessary or deleterious to the patient or is inappropriate to meet the needs of the patient,
- failed to keep records as required by the regulations,
- signed or issues, in his professional capacity, a document that contained a false or misleading statement;
- submitted an account or charge for services that he knew was false or misleading;
- charged a fee that was excessive in relation to the services or devices charged for;
- practised in the employment of or in association with a commercial business,
- contravened the *Chiropody Act* and its regulations, and
- engaged in conduct that was dishonourable and unprofessional.

The Panel ordered that the registrant receive an oral reprimand, that his certificate of registration be suspended for 12 months (two months to be remitted if the ProBe Ethics course and U of T records course are completed), and that he be restricted from imaging, casting, prescribing, constructing, fitting, dispensing or ordering the fabrication of orthotics for 12 months from the date his suspension ends, , among other terms, conditions and limitations on his certificate of registration. The registrant was also ordered to pay costs in the amount of \$60,000 to the College.

Outstanding Referrals to the Discipline Committee

There are currently four cases that have been referred to the Discipline Committee and are waiting to be completed.

Between January and March 2023, there were two referrals from the ICRC to the Discipline Committee.

Referrals are posted on the College's website: <http://cocoo.on.ca/scheduled-discipline-hearings-referrals/>

A. HEARINGS

- **Completed hearings:** two hearings were completed between January and March 2023
- **Scheduled hearings:** two of the four referrals have scheduled hearing dates

B. PRE-HEARING CONFERENCES

- **Completed pre-hearings:** One pre-hearing conference took place between January and March 2023
- **Scheduled pre-hearings:** There are no scheduled pre-hearing conferences.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.2

INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Peter Stavropoulos, Podiatrist

Professional Members (Council):

Matthew Andrade, Chiropodist
 Melanie Atkinson, Chiropodist
 Chad Bezaire, Chiropodist
 Edward Chung, Podiatrist
 Donna Shewfelt, Chiropodist
 Jannel Somerville, Chiropodist

Professional Members (Non-Council):

Riaz Bagha, Chiropodist
 Stephen Haber, Podiatrist
 Cesar Mendez, Chiropodist
 Brooke Erin Lee Mitchell, Chiropodist
 Stephanie Shlemkevich, Chiropodist
 Ruth Thompson, Chiropodist
 Eliot To, Chiropodist
 Shael Jeffrey Weinberg, Podiatrist

Public Appointees:

Ramesh Bhandari, Public Appointee
 Jim Daley, Public Appointee
 Allan Katz, Public Appointee
 Winnie Linker, Public Appointee
 Reshad Nazeer, Public Appointee

Selected Member:

Deborah Loundes, Chiropodist

ROLE OF THE COMMITTEE

The Inquiries, Complaints and Reports Committee (ICRC) investigates complaints and reports to address concerns about the conduct and practice of Ontario chiropodists and podiatrists.

MEETINGS

The Committee is scheduled to hold a business meeting on May 11, 2023.

Complaints

In general, complaints come from patients and other members of the public, but other possible sources of complaints include insurance companies, registrants, or other health care professionals. The ICRC investigates most complaints with the consent of the patient/complainant to obtain relevant health information. Where the investigative powers obtained through an appointment, such as the authority to issue a summons, are required to investigate a complaint, the ICRC can make a request to the Registrar for an investigator appointment.

Between January to March 2023, the College received four complaints. This number is lower than usual, which is related to the change of the Council meeting from June to May and the shorter reporting period. See chart 2 below for comparison.

A. Dispositions

Between January and March 2023, ICRC panels disposed of four complaints matters as follows:

- 2 cases – no further action was taken
- 1 case – SCERP
- 1 case – referral to the Discipline Committee

The four complaint matters that were considered by ICRC panels were disposed of in an average of 289.5 days. This average is higher than what was reported in January 2023 (75.3 days), and it is above the 150-day mark outlined in the *Health Professions Procedural Code*, which is Schedule 2 to the *Regulated Health Professions Act, 1991*. The longer timeframe for this set of files is a result of complex investigations that were all carried over from early 2022.

B. HPARB Appeals

The Health Professions Appeal and Review Board (HPARB) reviews the adequacy of an investigation and the reasonableness of an ICRC decision. Both complainants and registrants can request HPARB reviews.

Between January to March 2023 there was one appeal to HPARB.

C. Interim Orders

The ICRC may direct the Registrar to suspend a registrant or impose terms, conditions or limitations on a registrant's certificate of registration if:

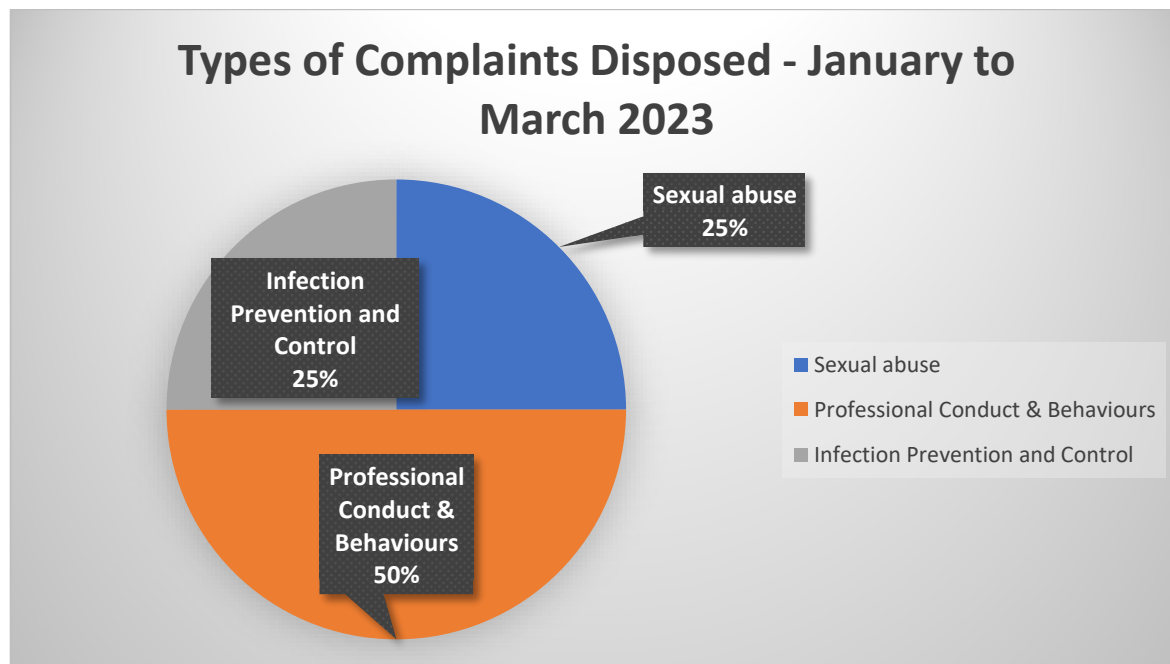
- The ICRC has formed the opinion that the registrant's conduct exposes or is likely to expose patients to harm or injury;
- The registrant has been provided with notice;
- The registrant has at least 14 days to make submissions on the proposed order.

The ICRC cannot impose any gender-based terms, conditions or limitations. If an interim order is made, the matter must be investigated and prosecuted expeditiously. An interim order will remain in force

until it is varied by the ICRC, or the matter is withdrawn or resolved by way of an alternative dispute resolution process or otherwise finally despoised of by a committee of the College.

The ICRC did not impose any interim orders between January and March 2023 because of a complaint.

Chart 1



Reports - Registrar Investigations

Reports come from employers, facility operators, registrants, and others. The Registrar reviews a report of a preliminary investigation and decides on the appropriate response from options including remediation, or the appointment of investigators to conduct a full investigation. The ICRC approves Registrar investigator appointments and is informed of Registrar emergency investigator appointments, which are made if there is a risk of harm or injury to patients.

A. Investigator Appointments

Between January and March 2023, an investigator was appointed to conduct 11 Registrar Investigations. This is much higher than the data from 2020 and 2021.

Chart 2

	February – May 2021	June – September 2021	October 2021 – January 2022	February – May 2022	June – September 2022	October – December 2022	January to March 2023
Complaints	11	8	8	9	8	1	4

Registrar's Investigations	3	1	1	2	1	1	11
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B. Dispositions

Between January and March 2023, panels of the ICRC disposed of 10 Registrar Investigations.

C. Interim Orders

The ICRC did not impose any interim orders because of a Registrar investigation January to March 2023.

Reports from the Quality Assurance Committee

The ICRC can also request a Registrar's investigator appointment if it receives a report about a registrant's conduct or practice from the Quality Assurance Committee (QAC).

Between January and March 2023, the ICRC received one referral from the QAC, and it has an ongoing referral from 2022

Health Inquiries

The ICRC conducts inquiries into whether a registrant has a mental or physical condition or disorder that impacts the registrant's capacity to practice safely. The ICRC makes inquiries and may require the registrant to undergo medical examinations and suspend the registrant's certificate of registration if he or she does not attend or comply. The ICRC, after reviewing the results of its inquiries, may refer the matter to the Fitness to Practise Committee.

The ICRC did not complete any health inquiries between January and March 2023.

ICRC Active Complaints Files

The Complaints process has been classified into stages, which are described below. The number of days elapsed is calculated from the date the complaint was received by the College.

The *Regulated Health Professions Act, 1991* requires that the College dispose of a complaint within 150 days, but the jurisdiction to continue an investigation is not lost if the investigation exceeds 150 days. At 150 days, a letter is sent to both parties explaining that the ICRC will not meet the deadline. At 210 days, the College is required to notify the parties and HPARB of the delay, as well as the reasons for the delay. After 210 days, either party can apply to HPARB seeking relief for the delay. Delay letters must be issued to both parties every 30 days after the 210-day delay.

Reviewing cases expeditiously, but fairly, meets the mission of the College to regulate the practice of Chiropody in the interest of the overall health and safety of the public of Ontario. Some matters take longer to complete due to complexity and/or to ensure the parties had a fair amount of time to respond to College requests.

A. Stage 1: Notice of Complaint/Report

Within 14 days of receipt of a complaint or a report, the College notifies the registrant. The registrant may make written submissions to the ICRC within 30 days of the date of the notice.

B. Stage 2: Additional comments from complainant

The registrant's response is provided to the complainant who may provide comments.

C. Stage 2a: Additional comments from registrant

The complainant's response is provided to the registrant who may provide comments.

D. Stage 3: Review by ICRC

Once the supporting documentation and relevant information has been collected from the parties and possible witnesses, the matter is reviewed by a panel of the ICRC. The Panel conducts a thorough review of the information and considers whether there are any additional documents that should be obtained or any other witnesses who should be approached.

E. Stage 3a: Formal Investigation

In some circumstances, the Panel may appoint an Investigator, who has the power to:

- Enter the registrant 's place of practice and examine records or equipment and, where necessary, copy them or remove them;
- Summons witnesses or documents;
- Obtain a search warrant.

F. Stage 4: Decision and Reasons

Once the investigation is complete, the ICRC deliberates on the appropriate disposition of the complaint. This stage includes decision where a panel has formed the intention to refer a matter to the Discipline Committee, but allegations are being drafted.

The Panel's written decision and the reasons are provided to both the complainant and the registrant, except where the matter has been referred to another panel of the ICRC to conduct a health inquiry.

Active ICRC Complaint Cases to end of March 2023

As of the end of March 2023, there were five active complaints.

Date Received	Days Elapsed	Stage1	Stage 2	Stage 2a	Stage 3	Stage 3a	Stage 4
October 5, 2022	177	✓	✓	✓	✓	✓	
January 9, 2023	81	✓	✓	✓			
January 9, 2023	81	✓	✓	✓			
February 21, 2023	38	✓	✓	✓	✓	✓	

February 23, 2023	36	✓	✓	✓	✓		
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Average: 82.6 days

ICRC Active Registrar Investigations Files

The process for Registrar Investigations differs from the complaints process. Usually, the Registrant is not informed about the investigation until an investigator has been appointed and the Investigations Report is complete.

Active ICRC Registrar Investigation Cases to end of March 2023

As of the end of March 2023, there were three ongoing Registrar's investigations.

Date Received	Days Elapsed	Stage1	Stage 2	Stage 2a	Stage 3	Stage 3a	Stage 4
July 20, 2022	254	✓	✓	✓	✓	✓	
February 7, 2023	52	✓	✓	✓	✓	✓	
February 7, 2023	52	✓	✓	✓	✓	✓	

Average: 119.3 days



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.3

QUALITY ASSURANCE COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Millicent Vorkapich-Hill, Podiatrist

Professional Members (Council):

Melanie Atkinson, Chiropodist
Matthew Doyle, Chiropodist

Professional Members (Non-Council):

Lisa Balkarran, Chiropodist
Brooke Mitchell, Chiropodist
Tina Rainville, Chiropodist
Julie Fraser, Chiropodist
Andrew Klayman, Podiatrist

Public Appointees:

Ramesh Bhandari, Public Appointee

ROLE OF THE COMMITTEE

The Quality Assurance Committee (QAC) provides regulatory oversight through annual practice assessments and continuing education opportunities to ensure that Chiropodists and Podiatrists in Ontario are practicing in accordance with the College's standards.

Practice Assessments

Practice Assessments afford the College with an opportunity to provide collegial feedback and direction to members of the profession. In addition, the practice assessments allow broader concerns to be addressed before a complaint is filed or public safety is compromised.

On February 22, 2023, a Panel of the Committee met to review the practice assessment reports from the 2022 cycle.

The Committee will meet again on May 15, 2023, to review draft revisions to the practice assessment and chart review reports, and the self-assessment tool.

On May 25, 2023, a practice assessor training session will be held for new and continuing assessors.

The 2023 practice assessment process is in progress.

Continuing Education

Members are required to accrue a minimum of fifty (50) credit hours over a period of two years. The previous cycle began on January 1, 2020, and ended on December 31, 2021. The current cycle began on January 1, 2022, and will end on December 31, 2023.

An online portal for members to track their continuing education credits throughout the year will go live in early 2024.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.4

REGISTRATION EXAMINATIONS COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Stephanie Shlemkevich

Professional Members (Council):

Andrew Klayman
Donna Shewfelt
Matthew Doyle

Professional Members (Non-Council):

Brooke Mitchell
Julie Fraser

Public Appointees:

N/A

ROLE OF THE COMMITTEE

Individuals wishing to practice as a Chiropodist in Ontario must be registered with the College of Chiropodists in accordance with the Chiropody Act, 1991 and its Regulations. New applicants wishing to register are required to sit a two-part examination. A pass standing of the exam is required by the College to fulfill a portion of the registration requirements and become a member of the College. The exam is composed of a written and an clinical (OSCE) component.

MEETINGS

The Committee met several times since the January Council meeting to prepare the examinations for June 2023. The Committee along with Registrants who are Item Writers met in February and March for an item writing workshop. The workshop was facilitated by the College's psychometrician, Dr. Anthony Marini. Following completion of the workshop, the exam question bank had 100 new questions added. The workshop was a success and there are plans to hold a similar event in early 2024.

The Committee had an in-person business meeting on March 24th, 2023, to discuss several matters, including exam incident reports, appeal and accommodation policies, terms of reference and an updated examination information material.

Through April, Panels of the Committee met to finalize the Core Competency exam blueprint and choose questions from the item bank for the new stand-alone Jurisprudence exam. Additionally, the Committee is in the process of transferring the OSCE stations to a new template and creating new stations.

DECISION/OUTCOMES

-Review and approve new questions to continue building the exam question bank, with a goal of adding a total of 200 new multiple-choice questions to the bank by the end of 2023.

-The OSCE sub-committee will be working on creating 7 new OSCE stations by Dec. 2023

NEXT MEETING

Subcommittee meetings in April, May, and June to prepare for and then review the June exam sessions.

Committee business meeting in late October.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.5

STANDARD AND GUIDELINES COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Brooke Mitchell, Chiropodist

Professional Members (Council):

Ed Chung, Podiatrist

Chad Bezaire, Chiropodist

Peter Stavropoulos, Podiatrist

Professional Members (Non-Council):

Peter Guy, Chiropodist

Jannel Somerville, Chiropodist

Brooke Mitchell, Chiropodist

Public Appointees:

Jim Daley, Public Appointee

Selected Member:

Deborah Loundes, Chiropodist

ROLE OF THE COMMITTEE

The Standards and Guidelines committee serves as a standing committee charged in developing, reviewing, and managing standards, guidelines, advisories, and other documents as requested by the executive committee and its orders. The committee is responsible in assisting Executive Committee and Council in the above tasks when requested or directed to do so.

The Committee will at times revisit college documents and update as required and requested. This committee develops practice standards, guidelines, advisories, and other documents for the profession in accordance with government legislations, regulation, and by-laws. Documentation creation will be based upon legal expertise and advisement from other committees.

MEETINGS

The committee met in February 2023.

DECISION/OUTCOMES

The Committee reviewed the Surgical Standards Guideline at the February 2023 meeting, and it was then sent for approval. This document is before Council for its for consideration.

NEXT MEETING

There are no meetings scheduled at this time.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.6

REGISTRATION COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Matthew Doyle, Chiropodist

Professional Members (Council):

Melanie Atkinson, Chiropodist
Matthew Andrade, Chiropodist
Peter Stavropoulos, Podiatrist
Matthew Doyle, Chiropodist

Professional Members (Non-Council):

Deepka Duggal, Chiropodist
Tejinder Singh Sahota, Chiropodist

Public Appointees:

Ramesh Bhandari, Public Appointee
Winnie Linker, Public Appointee

ROLE OF THE COMMITTEE

The Registration Committee supports the College's public protection mandate by developing, establishing, and maintaining standards of qualification for persons to be issued certificates of registration with the College.

MEETINGS

On February 17, 2023, the Registration Committee met for a half-day, in-person business meeting. The Committee reviewed the proposed changes to the Registration Regulation and participated in various case studies.

The Committee met again on April 14, 2023, to consider a re-instatement application and to discuss the creation of a policy regarding the number of times an applicant can write the exams before referral to the Committee.

NEXT MEETING

The next Committee meeting will be held on an as-needed basis.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.7

PATIENT RELATIONS COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Peter Stavropoulos, Podiatrist

Professional Members (Council):

Matthew Doyle, Chiropodist
Peter Stavropoulos, Podiatrist

Professional Members (Non-Council):

Pauline Looj, Chiropodist
Brooke Mitchell, Chiropodist

Public Appointees:

Allan Katz, Public Appointee
Jim Daley, Public Appointee

ROLE OF THE COMMITTEE

This Committee reviews and oversees the Patient Relations Program and support's the College's commitment to address concerns about a members' conduct. The *Regulated Health Professions Act, 1991* outlines two specific roles for the PRC:

- advise Council with respect to the patient relations program (PRP), which must include measures for preventing and dealing with patient sexual abuse;
- administer funding for therapy and counselling for patients who are named in a sexual abuse complaint or report.

MEETINGS

The Committee has not met since the last Council meeting.

DECISION/OUTCOMES

N/A

NEXT MEETING

None scheduled.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.8

FITNESS TO PRACTISE COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Brooke Mitchell, Chiropodist

Professional Members (Council):

Matthew Doyle, Chiropodist

Professional Members (Non-Council):

Peter Guy, Chiropodist

Pauline Looi, Chiropodist

Cesar Mendez, Chiropodist

Kimberley Resmer, Chiropodist

Eliot To, Chiropodist

Brooke Mitchell, Chiropodist

Public Appointees:

Winnie Linker, Public Appointee

ROLE OF THE COMMITTEE

The Fitness to Practise Committee supports the College's public protection mandate by conducting hearings to assess whether a member is incapacitated, after the matter has been referred by the Inquires, Complaints and Reports Committee.

MEETINGS

None

DECISION/OUTCOMES

None

NEXT MEETING

There are no future meetings scheduled at this time.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.9

TECHNICAL COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Edward Chung, Podiatrist

Professional Members (Council):

Chad Bezaire, Chiropodist
Edward Chung, Podiatrist
Matthew Doyle, Chiropodist

Professional Members (Non-Council):

John Lanthier, Podiatrist
Tracy Oliver, Chiropodist

Public Appointees:

None

ROLE OF THE COMMITTEE

The Technical Committee was established by Council as an ad hoc committee. Its mandate is to support Council by responding to questions relating to the acceptability of practice modalities and emerging technologies.

MEETINGS

The Committee has not met since the last Council meeting.

DECISION/OUTCOMES

None

NEXT MEETING

There are no future meetings scheduled at this time.

ITEM 2.3.10**STANDING DRUG COMMITTEE REPORT**

May 12, 2023 Council Meeting

COMMITTEE MEMBERS**Chair:** Peter Stavropoulos, Podiatrist**Professional Members (Council):**Peter Stavropoulos, Podiatrist
Jannel Somerville, Chiropracist**Professional Members (Non-Council):**

Cesar Mendez, Chiropracist

Public Appointees:

Jim Daley, Public Appointee

ROLE OF THE COMMITTEE:

This Committee is responsible for ensuring that the Drug Regulation, which the Committee was initially instrumental in formulating, is kept up to date. The Committee consults with the Ministry of Health (MOH) to suggest amendments to the Drug Regulation based on current and changing drugs and prescribing in the province.

MEETINGS:

This Committee met on February 27, 2023.

DECISION/OUTCOMES:

The Committee provided responses consistent with the amended Drug Regulation approved at the October 28, 2022 Council meeting in answer to further queries from the MOH. The legislative draft document of the amended Drug Regulation was provided to the College by the MOH for review and signature. The amended drug regulation has now been signed by the College officers and rests with the MOH.

NEXT MEETING:

There are no meetings scheduled at this time.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.11

ELECTIONS COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Allan Katz, Public appointee

Professional Members (Council):
Matthew Doyle, Chiropodist

Professional Members (Non-Council):
none

Public Appointees:

Allan Katz, Public appointee
Jim Daley, Public appointee
Ramesh Bhandari, Public appointee

ROLE OF THE COMMITTEE

The Elections Committee is a standing committee of the College. This Committee is mandated by the College's General By-law. The Elections Committee deals with disputes relating to the election of Council members and other matters provided in the by-laws, other disputes or issues referred to it by Council or the Executive Committee and it studies and makes recommendations to Council for improving the election process.

MEETINGS

The Election Committee has not met since January 12, 2023.

DECISION/OUTCOMES

Districts 3 & 4 Chiropodist and Combined District 2 Podiatrist are the districts open for elections in 2023. The first call for nominations will be sent out in May.

NEXT MEETING

None scheduled at this time.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.12

STRATEGIC PLANNING COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Millicent Vorkapich-Hill, Podiatrist

Professional Members (Council):

Peter Stavropoulos, Podiatrist
Matt Doyle, Chiropodist

Professional Members (Non-Council):

Jannel Somerville, Chiropodist
Millicent Vorkapich-Hill, Podiatrist

Public Appointees:

Allan Katz, Public Appointee
Jim Daly, Public Appointee

ROLE OF THE COMMITTEE

The Strategic Planning Committee's role is to ensure that the College's two main objectives (sustainability and adoption of the podiatry model in Ontario) are attainable over the next few years (3-5 years.)

MEETINGS

Key Performance Indicators (KPIs) were drafted at the November 9, 2022 meeting and passed at the January 2023 Council meeting. This list of ten KPIs provide a way to measure the College's success in meeting the objectives. These KPIs are a requirement as part of the College Performance Measurement Framework (CPMF) and must be submitted annually to the Ministry of Health.

The Committee will be making recommendations to Council on those goals and actions. In addition, the Committee will make recommendations to Council on any matter within its responsibility.

DECISION/OUTCOMES

The Committee will meet to apply the KPIs and report back to Council.

NEXT MEETING

To be scheduled



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 2.3.13

REGISTRAR'S PERFORMANCE AND COMPENSATION COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Winnie Linker, Public Appointee

Professional Members (Council):

Melanie Atkinson, Chiropodist
Peter Stavropoulos, Podiatrist (ex-officio)

Professional Members (Non-Council):

None

Public Appointee Members:

Allan Katz

ROLE OF THE COMMITTEE

The Registrar's Performance and Compensation Review Committee's responsibilities include, but are not limited to:

1. Providing input and support to Council President on mid-year (May-June) performance review and annual (Dec-Jan) performance review, goal planning and compensation;
2. As required, determining conduct compensation and benefits market review, normally done through engagement of an external consultant, and with the prior approval of the Executive Committee;
3. Presenting to Council the results of all compensation reviews conducted by the Registrar's Performance and Compensation Review Committee, along with any recommendations it has in connection with changes to the Registrar's compensation;

MEETINGS

No meetings have been held since the last Council report.

DECISION/OUTCOMES

NA

NEXT MEETING

May/June for review of mid year goals progress



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 3.2

COUNCIL BRIEFING NOTE RE: Proposed Change to By-law 2 to Align with By-law 3

Background:

Article 6.1 of By-law 3: Health Profession Corporations provides that a \$50.00 fee is payable where:

- (a) the member purports to make payment by VISA, MasterCard or other credit card accepted by the College and payment is refused by the credit card provider on the first submission by the College; or
- (b) payment is made by cheque and the cheque is not honoured on first presentation to the financial institution of the payer.

Article 9.01 of By-law 2: Fees contains the same language as Article 6.1, but it provides for a \$35.00 fee. To maintain consistency, the proposal is to change the fee in Bylaw 2, Article 9.01 to \$50.00 to ensure that the bylaws are consistent.

Public Interest Rationale for Decision:

It is in the public interest that the College's bylaws are consistent such that there is a common application of the bylaws thereby ensuring the College has appropriate procedures to fairly and equitably carry out its public protection mandate.

Recommended Motion:

That Article 9.01 of By-law 2: Fees be revised to be consistent with the fee charged in Article 6.1 By-law 3. See Attached Appendix A for the redlined version.

Mover: _____

Seconder: _____

Appendix A to Briefing Note Re: Alignment of Fees

OTHER FEES

9.01 A fee of \$~~35.00~~50.00 shall be payable by a member where

- (a) the member purports to make payment by VISA, MasterCard or other credit card accepted by the College and payment is refused by the credit card provider on first submission by the College; or
- (b) payment is made by cheque and the cheque is not honoured on first presentation to the financial institution of the payer.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 3.3

COUNCIL BRIEFING NOTE RE: Proposed Change to Bylaws 1.01, 41.01, 52.01 and Schedule 2 to Bylaw 1

Background:

The College's current by-laws provide for two selected members, meaning professional members from the Michener for Applied Sciences to be appointed to Council. In particular, the relevant bylaws read as follows:

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,

...

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

...

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.

...

52. SELECTED COUNCILLOR

52.01 For the purpose of clause 7(1)(c) of the **Act**, one **member** 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.

...

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 **members** 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 his/her recommendations respecting the filling of the position on Council; and
- iii) prepare for Council's consideration the name of the **member** who the Executive Committee would recommend that Council select to fill the position on Council.

...

- 7. Council shall rank its selections in order of its preference with the understanding that should the most preferred **member** refuse to serve as a **selected councillor** the next preferred **member** would be offered the position until a preferred **member** agrees to serve as a **selected councillor** or the list of preferred **members** has been exhausted.
- 8. In the event the process does not result in the filling of the **selected councillor** position, the process shall be repeated.

It is proposed that the relevant bylaws be amended to reduce the number of selected members to be appointed to Council from two to one. A red-lined version of the proposed amendments to the relevant by-laws is attached as Appendix A.

Public Interest Rationale for Decision:

It is in the public interest that the College's governance structure aligns with best practices. Modernized professional regulation, as defined by recognized experts such as Harry Cayton, provides that there be an even split between professional members and public members on the Council of a professional regulatory body to best ensure that the mandate of the College – protection of the public – is adequately served. The need to protect against professional members voting in their self-interest or the self-interest of the profession is always a central concern within professional regulation. Further, the importance of eliminating the opportunity for a conflict of interest, in this case, as between selected members and the best interests of the Michener, is paramount. The rationale in striving for an equal representation of public and professional members is that the public members have equal voting representation and, therefore, act as a check and a balance against professional self-interest controlling the governance of the Regulator.

While the College's bylaws do not allow precisely for a 50/50 split between public and professional members, adding another professional member, as is the case in having two selected members, weakens the ratio for public member representation further. There is no sound rationale for increasing professional representation on Council and, in fact, modernization requires a move in the opposite direction.

In addition, modernized professional regulation contemplates a smaller, more agile Council with fewer members overall. Decreasing the requirement of 2 selected members to 1 selected member will align with the best practice of a smaller, more agile Council.

Finally, any additional professional member on Council increases the cost to the College and impacts the College's operating budget with less resources available to serve the College's mandate.

Recommended Motion:

That bylaws 1.01, 41.01, 52.01 and Schedule 2 to By-law 1 be amended to reduce the number of selected members on Council from two to one.

Mover: _____

Secunder: _____

Appendix A to Briefing Note re: Select Member

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,

...

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

...

41. STIPENDS AND EXPENSES

41.01 Council officers who are not **public councillors, elected and selected 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.

...

52. SELECTED ~~COUNCILLORS~~ COUNCILLOR

52.01 For the purpose of clause 7(1)(c) of the **Act**, ~~two members~~ one member 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.

...

Schedule 2 to By-Law No. 1

Process for the Appointment of a Selected ~~Councillors~~ Councillor

1. When it is reasonably anticipated that the appointment of ~~one or more~~ a **selected councillors** 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 **members** 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 his/her recommendations respecting the filling of ~~those positions~~the position on Council; and
- iii) prepare for Council's consideration the name of the ~~member or members~~ who the Executive Committee would recommend that Council select to fill ~~those positions~~the position on Council.

...

- 7. Council ~~may at the time of selection select more than one member rankings~~shall rank its selections in order of its preference with the understanding that should the most preferred **member** refuse to serve as a **selected councillor** the next preferred **member** would be offered the position until ~~either one of the~~a preferred ~~members~~member agrees to serve as a **selected councillor** or the list of preferred **members** has been exhausted.
- 8. In the event the process does not result in the filling of ~~all~~the **selected councillor positions**position, the process shall be repeated.

**COLLEGE OF CHIROPODISTS OF ONTARIO***Regulating Chiropodists and Podiatrists in Ontario*

ITEM 3.4**COUNCIL BRIEFING NOTE****Proposed Change to Bylaw Re: Cautions, SCERPS, Undertakings and Code of Conduct Breaches****Background:**

Council previously voted to amend the bylaws to ensure that members with serious outcomes arising from a complaint to the College would not be eligible to be elected as Council members except in certain circumstances. The proposed amendment includes reference to “selected” members to ensure consistency in the application of criteria for professional members’ eligibility to sit on Council or College Committees.

The amendments contemplated to the relevant bylaws are attached hereto at Appendices A and B (redlined version).

Public Interest Rationale for Decision:

It is desirable that the College’s bylaws maintain high standards for professional members who wish to be elected to Council or to sit on College Committees. In addition, it is important that the College bylaws contain consistent standards with equal application to all professional members, including selected members.

Recommended Motion:

That the bylaws as noted in Appendices A and B be amended accordingly to include reference to selected members on Council and College Committees.

See Appendix B for the redlined version.

Mover: _____

Seconder: _____

Appendix A To Briefing Note Re: Eligibility

ELIGIBILITY FOR ELECTION

- 1.01** Subject to the balance of the provisions of Article 50, a **member** is eligible for election in an electoral district if,
- i) on the deadline for receipt of nominations, the **member** 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 **members** of the class;
 - ii) in the case of an election of a **chiropodist councillor**, the **member** 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 **member** 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 **member** 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 **member** is not the subject of any disciplinary or incapacity proceeding;
 - v.1) on the deadline for receipt of nominations, the **member** does not have a notation of a caution or a specified continuing education or remedial program on the register¹;
 - v.2) on the deadline for receipt of nominations, the **member** 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 Committee²;
 - v.3) on the deadline for receipt of nominations, the **member** is not the subject of an undertaking provided to the College as a result of a decision or proceeding

¹ This applies to elected councillors who are nominated and elected after January 27, 2023.

² This applies to elected councillors who are nominated and elected after January 27, 2023.

of the Discipline Committee, the Inquiries, Complaints and Reports Committee, or the Fitness to Practise Committee³;

- v.4) on the deadline for receipt of nominations, the **member** is not the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee⁴;
- vi) the **member'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;
- vii) the **member** has not been the subject of any professional misconduct, incompetence or incapacity finding in the three years preceding the date of the election;
- viii) the **member** has not been disqualified by Council in the three years preceding the date of the election;
- viii.1) the **member** has not been found by Council to have breached the Code of Conduct for councillors and committee members⁵;
- ix) the **member** has not resigned as a Councillor in the three years preceding the date of the election unless the member has the approval of either the Executive Committee or the Council to be eligible for the election;
- x) on the deadline for receipt of nominations, the **member** has his or her **designated address** in the electoral district for which he or she is nominated and has been nominated in accordance with this by-law; and
- xi) the **member** 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.

1.02 A **member** 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 **member** was last elected to Council. For greater clarity and by way of example only, a **member** 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.

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.

- 1.03** An election in a by-election shall not be counted in determining whether a **member** is ineligible for election under Article 50.02.
- 1.04** A **member** 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**.
- 1.05** 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 **members** eligible to vote that the candidate has withdrawn from the election.
- 1.06** Subject to Article 50.07, a **member** is not eligible for election as a **councillor** if the **member** 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.
- 1.07** A **member** 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 **member** 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 chiropractors, 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.
- 1.08** Disputes as to whether a **member** is eligible for election or to vote in an election will be determined by the Elections Committee.
- 1.09** 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.
- 1.10** A **member** 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 member'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.

- 1.11** 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 **member** 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 **member** 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 **member** attended and received the caution,
 - b) in the case of a specified continuing education or remedial program, from when the **member** 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 **member** breached the Code of Conduct for councillors and committee members.

52. SELECTED COUNCILLOR

52.01 For the purpose of clause 7(1)(c) of the **Act**, one **member** 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 **member** 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 **member** 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 **member** is not eligible to be appointed as a **selected councillor** if, on the date of appointment,
- i) the **member** has a notation of a caution or a specified continuing education or remedial program on the register;⁶
 - ii) the **member** 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 Committee⁷;
 - iii) the **member** 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 Committee⁸;
 - iv) the **member** is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee⁹; and
 - v) the **member** has been found by Council to have breached the Code of Conduct for councillors and committee members¹⁰.
- 52.07** A **member** 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

⁶ This applies to selected councillors who are appointed after January 27, 2023.

⁷ This applies to selected councillors who are appointed after January 27, 2023.

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.

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 **member** 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 **member** 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 **member** attended and received the caution,
 - b) in the case of a specified continuing education or remedial program, from when the **member** 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 **member** breached the Code of Conduct for councillors and committee members.

53. NON-COUNCIL COMMITTEE MEMBERS

53.01 Council shall appoint eligible **members** to be **non-council committee members** in accordance with the process set out in **Schedule 3**.

53.02 Council shall determine the number of **members** to be appointed bearing in mind the number of **non-council committee members** needed to constitute the **committees** of the **College**.

Term of Office

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

- 53.04** A **non-council committee member** may be reappointed but shall not serve for more than two consecutive terms in that capacity.
- 53.05** A **non-council committee member** who has served for two consecutive terms in that capacity shall not be reappointed as a **non-council committee member** until more than five calendar years after the **member** was last appointed as a **non-council committee member**. For greater clarity and by way of example only, a **member** 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.

Eligibility

- 53.06** Subject to the balance of the provisions of this Article, a **member** is eligible to be appointed as a **non-council committee member** if, on the date of appointment,
- i) the **member** practises chiropractic in Ontario, or if the **member** does not practise chiropractic, the **member** is resident in Ontario;
 - ii) the **member** 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 **member** is not the subject of any disciplinary or incapacity proceeding;
 - iii.1) the **member** does not have a notation of a caution or a specified continuing education or remedial program on the register¹¹;
 - iii.2) the **member** 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 Committee¹²;
 - iii.3) the **member** 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 Committee¹³;

¹¹ This applies to non-council committee members who are appointed after January 27, 2023.

¹² This applies to non-council committee members who are appointed after January 27, 2023.

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

- iii.4) the **member** is not the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee¹⁴;
- iv) the **member'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 **member** has not been the subject of any professional misconduct, incompetence or incapacity finding in the three years preceding the date of the appointment;
- vi) the **member** 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 **members** of the class;
- vii) the **member** has not been disqualified by Council in the three preceding years whether as an **elected** or **selected councillor** or a **non-council committee member**; and
- vii.1) the **member** has not been found by Council to have breached the Code of Conduct for councillors and committee members¹⁵.

53.07 Subject to Article 53.08, a **member** is not eligible to be appointed as a **non-council committee member** if the **member** 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 chiropractors, 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

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.

- 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 A **member** who would not otherwise be eligible for appointment as a **non-council committee member** 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 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 **member** 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 **member** 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 **member** attended and received the caution,
 - b) in the case of a specified continuing education or remedial program, from when the **member** 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 **member** 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 **member** 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 **members** holding that class of certificate;
- vi.1) has a notation of a caution or a specified continuing education or remedial program placed on the register¹⁶;
- 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 Committee¹⁷;
- vi.3) is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee¹⁸;
- 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 he or she is a member; or
- x) fails, without reasonable cause, to attend a hearing or proceeding of a panel for which he or she has been selected.

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;

¹⁶ This applies to elected councillors who are nominated and elected after January 27, 2023.

¹⁷ This applies to elected councillors who are nominated and elected after January 27, 2023.

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

- 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 **members** holding that class of certificate;
- vi.1) has a notation of a caution or a specified continuing education or remedial program placed on the register¹⁹;
- 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 Committee²⁰;
- vi.3) is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee²¹;
- 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 he or she is a member; or
- x) fails, without reasonable cause, to attend a hearing or proceeding of a panel for which he or she has been selected.

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

- i) ceases to be the holder of a certificate of registration;

¹⁹ This applies to selected councillors who are appointed after January 27, 2023.

²⁰ This applies to selected councillors who are appointed after January 27, 2023.

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

- ii) is found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee;
- iii) is found to be incapacitated by a panel of the Fitness to Practise Committee;
- iv) has a term, condition or limitation placed on his or her certificate of registration other than one applicable to all **members** holding that class of certificate;
- iv.1) has a notation of a caution or a specified continuing education or remedial program placed on the register²²;
- iv.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 Committee²³;
- iv.3) is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee²⁴;
- 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 he or she is a member; or
- vii) fails, without reasonable cause, to attend a hearing or proceeding of a panel for which he or she has been selected.

54.04 An **elected** or **selected councillor** or **non-council 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 An **non-council committee member** who is disqualified by Council under this or any other by-law of the **College** ceases to be a **non-council 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

²² This applies to non-council committee members who are appointed after January 27, 2023.

²³ This applies to non-council committee members who are appointed after January 27, 2023.

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

- 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 **non-council 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 **non-council 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 **member** 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 **non-council committee member** on the basis that he or she meets 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 **non-council committee member** on the basis that he or she meets 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 **non-council committee member** whose conduct is the subject of concern of the nature of the concern and provide him or her 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 **non-council**

- 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 **non-council 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 his or her opportunity to make either written or oral submissions to Council, should he or she 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 **non-council 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 **non-council 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**.

50. ELIGIBILITY FOR ELECTION

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

- i) on the deadline for receipt of nominations, the **member** 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 **members** of the class;
- ii) in the case of an election of a **chiropracist councillor**, the **member** holds a certificate of registration in the chiropracist class, on the deadline for receipt of nominations;
- iii) in the case of an election of a **podiatrist councillor**, the **member** 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 **member** 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 **member** is not the subject of any disciplinary or incapacity proceeding;
- v.1) on the deadline for receipt of nominations, the **member** does not have a notation of a caution or a specified continuing education or remedial program on the register¹;
- v.2) on the deadline for receipt of nominations, the **member** 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 Committee²;
- v.3) on the deadline for receipt of nominations, the **member** 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 Committee³;

¹ This applies to elected councillors who are nominated and elected after January 27, 2023.

² This applies to elected councillors who are nominated and elected after January 27, 2023.

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

- v.4) on the deadline for receipt of nominations, the **member** is not the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee⁴;
- vi) the **member'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;
- vii) the **member** has not been the subject of any professional misconduct, incompetence or incapacity finding in the three years preceding the date of the election;
- viii) the **member** has not been disqualified by Council in the three years preceding the date of the election;
- viii.1) the **member** has not been found by Council to have breached the Code of Conduct for councillors and committee members⁵;
- ix) the **member** has not resigned as a Councillor in the three years preceding the date of the election unless the member has the approval of either the Executive Committee or the Council to be eligible for the election;
- x) on the deadline for receipt of nominations, the **member** has his or her **designated address** in the electoral district for which he or she is nominated and has been nominated in accordance with this by-law; and
- xi) the **member** 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 **member** 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 **member** was last elected to Council. For greater clarity and by way of example only, a **member** 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 **member** is ineligible for election under Article 50.02.

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.

- 50.04** A **member** 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 **members** eligible to vote that the candidate has withdrawn from the election.
- 50.06** Subject to Article 50.07, a **member** is not eligible for election as a **councillor** if the **member** 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 **member** 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 **member** 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 **member** 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 **member** 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 member'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 **member** 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 **member** 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 **member** attended and received the caution,
 - b) in the case of a specified continuing education or remedial program, from when the **member** 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 **member** breached the Code of Conduct for councillors and committee members.

52. SELECTED COUNCILLOR

- 52.01** For the purpose of clause 7(1)(c) of the **Act**, one **member** 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 **member** 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 **member** 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 **member** is not eligible to be appointed as a **selected councillor** if, on the date of appointment,
- i) the **member** has a notation of a caution or a specified continuing education or remedial program on the register;⁶
 - ii) the **member** 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 Committee⁷;
 - iii) the **member** 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 Committee⁸;
 - iv) the **member** is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee⁹; and
 - v) the **member** has been found by Council to have breached the Code of Conduct for councillors and committee members¹⁰.

52.07 A member 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.

⁶ This applies to selected councillors who are appointed after January 27, 2023.

⁷ This applies to selected councillors who are appointed after January 27, 2023.

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.

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 **member** 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 **member** 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 **member** attended and received the caution,
 - b) in the case of a specified continuing education or remedial program, from when the **member** 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 **member** breached the Code of Conduct for councillors and committee members.

53. NON-COUNCIL COMMITTEE MEMBERS

53.01 Council shall appoint eligible **members** to be **non-council committee members** in accordance with the process set out in **Schedule 3**.

53.02 Council shall determine the number of **members** to be appointed bearing in mind the number of **non-council committee members** needed to constitute the **committees** of the **College**.

Term of Office

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

- 53.04** A **non-council committee member** may be reappointed but shall not serve for more than two consecutive terms in that capacity.
- 53.05** A **non-council committee member** who has served for two consecutive terms in that capacity shall not be reappointed as a **non-council committee member** until more than five calendar years after the **member** was last appointed as a **non-council committee member**. For greater clarity and by way of example only, a **member** 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.

Eligibility

- 53.06** Subject to the balance of the provisions of this Article, a **member** is eligible to be appointed as a **non-council committee member** if, on the date of appointment,
- i) the **member** practises chiropractic in Ontario, or if the **member** does not practise chiropractic, the **member** is resident in Ontario;
 - ii) the **member** 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 **member** is not the subject of any disciplinary or incapacity proceeding;
 - iii.1) the **member** does not have a notation of a caution or a specified continuing education or remedial program on the register¹¹;
 - iii.2) the **member** 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 Committee¹²;
 - iii.3) the **member** 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 Committee¹³;

¹¹ This applies to non-council committee members who are appointed after January 27, 2023.

¹² This applies to non-council committee members who are appointed after January 27, 2023.

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

- iii.4) the **member** is not the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee¹⁴;
- iv) the **member'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 **member** has not been the subject of any professional misconduct, incompetence or incapacity finding in the three years preceding the date of the appointment;
- vi) the **member** 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 **members** of the class;
- vii) the **member** has not been disqualified by Council in the three preceding years whether as an **elected** or **selected councillor** or a **non-council committee member**; and
- vii.1) the **member** has not been found by Council to have breached the Code of Conduct for councillors and committee members¹⁵.

53.07 Subject to Article 53.08, a **member** is not eligible to be appointed as a **non-council committee member** if the **member** 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

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.

- 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 A **member** who would not otherwise be eligible for appointment as a **non-council committee member** 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 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 **member** 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 **member** 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 **member** attended and received the caution,
 - b) in the case of a specified continuing education or remedial program, from when the **member** 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 **member** 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 **member** 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 **members** holding that class of certificate;
- vi.1) has a notation of a caution or a specified continuing education or remedial program placed on the register¹⁶;
- 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 Committee¹⁷;
- vi.3) is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee¹⁸;
- 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 he or she is a member; or
- x) fails, without reasonable cause, to attend a hearing or proceeding of a panel for which he or she has been selected.

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;

¹⁶ This applies to elected councillors who are nominated and elected after January 27, 2023.

¹⁷ This applies to elected councillors who are nominated and elected after January 27, 2023.

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

- 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 **members** holding that class of certificate;
- vi.1) has a notation of a caution or a specified continuing education or remedial program placed on the register¹⁹;
- 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 Committee²⁰;
- vi.3) is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee²¹;
- 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 he or she is a member; or
- x) fails, without reasonable cause, to attend a hearing or proceeding of a panel for which he or she has been selected.

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

¹⁹ This applies to selected councillors who are appointed after January 27, 2023.

²⁰ This applies to selected councillors who are appointed after January 27, 2023.

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

- 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;
- iii) is found to be incapacitated by a panel of the Fitness to Practise Committee;
- iv) has a term, condition or limitation placed on his or her certificate of registration other than one applicable to all **members** holding that class of certificate;
- iv.1) has a notation of a caution or a specified continuing education or remedial program placed on the register²²;
- iv.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 Committee²³;
- iv.3) is the subject of an interim order made by a panel of the Inquiries, Complaints and Reports Committee²⁴;
- 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 he or she is a member; or
- vii) fails, without reasonable cause, to attend a hearing or proceeding of a panel for which he or she has been selected.

54.04 An **elected** or **selected councillor** or **non-council 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**.

²² This applies to non-council committee members who are appointed after January 27, 2023.

²³ This applies to non-council committee members who are appointed after January 27, 2023.

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

- 54.06** An **non-council committee member** who is disqualified by Council under this or any other by-law of the **College** ceases to be a **non-council 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 **non-council 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 **non-council 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 **member** 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 **non-council committee member** on the basis that he or she meets 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 **non-council committee member** on the basis that he or she meets 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 **non-council committee member** whose conduct is the subject of concern of the

- nature of the concern and provide him or her 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 **non-council 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 **non-council 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 his or her opportunity to make either written or oral submissions to Council, should he or she 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 **non-council 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 **non-council 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**.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 3.5

COUNCIL BRIEFING NOTE RE: Surgical Competencies Guideline

Background:

The College considers it necessary to provide guidance to members and students about the expected competencies for surgical procedures.

Public Interest Rationale for Decision:

It is in the public interest that the College provide guidance to applicants and members outlining the surgical competencies required to practise safely.

Recommended Motion:

That Council approve the Surgical Competencies Guideline.

Mover: _____

Seconder: _____

Surgical Competencies

Guidelines for Applicants and Members of the
College of Chiropractors of Ontario

Approved by Council: **X**



College of Chiropractors of Ontario

180 Dundas St. West, Suite 1901
Toronto, ON M5G 1Z8
T: 416.542.1333 F: 416.542.1666
Toll-Free: 1.877.232.7653 www.cocoo.on.ca

Introduction

Surgery requires the practical application of didactically and clinically acquired competencies in the performance of an operative procedure. It is universally accepted across all branches of medicine that acquiring surgical competence requires performing a given procedure on live patients under the direct oversight of duly qualified surgeon-instructor. One of the measures implemented to assess surgical competence is that of Minimum Activity Volumes (MAVs)*.

MAVs are patient care activity requirements that assure that the applicant has been exposed to and directly involved in adequate diversity and volume of surgical patient cases. MAVs are not minimum repetitions to achieve competence. It is incumbent upon the program director or surgeon-instructor and the faculty to assure that the applicant has achieved competency, regardless of the number of repetitions. There may be instances when an applicant may have required more repetitions than the recommended MAV to achieve competence for a given surgical procedure.

List of Procedures by Anatomic Boundary

A. Skin and Appendages

- i. Nail Procedures
 - Partial Nail Avulsions - *Six (6)
 - Total Nail Avulsions - *Four (4)

- ii. Nail Procedures with Matrixectomies
 - Surgical
 - Chemical *Six (6) from this group
 - Laser
 - Thermal

- iii. Excision or Ablation of Pedal Veruccae
 - Surgical
 - Laser *Six (6) from this group
 - Thermal

Competencies Required

- a) Demonstrates ability to evaluate, diagnose, select appropriate treatment plan, avoiding complications while identifying possible differential diagnoses and appropriate investigations or treatments.
- b) Demonstrates Comprehensive understanding of the anatomy and ability to preserve vital structures from unintended harm.
- c) Demonstrates appropriate blunt/ sharp soft tissue dissection techniques and tissue handling skills.

- d) Able to demonstrate appropriate sterile technique and set up of the surgical field.
- e) Fundamental understanding of sterilization procedures of surgical instrumentation and materials.
- f) Able to formulate and communicate appropriate informed consent to patient as part of overall management plan.
- g) Demonstrates appropriate use of ankle tourniquet as required.
- h) Demonstrates appropriate pre-op prep of the foot for surgery.
- i) Demonstrates appropriate suturing skills.
- j) Demonstrates appropriate use of Laser/Thermal modalities employed.
- k) Demonstrates ability to appropriately pharmacologically manage the patient case.
- l) Demonstrates ability to appropriately communicate with the patient's primary care practitioner to appropriately facilitate the recommended treatment.

B. Dermal and Subcutaneous Structures

- i. Laceration and puncture wound primary repair - MAV on a case-by-case basis to achieve competency
- ii. Foreign body removal - *Three (3)
- iii. Various biopsy methods – *Three (3)
punch, shave, saucerization, fine needle, aspiration
- iv. Scar revisional procedures- MAV on a case-by-case basis to achieve competency
- v. Skin grafting – ulcer surgical management - MAV on a case-by-case basis to achieve competency

Competencies Required

The competencies outlined above in section A apply, in addition to the following competencies:

- a) Demonstrates knowledge and ability to recognize potential tissue pathology and to outline appropriate treatment plan.
- b) Demonstrates knowledge of appropriate imaging studies to be ordered and ability to interpret these as deemed appropriate to assist with performance of above procedures.

- c) Demonstrates knowledge of ability to interpret pathology specimen results and initiate appropriate management.

C. Deep Soft Tissue Structures

- i. Excision of Nodular Masses (bursae, fibromas, neuromas, other) - *Six (6)
- ii. Excision of Cystic Masses (Ganglionic, Mucous, other) - *Six (6)
- iii. Thermal Ablation of Interdigital Neuromas - MAV on a case-by-case basis to achieve competency
- iv. Digital Tenotomies (flexor and extensor) - *Six (6)
- v. Tenoplasties – lengthening procedures - *Four (4)
- vi. Tenorrhaphy – repair of ruptured tendon – MAV on a case-by-case basis to achieve competency
- vii. Capsulotomies – flexor/extensor – digital and mtp joints - *Six (6)
- viii. Capsulorrhaphies – 1st and 5th mtp joints - MAV on a case-by-case basis to achieve competency
- ix. Correction of Syndactylism - MAV on a case-by-case basis to achieve competency
- x. Correction of Overlapping toes, digital flexure contracture deformities, digital extensor contracture deformities - MAV on a case-by-case basis to achieve competency
- xi. Sub -Talar Arthroeresis - MAV on a case-by-case basis to achieve competency
- xii. Arthrotomy - MAV on a case-by-case basis to achieve competency
- xiii. Arthrocentesis - * Three (3)

Competencies Required

The competencies outlined above in section B apply, in addition to the following competencies:

- a) Demonstrates knowledge of appropriate surgical intervention and its appropriate application for a given patient presentation.
- b) Demonstrates an understanding of the limitations of a given surgical procedure.
- c) Demonstrates an understanding of the potential medical and surgical complications of a recommended surgical procedure and can appropriately manage these.

D. Osseous Procedures- MAV on a case-by-case basis to achieve competency

- i. Exostectomies – (subungual, digital, other)
- ii. Phalangectomies
- iii. Condylectomies – metatarsal
- iv. Cheilectomies – mtp joints
- v. Sesamoidectomies
- vi. Osteotomies – bunion, tailor’s bunion
- vii. Osteotomies – without internal fixation – (phalangeal, metatarsal)
- viii. Metatarsal Osteotomies – proximal or distal -without Internal fixation
- ix. Metatarsal Osteotomies – proximal or distal -with Internal fixation
- x. Arthrodesis – interphalangeal, mtp joint
- xi. Combining of several aforementioned procedures to achieve appropriate correction
- xii. Consideration for Open Procedures versus Minimal Incision Methods
- xiii. Bone Biopsy

Competencies Required

The competencies outlined above in section C apply, in addition to the following competencies:

- a) Demonstrates a fundamental knowledge and competence of the instrumentation required, and its use, in performing a given procedure.
- b) Demonstrates a fundamental understanding of the limitations, indications, contraindications, risks and benefits of a given procedure.
- c) Demonstrates competence in handling intra-operative and post-operative complications.
- d) Demonstrates knowledge of appropriate pharmacological management of this patient population.
- e) Demonstrates knowledge of appropriate post-operative management of this patient population.
- f) Demonstrates appropriate knowledge of the osseous anatomy.

- g) Demonstrates appropriate competence in appropriate dissection techniques and tissue handling.
- h) Demonstrates competence and appropriate application of various internal fixation methods.
- i) Demonstrates knowledge to order and interpret appropriate diagnostic imaging studies and laboratory testing and pathology/microbiology specimen analyses.



COLLEGE OF CHIROPODISTS OF ONTARIO

Regulating Chiropodists and Podiatrists in Ontario

ITEM 3.6

AUDIT COMMITTEE REPORT

May 12, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Jim Daley, Public Appointee

Professional Members (Council):

Ed Chung, Podiatrist

Melanie Atkinson, Chiropodist

Professional Members (Non-Council):

None

Public Appointee:

Jim Daley

ROLE OF THE COMMITTEE

To 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.

MEETINGS

May 2, 2023

DECISION/OUTCOMES

2022 Audit.

The Audit Committee met on May 2nd 2023 with the College Auditors to review the 2022 Audited Financial Statements and the Auditors report. The Committee recommends that Council approve the Financial Statements for the following reasons.

1. Adjustments identified by the Auditors were minimal in number.
2. No significant matters were identified by the Auditor.
3. The Auditors did not identify any significant control deficiencies.

4. The Auditors opinion that the financial statements present fairly, in all material respects, the financial position of the College is unqualified.
5. There was no evidence of fraud or management bias in preparing the financial statements.
6. No difficulties were encountered while performing the audit. Management was fully cooperative and provided all information required and responses to the auditor's requests in a timely manner.

Appointment of Auditors for 2023

The Audit Committee recommends that Hilborn LLP be reappointed as the College's Auditor for the following reasons:

1. Hilborn and the Audit partner, Lanjun Wang are both in good standing with CPA Ontario (the regulator for the Ontario Accounting profession) and have never been brought before the Discipline Committee.
2. The College has received good service and value for money from the auditor. Any savings resulting from an RFP would be minimal and more than offset by the time and resources required.

NEXT MEETING

To Be Determined

***COLLEGE OF CHIROPODISTS OF ONTARIO
Audit Findings Communication for the year
ended December 31, 2022***



A message from Lanjun Wang

I am pleased to provide you with the findings of our audit of the financial statements of College of Chiropractors of Ontario (the “College”) for the year ended December 31, 2022.

Our audit findings communication is designed to highlight and explain key issues, which we believe to be relevant to the audit and to continue effective two-way communication with you regarding our audit. This will assist the Audit Committee in fulfilling your responsibility of overseeing the financial reporting process of the College.

This communication has been prepared to comply with the requirements outlined in CAS 260, *Communication with those Charged with Governance*. The information in this document is intended solely for the use of the Audit Committee, Council and management and should not be distributed to others without our consent.

We look forward to discussing our audit findings with you in detail as well as any other matters that you may wish to address.

Hilborn LLP

Lanjun Wang, CA, CPA, MBA
Partner
Hilborn LLP
April 27, 2023

**“Our
commitment
to quality is
reflected in
every aspect
of our work.
If you have
any questions
or comments,
please contact
me.”**



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Your client service team

Lanjun Wang, Engagement Partner
lwang@hilbornca.com

Fiona Zou, Associate Partner
fzou@hilbornca.com

“At Hilborn, we are committed to audit quality and strong client service. Audit quality is integral to our business and is an overarching consideration in our training, our processes, and our systems and controls.”

Executive Summary



Audit status

We have completed our audit of the financial statements of College of Chiropractors of Ontario for the year ended December 31, 2022, with the exception of the following procedures:

- Complete subsequent events procedures
- Receipt of the signed management representation letter
- Council approval of the financial statements

These procedures require completion before we may issue our auditor's report. If we become aware of significant matters after completing these procedures, we will bring them to your attention.



Auditor's report and representations from management

We expect to issue an unmodified opinion. The expected form and content of our report is included in the draft financial statements being provided.

A copy of the management representation letter is included in Appendix A. We ask management to sign and return this letter to us before we issue our auditor's report.



Independence

We are independent and have been so throughout the audit process. We have complied with all relevant ethical requirements regarding independence.



Significant difficulties encountered

There were no significant difficulties encountered while performing the audit.



Changes from the audit plan

Our audit approach was consistent with the approach communicated to you in our audit plan dated February 14, 2023.

Final materiality is consistent with preliminary materiality set at \$50,000.

Significant Qualitative Aspects of the College’s Accounting Practices

Canadian Auditing Standards require that we communicate with you about significant qualitative aspects of the entity’s accounting practices, including accounting policies, accounting estimates and financial statement disclosures.

Accounting policies, accounting estimates and financial statement disclosures	Hilborn’s response and views
<p>The significant accounting policies are disclosed in Note 1 to the financial statements. Management is responsible for the appropriate selection and application of accounting policies under Canadian accounting standards for not-for-profit organizations.</p>	<ul style="list-style-type: none"> - We reviewed all accounting policies adopted by the College, and based on audit work performed, the accounting policies are appropriate for the College and applied consistently. - The College enrolled in a multi-employer defined benefit pension plan. Therefore, the accounting policy in respect to the pension plan has been added to note 1.
<p>Management is responsible for the accounting estimates included in the financial statements. Estimates and the related judgments and assumptions are based on management’s knowledge of the operations and past experience about current and future events.</p>	<ul style="list-style-type: none"> - We considered whether there was any management bias in preparing the estimates. We believe management’s process for making accounting estimates is adequate.
<p>Financial statement disclosure and presentation</p>	<ul style="list-style-type: none"> - We did not identify any financial statement disclosure and presentation matters that are particularly significant, sensitive or require significant judgments, that we believe should be specifically drawn to your attention.

Other Significant Matters

In accordance with Canadian Auditing Standards, there are a number of required communications between the auditor and those charged with governance related to the oversight of the financial reporting process. Those communications will primarily be written in the form of our audit plan and audit findings communication. We may also communicate orally through discussions. The table below summarizes the communications required at the conclusion of the audit.

Significant Matter	Discussion
Summary of uncorrected misstatements	We did not identify any misstatements that remain unadjusted in the financial statements except for the deferred rent, which is not material to the financial statements based on both quantitative and qualitative considerations.
Corrected misstatements	During the course of the audit, management and Hilborn LLP worked collaboratively to identify adjustments required to the financial statements. All adjustments proposed by Hilborn were approved and recorded by management.
Significant deficiencies in internal control	We did not identify any significant deficiencies in internal control.
Fraud and non-compliance with laws and regulations	<p>No fraud or non-compliance with laws and regulations came to our attention during the course of the audit.</p> <p>We would like to reconfirm with the Audit Committee that you are not aware of any fraud or non-compliance with laws and regulations not previously discussed with us.</p>

Significant Matter	Discussion
Significant difficulties encountered	No difficulties were encountered while performing the audit and there are no unresolved disagreements. We received full cooperation from management during our audit.
Related party transactions	We did not identify any related parties or related party transactions.
Subsequent events	Subsequent to the year end, the College reached an agreement with a former employee who made a claim against the College before the fiscal year end. The College incurred a total of \$130,000 as settlement payments. The amount has been accrued in the financial statements. There are no other subsequent events, which would impact the financial statements, have come to our attention.
Regulatory Health Colleges – College Performance Measurement Framework	<p>We obtained the formal financial reserve policy dated October 29, 2021 from management.</p> <p>We obtained the minutes from the Council meeting dated October 29, 2021 during which the Council discussed and approved the financial reserve policy.</p> <p>We compared the College’s actual reserves at December 31, 2022 to the financial reserve policy and noted that the College is in compliance with the policy.</p> <p>Prior to submission, we ask that management provide us with the final version of the CPMF so that we may read the section that relates to the auditor’s validation of the College’s financial reserve policy.</p>

APPENDIX A



College of Chiropodists of Ontario
2102 - 180 Dundas Street West, Toronto, ON, M5G 1Z8

Hilborn LLP
Chartered Professional Accountants
401 Bay Street, Suite 3100
P.O. Box 49
Toronto, Ontario
M5H 2Y4

Dear Sirs/Madams:

This representation letter is provided in connection with your audit of the financial statements of College of Chiropodists of Ontario (the "College") for the year ended December 31, 2022, for the purpose of expressing a conclusion as to whether the financial statements are presented fairly, in all material respects, in accordance with Canadian accounting standards for not-for-profit organizations.

We acknowledge that we are responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations and for the design, implementation and maintenance of internal controls to prevent and detect fraud and error. We understand that your audit was planned and conducted in accordance with Canadian generally accepted auditing standards so as to enable you to express an opinion on the financial statements. We understand that while your work includes an examination of the accounting system, internal control and related data to the extent you considered necessary in the circumstances, it is not designed to identify, nor can it necessarily be expected to detect fraud, shortages, errors or other irregularities, should any exist.

Certain representations in this letter are described as being limited to matters that are material. An item is considered material, regardless of its monetary value, if it is probable that its omission from or misstatement in the financial statements would influence the decision of a reasonable person relying on the financial statements.

We confirm, to the best of our knowledge and belief, having made such inquiries as we consider necessary for the purpose of informing ourselves as of May 12, 2023, the following representations made to you during your audit:

Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated February 11, 2023.
2. The financial statements referred to above include the statement of financial position as at December 31, 2022 and the statements of operations, changes in net assets and cash flows for the year then ended and notes to the financial statements, including a summary of significant accounting policies. These financial statements present fairly, in all material respects, the financial position of the College as at December 31, 2022, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

3. We acknowledge our responsibility for the design, implementation, and maintenance of internal controls to enable us to prepare financial statements that are free from material misstatement, whether due to fraud or error. We are not aware of any significant deficiencies in internal control of the College.
4. We have reviewed and approved the adjusting journal entries and trial balance.
5. The financial statements have been produced by you, and we have designated someone in management with the suitable skill, knowledge and financial expertise to accept responsibility for the preparation of the financial statements. We hereby approve the financial statements for issuance.

Going Concern

6. The financial statements have been prepared on a going concern basis, which we believe to be appropriate and consistent with our assessment of the College.

Completeness of Information

7. We have made available to you all financial records and related data and all minutes of the meetings of the Council and the Executive Committee through May 12, 2023.
8. All transactions have been recorded in the accounting records and are reflected in the financial statements.
9. We are unaware of any known or probable instances of non-compliance with the requirements of regulatory or governmental authorities, including their financial reporting requirements.
10. We are unaware of any violations or possible violations of laws or regulations, including illegal and possibly illegal acts, the effects of which should be considered for disclosure in the financial statements or as the basis of recording a contingent loss.
11. We are aware of the environmental laws and regulations that impact the College and we are in compliance. There are no known environmental liabilities that have not been accrued for or disclosed in the financial statements.
12. We have disclosed to you the identity of all known related parties and all related party relationships and transactions, including guarantees, non-monetary transactions and transactions for no consideration. We have appropriately accounted for and disclosed such relationships and transactions in the financial statements in accordance with Canadian accounting standards for not-for-profit organizations.
13. We have disclosed all material non-monetary transactions or transactions for no consideration undertaken by the College.

Fraud and Error

14. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.

15. We have no knowledge of fraud or suspected fraud affecting the College involving management; employees who have significant roles in internal control; or others, where the fraud could have a material effect on the financial statements.
16. We have no knowledge of any allegations of fraud or suspected fraud affecting the College's financial statements as communicated by employees, former employees, analysts, regulators or others.
17. We believe the effects of the uncorrected financial statement misstatements summarized in the accompanying schedule, including misstatements related to financial statement presentation and disclosure, are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

Recognition, Measurement and Disclosure

18. We believe that the significant assumptions used by us in making accounting estimates, including those relating to fair value measurements included and disclosed in the financial statements, are reasonable and appropriate in the circumstances.
19. We have no plans or intentions that may materially affect the carrying value or classification of assets and liabilities reflected in the financial statements.
20. The nature of all material measurement uncertainties has been appropriately disclosed in the financial statements, including all estimates where it is reasonably possible that the estimate will change in the near term and the effect of the change could be material to the financial statements.
21. We have informed you of all outstanding and possible claims, whether or not they have been discussed with legal counsel.
22. All liabilities and contingencies, including those associated with guarantees, whether written or oral, have been disclosed to you and are appropriately reflected in the financial statements.
23. The College has satisfactory title to all assets, and there are no liens or encumbrances on the College's assets, nor has any asset been pledged except as disclosed in the financial statements.
24. We have disclosed to you, and the College has complied with, all aspects of contractual agreements that could have a material effect on the financial statements in the event of non-compliance, including all covenants, conditions or other requirements of all outstanding debt.

25. There have been no events subsequent to the date of the financial statements through to the date of this letter that would require recognition or disclosure in the financial statements. Further, there have been no events subsequent to the date of the comparative financial statements that would require adjustment of those financial statements and the related notes.
26. All events occurring subsequent to December 31, 2022 that require recognition and disclosure have been recorded in the financial statements and disclosed in the notes to the financial statements in accordance with Canadian accounting standards for not-for-profit organizations.

Yours very truly,

College of Chiropractors of Ontario

Ms. Nicole Zwiers, Registrar, CEO

COLLEGE OF CHIROPODISTS OF ONTARIO
INDEPENDENT AUDITOR'S REPORT ON SUMMARY FINANCIAL STATEMENTS

TO THE COUNCIL OF THE COLLEGE OF CHIROPODISTS OF ONTARIO

Opinion

The summary financial statements of the College of Chiropractors of Ontario (the "College"), which comprise the summary statement of financial position as at December 31, 2022, and the summary statement of operations for the year then ended, are derived from the audited financial statements of the College for the year ended December 31, 2022.

In our opinion, the accompanying summary financial statements are a fair summary of the audited financial statements of the College for the year ended December 31, 2022, except that information in respect of changes in net assets and cash flows has not been presented and notes to the summary financial statements have not been prepared as further described in the *Summary Financial Statements*.

Summary Financial Statements

The summary financial statements do not contain all the disclosures required by Canadian accounting standards for not-for-profit organizations. Reading the summary financial statements and the auditor's report thereon, therefore, is not a substitute for reading the audited financial statements of the College and the auditor's report thereon. The summary financial statements and the audited financial statements do not reflect the effects of events that occurred subsequent to the date of our report on the audited financial statements

The Audited Financial Statements and Our Report Thereon

We expressed an unmodified audit opinion on the audited financial statements in our report dated **May 12, 2023**.

Management's Responsibility for the Summary Financial Statements

Management is responsible for the preparation of a summary of the audited financial statements in accordance with Canadian accounting standards for not-for-profit organizations, except that information in respect of changes in net assets and cash flows has not been presented and notes to the summary financial statements have not been prepared.

Auditor's Responsibility for the Summary Financial Statements

Our responsibility is to express an opinion on whether the summary financial statements are a fair summary of the audited financial statements based on our procedures, which were conducted in accordance with Canadian Auditing Standard (CAS) 810, "Engagements to Report on Summary Financial Statements".

Toronto, Ontario

CHARTERED PROFESSIONAL ACCOUNTANTS
Licensed Public Accountants

**SUMMARY STATEMENT OF FINANCIAL POSITION
AS AT DECEMBER 31, 2022**

	2022	2021
ASSETS		
Cash	\$ 1,682,749	\$ 1,750,644
Accounts receivable and prepaid expenses	123,411	60,885
Equipment	12,427	13,144
	<u>1,818,587</u>	<u>1,824,673</u>
LIABILITIES		
Accounts payable and accrued expenses and deferred revenue	462,593	313,902
NET ASSETS		
Abuse therapy fund	10,000	10,000
General reserve fund	350,000	120,000
Unrestricted balance	995,994	1,380,771
	<u>1,355,994</u>	<u>1,510,771</u>
	<u>\$ 1,818,587</u>	<u>\$ 1,824,673</u>

**SUMMARY STATEMENT OF OPERATIONS
YEAR ENDED DECEMBER 31, 2022**

	2022	2021
Revenues		
Annual general and other fees	\$ 1,665,700	\$ 1,539,075
Other income - expense recoveries, interest	208,022	209,013
	<u>1,873,722</u>	<u>1,748,088</u>
Expenses		
Salaries and benefits	634,347	516,252
General and office	181,651	218,939
Legal	613,352	534,225
Council and committee expenses	213,205	188,998
Rent	86,255	87,729
Photocopy, postage, printing and telephone	7,417	7,370
Repairs and maintenance	19,160	6,906
Settlement costs	130,000	-
	<u>1,885,387</u>	<u>1,560,419</u>
Special projects - Consulting fees, inhalation course and registration exam development	143,112	104,086
	<u>2,028,499</u>	<u>1,664,505</u>
Excess (deficiency) of revenues over expenses for the year	<u>\$ (154,777)</u>	<u>\$ 83,583</u>

COLLEGE OF CHIROPODISTS OF ONTARIO
FINANCIAL STATEMENTS
YEAR ENDED DECEMBER 31, 2022

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INDEPENDENT AUDITOR'S REPORT

To the Council of the College of Chiropractors of Ontario

Opinion

We have audited the financial statements of the College of Chiropractors of Ontario (the "College"), which comprise the statement of financial position as at December 31, 2022, and the statements of operations, changes in net assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the College as at December 31, 2022, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the College in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the ability of the College to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the College or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the financial reporting process of the College.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

INDEPENDENT AUDITOR'S REPORT (continued)**Auditor's Responsibilities for the Audit of the Financial Statements (continued)**

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal control of the College.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the ability of the College to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the College to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide those charged with governance with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.

Toronto, Ontario

Chartered Professional Accountants
Licensed Public Accountants

COLLEGE OF CHIROPODISTS OF ONTARIO

STATEMENT OF FINANCIAL POSITION

AS AT DECEMBER 31, 2022

	2022	2021
ASSETS		
Current assets		
Cash (<i>note 2</i>)	\$ 1,682,749	\$ 1,750,644
Accounts receivable (<i>note 3</i>)	51,750	26,500
Prepaid expenses	26,661	28,385
	1,761,160	1,805,529
Accounts receivable - long term portion (<i>note 3</i>)	45,000	6,000
Furniture and equipment (<i>note 4</i>)	12,427	13,144
	57,427	19,144
	1,818,587	1,824,673
LIABILITIES		
Current liabilities		
Accounts payable and accrued expenses (<i>note 5</i>)	299,633	196,902
Deferred revenue	162,960	117,000
	462,593	313,902
NET ASSETS		
Abuse therapy fund	10,000	10,000
General reserve fund	300,000	120,000
Unrestricted balance	1,045,994	1,380,771
	1,355,994	1,510,771
	\$ 1,818,587	\$ 1,824,673

The accompanying notes are an integral part of these financial statements.

Approved on behalf of the Council:

_____, President _____, Member

COLLEGE OF CHIROPODISTS OF ONTARIO

STATEMENT OF OPERATIONS

YEAR ENDED DECEMBER 31, 2022

	2022		2021
	Actual	Budget	Actual
Revenues			
Annual general fees	\$ 1,427,300	\$ 1,434,600	\$ 1,305,350
Other fees - initial, application, examination and others	238,400	223,000	233,725
	1,665,700	1,657,600	1,539,075
Other income			
Interest	28,267	7,000	6,463
Miscellaneous	3,755	400	500
Expense recoveries (note 3)	176,000	150,000	202,050
	1,873,722	1,815,000	1,748,088
Expenses			
Accounting and audit	22,309	35,000	40,313
Bank and credit card charges	37,770	38,000	37,224
Council and committee expenses			
Per diem	111,441	104,200	97,036
Travel expenses	36,027	35,000	5,808
General and committee	26,903	27,000	30,895
Complaints investigation	38,835	38,000	55,259
Depreciation	3,117	8,600	8,538
Repairs and maintenance	19,160	8,000	6,906
General and office	27,781	49,775	30,763
Insurance	18,362	17,500	17,264
Legal	613,352	510,000	534,225
Photocopy and printing (recovery)	(11)	3,000	(675)
Postage and mailing	227	500	510
Rent	86,255	87,729	87,729
Salaries and benefits (note 7)	634,347	600,000	516,252
Settlement costs	130,000	-	-
Telephone	7,201	7,600	7,535
Web site	72,311	111,270	84,837
	1,885,387	1,681,174	1,560,419
Special one-time projects - Registration exam development	139,374	115,000	95,081
- Sedation and other consulting	3,738	18,730	9,005
Total expenses	2,028,499	1,814,904	1,664,505
Excess (deficiency) of revenues over expenses for the year	\$ (154,777)	\$ 96	\$ 83,583

The accompanying notes are an integral part of these financial statements.

COLLEGE OF CHIROPODISTS OF ONTARIO

STATEMENT OF CHANGES IN NET ASSETS

YEAR ENDED DECEMBER 31, 2022

	Abuse Therapy Fund	General Reserve Fund	Unrestricted Net Assets	Total 2022
Balance - at beginning of year	\$ 10,000	\$ 120,000	\$ 1,380,771	\$ 1,510,771
Deficiency of revenues over expenses for the year	(3,738)	-	(151,039)	(154,777)
Inter-fund transfers				
Allocation to General Fund	3,738	180,000	(183,738)	-
Balance - at end of year	\$ 10,000	\$ 300,000	\$ 1,045,994	\$ 1,355,994

	Abuse Therapy Fund	General Reserve Fund	Unrestricted Net Assets	Total 2021
Balance - at beginning of year	\$ 10,000	\$ 120,000	\$ 1,297,188	\$ 1,427,188
Excess of revenues over expenses for the year	(275)	-	83,858	83,583
Allocation to Abuse Therapy Fund	275	-	(275)	-
Balance - at end of year	10,000	120,000	1,380,771	1,510,771

The accompanying notes are an integral part of these financial statements.

COLLEGE OF CHIROPODISTS OF ONTARIO**STATEMENT OF CASH FLOWS****YEAR ENDED DECEMBER 31, 2022**

	2022	2021
Cash flows from operating activities		
Annual general and other fees received	1,715,415	1,648,675
Interest received	28,267	6,463
Expense recovery and miscellaneous income received	111,750	174,842
Cash paid to employees and suppliers	(1,920,927)	(1,624,023)
	(65,495)	205,957
Cash flows from investing activity		
Purchase of furniture and equipment	(2,400)	(1,850)
Change in cash during the year	(67,895)	204,107
Cash - at beginning of year	1,750,644	1,546,537
Cash - at end of year	\$ 1,682,749	\$ 1,750,644

The accompanying notes are an integral part of these financial statements.

COLLEGE OF CHIROPODISTS OF ONTARIO

NOTES TO THE FINANCIAL STATEMENTS

YEAR ENDED DECEMBER 31, 2022

The College of Chiropractors of Ontario (the "College") has a duty to serve and protect the public interest. The College ensures that the public receives competent care from chiropractors and podiatrists by:

- Regulating the practice of the profession and governing the members in accordance with the Chiropractor Act, 1991, the Regulated Health Professions Act, and the regulations and by-laws.
- Establishing standards of practice.
- Establishing educational requirements for entry to practice and continuing competence.
- Addressing any concerns from the public.
- Educating and providing information to the public about chiropractic and podiatry.

The College is the governing body established by the provincial government to regulate the practice of chiropractic and podiatry in Ontario under the Regulated Health Professions Act and was enacted by statute under the Chiropractor Act (1991). The College is a not-for-profit corporate body without share capital and, as such, is generally exempt from income taxes.

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

These financial statements have been prepared using Canadian accounting standards for not-for-profit organizations and are in accordance with Canadian generally accepted accounting principles. These financial statements have been prepared within the framework of the significant accounting policies summarized below:

Basis of Presentation

Operations

The statement of operations reflects the day-to-day activities of the College financed by annual general fees as well as other fees.

Abuse Therapy Fund

In accordance with The Regulated Health Professions Act, the College has set up the Abuse Therapy Fund to provide therapy and counselling for persons who, while patients, were sexually abused by a member(s). This fund will be expended on persons who satisfy the College's eligibility criteria.

General Reserve Fund

The College has set up the general reserve fund for the specific purpose of covering operating expenses in the event of unanticipated financial expenditures or occurrences.

In fiscal 2021, the Council approved a motion to increase the general reserve fund over the next three years with the target amount of \$300,000 by the end of 2022, \$500,000 by the end of 2023 and \$700,000 by the end of 2024. During the year, \$180,000 was transferred from the unrestricted balance to the general reserve fund.

Revenue Recognition

Annual general fees are recognized as revenue in the year to which fees relate. Fees received in advance are deferred and recognized in the related period.

All other fees and income are recognized as revenue when the services are provided or as earned.

COLLEGE OF CHIROPODISTS OF ONTARIO

NOTES TO THE FINANCIAL STATEMENTS

YEAR ENDED DECEMBER 31, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Financial Assets and Liabilities

The College initially measures its financial assets and liabilities at fair value. The College subsequently measures all of its financial assets and financial liabilities at amortized cost.

Financial assets and liabilities measured at amortized cost include cash, accounts receivable and accounts payable and accrued expenses.

Amortized cost is the amount at which a financial asset or financial liability is measured at initial recognition minus principal repayments, plus or minus the cumulative amortization of any difference between that initial amount and the maturity amount, and minus any reduction for impairment.

At the end of each year, the College assesses whether there are any indications that a financial asset measured at amortized cost may be impaired. Objective evidence of impairment includes observable data that comes to the attention of the College, including but not limited to the following events: significant financial difficulty of the issuer; a breach of contract, such as a default or delinquency in interest or principal payments; and bankruptcy or other financial reorganization proceedings.

When there is an indication of impairment, the College determines whether a significant adverse change has occurred during the year in the expected timing or amount of future cash flows from the financial asset.

When the College identifies a significant adverse change in the expected timing or amount of future cash flows from a financial asset, it reduces the carrying amount of the financial asset to the greater of the following:

- the present value of the cash flows expected to be generated by holding the financial asset discounted using a current market rate of interest appropriate to the financial asset; and
- the amount that could be realized by selling the financial asset at the statement of financial position date.

Any impairment of the financial asset is recognized in income in the year in which the impairment occurs.

When the extent of impairment of a previously written-down financial asset decreases and the decrease can be related to an event occurring after the impairment was recognized, the previously recognized impairment loss is reversed to the extent of the improvement, but not in excess of the impairment loss. The amount of the reversal is recognized in income in the year the reversal occurs.

Furniture and Equipment

Furniture and equipment is recorded at cost. Depreciation is provided on a straight-line basis over the estimated useful lives of the assets at the following annual rates:

Computer	- 33 1/3%
Furniture and equipment	- 20 %

The above rates are reviewed annually for ongoing appropriateness. Any changes to these estimates are adjusted on a prospective basis. If there is an indication that the property and equipment assets may be impaired, an impairment test is performed that compares carrying amount to net recoverable amount. There were no impairment indicators in 2021.

COLLEGE OF CHIROPODISTS OF ONTARIO

NOTES TO THE FINANCIAL STATEMENTS

YEAR ENDED DECEMBER 31, 2022

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Employee future benefits

The College contributes to the Healthcare of Ontario Pension Plan (the "Plan" or "HOOPP") which is a multi-employer defined benefit pension plan. A majority of the employees of the College are members of HOOPP.

In accordance with CPA Handbook section 3642, the multi-employer defined benefit plan is accounted using defined contribution plan accounting due to sufficient information not available to use defined benefit plan accounting.

The College's policy is to expense the contributions in the year in which the contributions are made to the Plan.

Use of Estimates

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the year.

Key areas where management has made difficult, complex or subjective judgment, include provisions for legal claims. Actual results could differ from these and other estimates, the impact of which would be recorded in future affected periods.

2. FINANCIAL INSTRUMENTS AND RISK EXPOSURE

The College is exposed to various risks through its financial instruments. The following analysis provides a measure of the College's risk exposure and concentrations.

Credit Risk

Credit risk is the risk that one party to a transaction will fail to discharge an obligation and cause the other party to incur a financial loss. The College's main credit risks relate to cash and accounts receivable. The College maintains most of its cash at a federally regulated schedule I bank. The College mitigates credit risk by monitoring the accounts on a regular basis and provides provisions whenever collection is in doubt. As at the end of the year, there is no allowance for doubtful accounts (\$NIL - 2021).

Liquidity Risk

Liquidity risk is the risk that the College will not be able to meet its financial obligations when they become due to its creditors. The College is exposed to this risk mainly in respect of its accounts payable and accrued liabilities, and lease commitments. The College expects to meet these obligations as they come due by generating sufficient cash flow from operations.

Market Risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk comprises three types of risk: currency risk, interest rate risk and other price risk. The College is not exposed to currency or other price risks. The College is exposed to interest rate risk.

COLLEGE OF CHIROPODISTS OF ONTARIO**NOTES TO THE FINANCIAL STATEMENTS****YEAR ENDED DECEMBER 31, 2022***2. FINANCIAL INSTRUMENTS AND RISK EXPOSURE (continued)**Market Risk (continued)*

Interest rate risk is the risk that changes in market interest rates will cause fluctuations to the fair values and cash flows of the College's investments in interest bearing financial instruments. As at the end of the year, the College held an interest bearing bank account in a total of \$1,613,291 (\$1,655,204 - 2021), which is included in Cash.

Changes in Risk

There have been no significant changes in the risk profile of the financial instruments of the College from that of the prior year.

3. EXPENSE RECOVERIES

The Discipline Committee of the College orders members to pay the College towards its costs and expenses for investigating and hearing complaints/matters against the members. The expense recoveries include \$176,000 (\$202,050 - 2021) from members and accounts receivable includes \$96,750 (\$32,500 - 2021) from members for such orders.

4. PROPERTY AND EQUIPMENT

2021	<i>Cost</i>	<i>Accumulated Depreciation</i>	<i>Net Book Value</i>
Computer equipment	\$ 18,651	\$ 16,210	\$ 2,441
Office furniture	23,340	13,354	9,986
	\$ 41,991	\$ 29,564	\$ 12,427
2020	<i>Cost</i>	<i>Accumulated Depreciation</i>	<i>Net Book Value</i>
Computer equipment	\$ 16,251	\$ 15,590	\$ 661
Office furniture	\$ 23,340	\$ 10,857	\$ 12,483
	\$ 39,591	\$ 26,447	\$ 13,144

Total depreciation of \$3,117 (\$8,538 - 2021) has been included in the Statement of Operations.

5. ACCOUNTS PAYABLE AND ACCRUED EXPENSES

Accounts payable and accrued expenses include government remittances totalling \$4,988 (\$9,431 - 2021).

COLLEGE OF CHIROPODISTS OF ONTARIO

NOTES TO THE FINANCIAL STATEMENTS

YEAR ENDED DECEMBER 31, 2022

6. COMMITMENTS

Leases

The College is committed to annual minimum rental payments under operating leases for premises expiring in March 2024 and for equipment expiring November 2024. Minimum payments for the remaining terms are as follows:

	<i>Premises</i>	<i>Equipment</i>	<i>Total</i>
2023	\$ 45,915	\$ 7,558	\$ 53,473
2024	11,479	5,668	17,147
	<u>\$ 57,394</u>	<u>\$ 13,226</u>	<u>\$ 70,620</u>

In addition, the College is also committed to pay its proportionate share of taxes, utilities and operating costs of the premises, which is \$39,000 (\$38,000 - 2021).

7. PENSION PLAN

The College is a participating employer of the Healthcare of Ontario Pension Plan ("HOOPP"), which is a multi-employer, defined benefit pension plan. During the year, the College enrolled in HOOP and made contributions of \$19,216, which are included in salaries and benefits in the statement of operations.