



College of Chiropractors of Ontario

Council Meeting Agenda

Friday, January 27, 2023
66 Wellington Street W., Toronto
41st Floor Conference room
Offices of 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 Welcome and introduction of New Council Members Land Acknowledgement “The members and staff of the College of Chiropractors 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.” Acknowledgment of Guests in Attendance Approval of Professional Member Prep Time <u>Motion:</u> <i>That Council approve the preparation time for professional members on Council.</i>	
	1.2	Approval of Agenda** <u>Motion:</u> <i>That Council approve the agenda for the January 27, 2023 meeting.</i>	1-5
	1.3	Declaration of Conflict of Interest**	6-13
	1.4	Approval of Minutes of October 28 and November 14, 2022 Council Meeting** <u>Motion:</u> <i>That Council approve the minutes of the October 28 and November 14, 2022 Council meeting.</i>	14-36
	1.5	Introduction of, and presentation by, Nanci Harris, Governance Consultant, Conducting a third-party assessment of Council	

9:30 am	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 October 28 and November 14, 2022 Council Meetings**	37-50
	2.2	Practice Advisor Report**	51
	2.3	Committee Reports	
	2.3.1	Discipline Committee Report**	52-54
	2.3.2	ICRC Report**	55-60
	2.3.3	QAC Report**	61-62
	2.3.4	Exam Committee Report**	63-64
	2.3.5	Standards and Guidelines Committee Report**	65-66
	2.3.6	Registration Committee Report**	67-68
	2.3.7	Patient Relations Committee Report**	69-70
	2.3.8	Audit Committee Report**	71
	2.3.9	Fitness to Practise Committee Report**	72
	2.3.10	Technical Committee Report**	73
	2.3.11	Standing Drug Committee Report**	74-75
	2.3.12	Elections Committee Report**	76-80
	2.3.13	Strategic Planning Committee Report**	81-82

9:45 am-11:15 am	3.0	Decision Items (with briefing notes)	Page Number(s)
	3.1	<p>Election Chiropracist District 6 & Appointment Podiatrist Combined 2**</p> <p>Motion: <i>That Council approve the appointment of Andrew Klayman as the Podiatrist Member on Council.</i></p> <p>Motion to move in-camera</p>	83-87

		<p>Motion: 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.</p> <p>Motion: To move out of in-camera</p> <p>Motion: That Council approve the appointment of X as the Chiropracist Member on Council.</p>	
	3.2	<p>Recommended Amendments to Bylaw 2: Fees Examination Fee Increase**</p> <p>Motion: That Council approve amendments to Bylaw 2: Fees Examination Fee Increase.</p>	88-92
	3.3	<p>Exam Honorarium**</p> <p>Motion: That Council approve the examination honorarium policy.</p>	93-97
	3.4	<p>Election Bylaw Amendments**</p> <p>Motion: That Council approve the Election Bylaw Amendments.</p>	98-102
11:15 am – 11:30 am		Break	

11:30 am-12:30 pm	3.0	Decision Items Continued (with briefing notes)	Page Number(s)
	3.5	<p>Key Performance Indicators (KPIs)**</p> <p>Motion: That Council approve the Key Performance Indicators (KPIs).</p>	103-105
	3.6	<p>College 2023 Operational Budget**</p> <p>Motion: That Council approve the College 2023 operating budget.</p>	106-110
	3.7	<p>Declaring Clinical Practice Hours Guideline**</p> <p>Motion: That Council approve the Declaring Clinical Practice Hours Guideline.</p>	111-114
	3.8	<p>Social Media Standard of Practice**</p> <p>Motion: That Council approve the Social Media Standard of Practice.</p>	115-122
	3.9	<p>Bylaw No.3 Professional Health Corporation Amendment**</p> <p>Motion: That Council approve the Bylaw No.3 Professional Health Corporation Amendment.</p>	123-126
	3.10	<p>Bylaw No.1 General Amendment – Elections Eligibility **</p> <p>Motion: That Council approve the Bylaw No.1 General Amendment – Elections Eligibility.</p>	127-153

12:30 pm - 1:30 pm	Lunch Break
--------------------	-------------

1:30 pm - 2:30 pm	4.0	Council Education Item – Peter Stavropoulos and Nicole Zwiers	Page Number(s)
	4.1	Position Paper Presentation	

2:30 pm - 3:15 pm	5.0	Discussion Items	Page Number(s)
	5.1	Registrar’s Report** – Nicole Zwiers	155-158
	5.2	In-Person vs Online Proctored Exam	
	5.3	Draft Registration Regulation – Nicole Zwiers and Sarah Yun	
3:15 pm – 3:30 pm		Break	

3:30 pm – 5:00 pm	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 October 28 and November 14, 2022 Meeting Motion: <i>That Council approve the in-camera minutes of the October 28 and November 14, 2022 meetings.</i>	
	6.3	In Camera Decision Items	
	6.3.1	HR Matter	
	6.3.2	Registrar’s Performance and Compensation Committee Report and Recommendation of Registrar’s Performance Review and Compensation Committee	

5:00 pm	7.0	Next Meeting
	7.1	Council Meeting Dates for 2023: <ul style="list-style-type: none"> • May 12, 2023 • September 22, 2023
	7.2	Council Survey Reminder
	7.3	Proposed Agenda Items for Next Council Meeting

5:00 pm	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: January 27, 2023

Council/Committee: Council

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 the business of Council and/or Committees with other Council or Committee members that takes place outside the formal Council/Committee decision making process.
9. Council and Committee members shall refrain from communicating with Committee members on Statutory Committees in circumstances where this could be perceived as an attempt to influence a member or members of a Statutory Committee, unless he or she is a member of the panel or, where there is no panel, of the Statutory Committee dealing with the matter. This would include, but not be limited to, matters involving the Registration of applicants and matters involving members involved with the Inquiries, Complaints and Reports Committee, the Quality Assurance Committee, the Disciplinary Committee or the Fitness to Practise Committee.
10. Council and Committee members shall respect the confidentiality of information identified as confidential and acquired solely by virtue of their Council/Committee member position.
11. Council and Committee members shall ensure that confidential information is not disclosed except as required for the performance of their duties, or as directed by Council or the Executive Committee acting on behalf of Council.
12. Council and Committee members shall not use their positions as members of Council or any Committee to obtain or attempt to obtain employment at the College or preferential treatment for themselves, family members, friends or associates.
13. Council and Committee members shall not include or reference Council or Committee titles or positions held at the College in any business promotional materials, advertisement or business cards.
14. Council and Committee members shall respect the boundaries of staff recognizing that a staff member's role is not to report to or work for individual Council or Committee members. Council and Committee members will, therefore, not directly contact staff members, other than the Registrar, except on matters where the staff member has been assigned to provide administrative support to that Committee, without the prior approval of the Registrar or the Executive Committee.
15. Council and Committee members shall be respectful of each other and staff and not engage in conduct or behaviour towards fellow Council or Committee members or staff that might reasonably be perceived as verbal, physical or sexual abuse or harassment.

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.
-



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.
-



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, October 28, 2022 9:00 a.m.
180 Dundas St. W., 19th Floor Conference Room**

Council Members in Attendance:

1. Matthew Andrade
2. Melanie Atkinson
3. Chad Bezaire
4. Ed Chung
5. Matthew Doyle
6. Irv Luftig – via Zoom
7. Patrick Rainville
8. Donna Shewfelt
9. Peter Stavropoulos
10. Deborah Loundes, Selected Member
11. Ramesh Bhandari, Public Appointee
12. Winnie Linker, Public Appointee
13. Jim Daley, Public Appointee – via Zoom
14. Allan Katz, Public Appointee

Regrets:

1. Andrew Simmons, Public Appointee
2. Reshad Nazeer, 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. Alan Bromstein – via Zoom
2. Sarah Yun – via Zoom

Guests:

1. Bruce Ramsden, President, OPMA
2. Jana Charyk, OSC – via Zoom

1. Call to Order

1.1 Call to Order, Appointment of Secretary

N. Zwiers called the meeting to order at 9:01 a.m., noting that notice of the meeting was given, and the meeting was properly constituted with a quorum present. Meghan Clarke was appointed as Secretary.

N. Zwiers welcomed Council members, new Council members (C. Bezair, D. Loundes and M. Andrade) staff and guests.

A. Katz delivered a land acknowledgement.

1.2 Approval of Agenda

N. Zwiers asked for a motion to amend the agenda to add the appointment of D. Loundes as the selected member on Council. It was added as item 3.1 (a).

It was moved by W. Linker and seconded by E. Chung to add item 3.1(a) to the agenda. Motion CARRIED.

N. Zwiers also requested that item 3.11 be dealt with as the first order of business.

It was moved by M. Doyle and seconded by A. Katz to discuss item 3.11 as the first item of business. Motion CARRIED.

It was moved by M. Atkinson and seconded by P. Rainville to approve the agenda as amended. Motion CARRIED.

1.3 Declaration of Conflict of Interest

No conflict of interest was declared.

1.4 Approval of Minutes of June 24, 2022 Council Meetings

It was moved by R. Bhandari and seconded by P. Rainville to approve the minutes of the June 24, 2022 Council meeting. Motion CARRIED.

2. Consent Agenda Items

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

3. Decision Items

3.1 Motion to Appoint P. Stavropoulos as the Podiatry Member for Districts 1 and 2 (Combined District 1)

In combined District 1, no podiatrists came forward despite two call outs to the membership. P. Stavropoulos has agreed to serve in this District.

It was moved by M. Atkinson and seconded by M. Doyle to appoint P. Stavropoulos as the podiatrist member for combined district 1. Motion CARRIED.

3.1 (a) Motion to Appoint D. Loundes as the Selected Member on Council

It was moved by W. Linker and seconded by E. Chung to appoint D. Loundes as the selected member on Council. Motion CARRIED.

3.2 Bylaw 2 Amendment to include Credit Card Payment Fee

N. Zwiers explained that credit card fees are a large line item on the College's budget, approximately \$28,000. The membership is subsidizing payments by credit card. N. Zwiers has been working with the bank to add the College as a payee for online payments, but that option is not in place at this time. The proposed fee will help offset the cost to the College from members paying fees by credit card.

It was moved by W. Linker and seconded by A. Katz to approve the amendment to Bylaw 2 by adding the following:

9.02 *A fee of \$35.00 shall be payable by a member or applicant where the member or applicant makes payment by VISA, Mastercard or other credit card accepted by the College. Such fee shall apply to each credit card transaction made by a member or applicant.*

Motion CARRIED.

E. Chung asked if \$35 is revenue neutral and N. Zwiers explained it is in line with other retailers, and it is not revenue generating for the College. W. Linker noted that new legislation allows retailers to charge 2.4% for credit card fees, and this is slightly lower than that. P. Rainville asked if this will cause an increase in members paying by cheque, and N. Zwiers noted that she will report back to Council after the February 2023 renewal.

M. Doyle explained that the College also offers the option to pay by e-transfer because many banks have raised the transfer limit.

3.3 Motion to Change 2023 Council Dates

N. Zwiers explained that the College ran in to a number of challenges this year with the June Council date because of Pride and the challenge with booking hotel rooms/the cost. The proposal is to move the dates up, which will also allow the budget to be presented in January, rather than February, since the College operates on a calendar year. N. Zwiers spoke with the auditors, who confirmed that the proposed dates give them enough time to prepare the audited financial statements.

P. Rainville suggested that middle of the month dates would be better. M. Clarke and N. Zwiers explained that the College considered all dates, and these were the most viable options – some considerations included professional conferences, religious holidays, the exam, and other business meetings.

It was moved by D. Shewfelt and seconded by E. Chung to set the 2023 Council dates as follows – January 27, 2023, May 12, 2023 and September 22, 2023. Motion CARRIED.

3.4 Motion to Approve Equity, Diversity and Inclusion (EDI) as part of Registrants' Continuing Education

N. Zwiers noted that the CPMF has an EDI requirement, and in speaking with the registrars of the other 25 regulated health colleges, it was clear that most are embedding EDI in their CE requirements. C. Hickey recently met with the HPRO quality assurance group, and more than half of the Colleges in attendance have implemented mandatory EDI in their continuing education. This is new to the College, but it is not new in regulation. The Law Society has had an EDI CE requirement for years.

N. Zwiers noted that a number of different options were discussed in terms of how to implement this. The Executive Committee first discussed this in order to bring it to Council to be implemented in 2023. One option was to take the Four Seasons course from the First Nations University, which staff have completed. N. Zwiers spoke with the University and they were willing to offer it to members for \$50, if all members took the course. The College would not have financially benefit from the course. This option was recommended by the Executive Committee. However, given that CE is a QA measure, it went to the QA Committee to adopt a policy. At the QA meeting, there was a good discussion, and all perspectives were considered. The QA Committee ultimately recommended that members be able to choose the course in category B and that it needed to be five hours.

P. Rainville stated that he was at the QA Committee meeting when this was discussed. He said he opposed the option of mandating EDI in category 1 and he felt members should be able to choose the course they want to take.

N. Zwiers also explained that the College is moving to annual hours for CE – as of 2024, CE requirements will need to be completed annually.

W. Linker asked for clarification about whether the resources listed in the policy are just suggestions, not requirements, and N. Zwiers confirmed.

It was moved by P. Stavropoulos and seconded by M. Doyle to approve to approve the Continuing Education and Self-Assessment Policy as set out below:

As part of a Registrant's Category B continuing education requirements, each Registrant shall complete 5 hours of continuing education relating to Equity, Diversity & Inclusion ("EDI"), to be completed by December 31, 2023. Registrants can choose the EDI program that best suits their continuing education objectives as identified in the Self-Assessment Tool. The following is a non-exhaustive list of resources for Registrants:

- <https://www.univcan.ca/priorities/equity-diversity-inclusion/resources-from-canadian-and-international-organizations/>
- Canadian Centre for Diversity and Inclusion - <https://ccdi.ca/>
- First Nations University of Canada – <https://www.fnuniv.ca/admissions/icec/4-seasons-of-reconciliation/>
- National Centre for Truth and Reconciliation - <https://nctr.ca/education/>
- <https://canadianequality.ca/services/training/>
- Dalhousie University - <https://www.dal.ca/faculty/open/programareas/equity-diversity-inclusion.html>
- The Canadian Diversity Initiative - <https://candiversity.com/courses/>
- Toronto Metropolitan University (formerly Ryerson University) - <https://continuing.torontomu.ca/search/publicCourseSearchDetails.do?method=load&courseId=2401>

Motion CARRIED.

3.5 Revised Per Diems and Council and Committee Compensation & Expense Policy

N. Zwiers explained that some minor changes were made to the policy to make the operationalization of the policy easier for staff.

It was moved by W. Linker and seconded by M. Doyle that Council approve the revised Per Diems and Council and Committee Compensation & Expense Policy. Motion CARRIED.

3.6 Motion to Approve Information Sharing Policy Document

N. Zwiers noted that this is a requirement of the CPMF, and that the policy reflects obligations the College already has with respect to information sharing.

It was moved by D. Shewfelt and seconded by A. Katz to approve the Information Sharing Policy. Motion CARRIED.

3.7 Motion to Approve Bylaw 2 Amendment to Increase Examination Fee

N. Zwiers explained that last year, the College brought forward recommendations from Martek, the psychometrists, to raise its examination fees. Martek advised that the College's exam fee were too low, and it was not recovering the full cost of the examination. As a result, the exam fees were raised earlier this year. After running the exam in June 2022, it was determined that a further increase was required in order to get the College in a cost neutral position. Council is being asked to vote on circulating this bylaw change to the membership for 60 days. It will then come back to Council to vote on in January.

P. Rainville advocated for the increase to get the College in a cost neutral position. N. Zwiers noted that there could be more increases in the future if the cost of administering the exam goes up. D. Shewfelt also supported the increase.

It was moved by P. Stavropoulos and seconded by M. Doyle to direct that the proposed amendments to Bylaw 2 be circulated to members and other stakeholders for comment for 60 days before the matter is returned to Council. The proposed amendment to Bylaw 2 as follows:

1. Revoke Articles 5.01, 5.02, 5.03(a) & (b), and substitute as follows:

FEES RELATED TO EXAMINATIONS

5.01 *A person who applies to attempt the College's jurisprudence exam without applying to attempt the other examinations required for a certificate of registration shall pay a fee of ~~\$500.00~~ \$750.00.*

5.02 *A person who applies to attempt an examination which is a requirement for a certificate of registration but is not the jurisprudence examination referred to in Article 5.01 or the supplemental examination referred to in Article 5.03, shall pay a fee of ~~\$2600.00~~ \$3,600.00.*

5.03 *Where a person fails the examination referred to in Article 5.02 and the person applies for and is eligible to take a supplemental examination, the person shall pay a fee of*

(a) ~~\$500.00~~ \$750.00 for the written examination, if the requirement to take a supplemental examination was due solely to the applicant being unsuccessful on the jurisprudence portion of the written examination;

(b) ~~\$500.00~~ \$750.00 for the written examination, if the requirement to take a supplemental examination was due solely to the applicant being unsuccessful on the core competencies portion of the written examination;

(c) ~~\$1000.00~~ \$1500.00 for the written examination, if the requirement to take a supplemental examination was due to the applicant being unsuccessful on both the jurisprudence and core competencies portions of the written examination; and

(d) ~~\$1,600.00~~ \$2100.00 if the requirement to take a supplemental examination was due to the applicant being unsuccessful on the clinical (OSCE) examination.

2. that Council direct that the proposed amendments be circulated to members and other stakeholders for comment for 60 days before the matter is returned to Council.

Motion CARRIED.

3.8 Motion to Approve EDI College Statement

N. Zwiers explained that the College's EDI statement is a move towards incorporating EDI into its work. Other regulators have adopted similar approaches.

A. Katz questioned whether the statement should include specific definitions of equity, diversity and inclusion. N. Zwiers proposed that the statement be voted on, as drafted, and staff can present the definitions at the next meeting to amend the statement.

It was moved by P. Stavropoulos and seconded by A. Katz to approve the College's EDI Statement, with the proviso that staff bring a revised policy with the definition of equity, diversity and inclusion at the next Council meeting. Motion CARRIED.

3.9 Motion to Approve Fees, Billing and Accounts Guideline

E. Chung noted that he was at the Standards and Guidelines Committee when this was reviewed, and it was carefully drafted by legal counsel.

It was moved by P. Rainville and seconded by M. Andrade to approve the Fees, Billing and Accounts Guideline. Motion CARRIED.

3.10 Motion to Approve Draft Drug Regulation

N. Zwiers explained that the Standing Drug Committee has been working on amending the College's current drug regulation for years because it contains an outdated list. The goal was to move towards categories to avoid a similar situation in the future. Prior to getting to the categories, a new list was created, to draft the categories. The draft for Council's consideration is the final updated and expanded drug list the Committee put together.

The MOH initially said the category approach was appropriate – it was based on the American Hospital Formulary Service. Before the election, the College was told the Regulation would be approved. It was then put on hold because of the election. The College was then told that the American Hospital Formulary Service was sold, and it is now a private, for-profit entity so it is cost prohibitive. The MOH will no longer rely on the American Hospital Formulary Service, and it does not have a third-party provider for the categories, so it cannot adopt this approach. The MOH plans to develop its own formulary service, but this will take time. As a compromise, the MOH agreed to adopt the updated list. The Committee did not view this as an ideal outcome, but it is a step in the right direction. This will be considered an interim measure, and it will help protect the public by giving members the ability to prescribe drugs they are currently not able to prescribe.

M. Doyle commented on the amount of work the Committee has put it to the revised regulation, and although it is not exactly what the College wanted, it is better than the current regulation.

M. Andrade asked if the College will adopt a policy on prescribing opioids if this new list is adopted, and P. Stavropoulos said the College will do what is necessary to protect the public.

A. Katz asked what the strategy is in terms of lobbying the government to find an alternative to the American Hospital Formulary Service. N. Zwiers explained that she met with Christine Elliott and the perception is that professional regulation is not a top priority for the MOH right now. The College will continue to advocate for this change, in conjunction with other regulators, but it does not have much leverage right now.

It was moved by W. Linker and seconded by P. Rainville to approve the amended Drug Regulation. Motion CARRIED.

3.11 Election of Executive Committee Members

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

(a) Election of President

N. Zwiers requested nominations for President. M. Doyle nominated P. Stavropoulos and P. Stavropoulos accepted the nomination. There were no further nominations. P. Stavropoulos was acclaimed as President.

(b) Election of Vice-President

N. Zwiers requested nominations for Vice-President. P. Stavropoulos nominated M. Doyle as Vice-President, and he accepted. There were no further nominations M. Doyle was acclaimed as Vice-President.

(c) Election of Professional Member

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

(d) Election of Public Member – First Position

N. Zwiers requested nominations for the first public member on the Executive Committee. M. Doyle nominated W. Linker and she accepted. There were no further nominations. W. Linker was acclaimed.

(e) Election of Public Member – Second Position

N. Zwiers requested nominations for the second public member on the Executive Committee. P. Stavropoulos nominated J. Daley and he accepted – he advised that his appointment expires in December 2022, and he is hopeful it will be renewed, but if not, this process will have to be repeated. There were no further nominations. J. Daley was acclaimed.

4. Education Session

Council received an education session from other regulators about common trends in regulation.

Lise Betteridge, Registrar/CEO of the College of Social Workers and Social Service Workers
 Brian O’Riordan, Registrar/CEO of the College of Audiologists and Speech Language Pathologists
 Maureen Boom, Registrar/CEO of the College of Massage Therapists
 Gillian Slaughter, Director of Professional Conduct at the Royal College of Dental Surgeons of Ontario

5. Discussion Items

5.1 New Committee Composition/Chairs – Executive Committee Update

It was moved by D. Shewfelt and seconded by P. Rainville to consider and approve the committee composition and chairs recommended by the Executive Committee. Motion CARRIED.

(a) Inquiries, Complaints and Reports Committee

Peter Stavropoulos, Chair
 Matthew Andrade, Professional Member
 Melanie Atkinson, Professional Member
 Chad Bezaire, Professional Member
 Ed Chung, Professional Member
 Deborah Loundes, Professional Member
 Irv Luftig, Professional Member
 Donna Shewfelt, Professional Member
 Ramesh Bhandari, Public Appointee
 Jim Daley, Public Appointee
 Allan Katz, Public Appointee
 Winnie Linker, Public Appointee
 Reshad Nazeer, Public Appointee
 Brooke Mitchell, Non-Council

Cesar Mendez, Non-Council
Riaz Bagha, Non-Council
Ruth Thompson, Non-Council
Stephanie Shlemkevich, Non-Council
Stephen Haber, Non-Council
Eliot To, Non-Council
Shael Weinberg, Non-Council

(b) Discipline Committee

Cesar Mendez, Chair (Non-Council)
Matthew Andrade, Professional Member
Melanie Atkinson, Professional Member
Chad Bezaire, Professional Member
Ed Chung, Professional Member
Deborah Loundes, Professional Member
Irv Luftig, Professional Member
Donna Shewfelt, Professional Member
Peter Stavropoulos, Professional Member
Ramesh Bhandari, Public Appointee
Jim Daley, Public Appointee
Allan Katz, Public Appointee
Winnie Linker, Public Appointee
Reshad Nazeer, Public Appointee
Riaz Bagha, Non-Council
Peter Guy, Non-Council
Stephen Haber, Non-Council
Brooke Mitchell, Non-Council
Eliot To, Non-Council
Shael Weinberg, Non-Council

(c) Fitness to Practise Committee

Brooke Mitchell, Chair (Non-Council)
Matthew Doyle, Professional Member
Winnie Linker, Public Appointee
Kimberley Resmer, Non-Council
Pauline Looi, Non-Council
Eliot To, Non-Council
Peter Guy, Non-Council
Cesar Mendez, Non-Council

(d) Patient Relations Committee

Peter Stavropoulos, Chair (Professional Member)
Matthew Doyle, Professional Member
Allan Katz, Public Appointee
Jim Daley, Public Appointee
Pauline Looi, Non-Council
Brooke Mitchell, Non-Council

(e) Quality Assurance Committee

Millicent Vorkapich-Hill, Chair (Non-Council)

Melanie Atkinson, Professional Member
Matthew Doyle, Professional Member
Patrick Rainville, Professional Member
Ramesh Bhandari, Public Appointee
Andrew Klayman, Non-Council
Julie Fraser, Non-Council
Tina Rainville, Non-Council
Lisa Balkarran, Non-Council
Brooke Mitchell, Non-Council

(f) Sedation Committee

Millicent Vorkapich-Hill, Chair (Non-Council)
Melanie Atkinson, Professional Member
Matthew Doyle, Professional Member
Patrick Rainville, Professional Member
Ramesh Bhandari, Public Appointee
Andrew Klayman, Non-Council
Julie Fraser, Non-Council
Tina Rainville, Non-Council
Lisa Balkarran, Non-Council
Brooke Mitchell, Non-Council

(g) Registration Committee

Matthew Doyle, Chair (Professional Member)
Matthew Andrade, Professional Member
Peter Stavropoulos, Professional Member
Melanie Atkinson, Professional Member
Ramesh Bhandari, Public Appointee
Winnie Linker, Public Appointee
Deepka Duggal, Non-Council
Tejinder Sahota, Non-Council

(h) Audit Committee

Jim Daley, Chair (Public Appointee)
Ed Chung, Professional Member
Melanie Atkinson, Professional Member

(i) Standards and Guidelines Committee

Brooke Mitchell, Chair (Non-Council)
Ed Chung, Professional Member
Deborah Loundes, Professional Member
Chad Bezaire, Professional Member
Peter Stavropoulos, Professional Member
Jim Daley, Public Appointee
Jannel Somerville, Non-Council
Peter Guy, Non-Council

(j) Registration Examination

Stephanie Shlemkevich, Chair (Non-Council)

Matthew Doyle, Professional Member
Donna Shewfelt, Professional Member
Andrew Klayman, Non-Council
Brooke Mitchel, Non-Council
Julie Fraser, Non-Council
Sonia Rebella, Non-Council

(k) Drug Committee

Peter Stavropoulos, Chair (Professional Member)
Jim Daley, Public Appointee
Jannel Somerville, Non-Council
Cesar Mendez, Non-Council

(l) Technical Committee

Ed Chung, Chair (Professional Member)
Matt Doyle, Professional Member
Chad Bezaire, Professional Member
John Lanthier, Non-Council
Tracy Oliver, Non-Council

(m) Elections Committee

Allan Katz, Chair (Public Appointee)
Matt Doyle, Professional Member
Ramesh Bhandari, Public Appointee
Jim Daley, Public Appointee

(n) Strategic Planning Committee

Millicent Vorkapich-Hill, Chair (Non-Council)
Matthew Andrade, Professional Member
Peter Stavropoulos, Professional Member
Patrick Rainville, Professional Member
Jim Daley, Public Appointee
Allan Katz, Public Appointee
Jannel Sommerville, Non-Council

(o) Registrar's Performance and Compensation Committee

Winnie Linker, Chair (Public Appointee)
Allan Katz, Public Appointee
Peter Stavropoulos, Professional Member
Melanie Atkinson, Professional Member

5.2 Registrar's Report

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

5.3 Presentation on Current Trends in Regulation

N. Zwiers and M. Clarke presented on trends in regulation from the CLEAR and CNAR conferences – EDI, Covid-19, barriers for international applicants, cost recovery at discipline, member burnout and the regulation of off-duty conduct.

6. In Camera

It was moved by M. Atkinson and seconded by M. Doyle 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 1:44 p.m.

7. Next Meeting

7.1 Council Meeting Dates for 2023

- January 27, 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 P. Ferguson and seconded by M. Doyle that the meeting be adjourned. Motion CARRIED.

The meeting was adjourned at 2:50 p.m.

Special Council Meeting Minutes

November 14, 2022

The Chair, Peter, called the meeting to order at 8:02pm.

All council members were in attendance except Reshad who sent his regrets as well as Patrick and Irv, who previously indicated they were resigning from Council.

A motion was made by Winnie, seconded by Ed to approve the agenda with the following amendment: item 2.3 be moved from "Decision Items" to discussion only and moved to item 1.4, entitled "Bylaw Amendment – Eligibility Requirements". CARRIED UNANIMOUSLY

Nicole was appointed as the secretary for the meeting.

No conflicts of interest were declared.

Item 1.4: Bylaw Amendment – Eligibility (Discussion Only; Attached as Appendix A)

Nicole explained that, as was outlined in the document circulated to Council in advance of today's meeting, the proposed bylaw amendment that Council is being asked to consider and discuss only at this time, would involve a bylaw change placing further restrictions on eligibility for professional members to be elected to Council and/or sit on committees.

Discussion among Council related to whether the criteria proposed – public register and/ or breach of Code of Conduct - in the previous 3 years was reasonable. Council members agreed with the spirit of the proposed bylaw amendment, to ensure qualified individuals best suited to Council and Committee business are eligible to run for election while preventing those who may give rise to concerns or reputational harm to the College because of outcomes on the public register and/or whose past breach of the Code of Conduct may suggest a poor fit with the expectations of Council and Committee.

Council also discussed whether having the Elections Committee as the body determining in the event a professional member seeks to be reconsidered on eligibility criteria. It was agreed that it makes sense to have this authority rest with the Elections Committee.

Council agreed unanimously that the proposed bylaw amendment should be drafted and brought to Council at the January 27, 2023 meeting for approval.

Decision Items:

2.1 Election in Combined Districts 3 & 4 (podiatrist)

It was moved by Peter and seconded by Donna that Council approve the election in combined districts 3 & 4.

CARRIED UNANIMOUSLY

2.2 Election in District 6

It was moved by Peter and seconded by Chad that Council approve the election in district 6.

CARRIED UNANIMOUSLY

A motion was made to move in-camera by Peter and seconded by Ramesh at 8:19 pm. The rationale for moving in-camera is that a matter or matters will be discussed by Council that either require privacy to meet the College's obligations of privacy and/or because Council will receive advice that is protected by solicitor-client privilege.

Appendix A

The following is for discussion at the November 14, 2022, Special Council meeting. Formal by-law amendments could be prepared and considered by Council at its January 2023 meeting if Council wishes.

The following provides a high-level overview of contemplated by-law amendments regarding eligibility for elected Councillors, selected Councillors and non-Council committee members.

Attached, for reference, are By-laws 50-53 of the College's By-law No. 1 (General). Please note that while By-laws 50-53 are central to the amendments, other parts of By-law No. 1 may also be amended.

Concept #1: New eligibility requirement regarding cautions and SCERPs with grandparenting

To be eligible for election as an elected councillor, a member cannot have a notation of a caution or any specified continuing education or remedial program on the register. (By-law 50)

To be eligible for selection as a selected councillor, a member cannot have a notation of a caution or any specified continuing education or remedial program on the register. (By-law 51)

To be eligible to be appointed as a non-Council committee member, a member cannot have a notation of a caution or any specified continuing education or remedial program on the register. (By-law 52)

Consistent with this new eligibility requirement, the disqualification provision would need to be reviewed and potentially amended so that a member would be disqualified if they received a caution or a SCERP while they served on Council or a committee. (By-law 53)

Grandparenting provisions: the amendments contemplated above would not apply to anyone currently serving as a Councillor or a non-Council committee member.

Concept #2: A process for exceptions to the new eligibility requirement

A process would be established such that an individual who is otherwise ineligible due to a caution or specified continuing education or remedial program, could apply to become eligible.

There would be certain conditions for such an application to be made (e.g., a certain number of years must have gone by after the caution or SCERP had been given or fully implemented).

There would be certain requirements for such an application package (e.g., a member's written request for a review, a current Curriculum Vitae, supporting documentation).

A committee would be identified to consider and make determinations on these applications.

Concept #3: A member who has been disqualified cannot serve again unless otherwise approved

Currently, a Councillor who has been disqualified cannot serve for another three (3) years. The proposed amendment would bar the member from serving again unless otherwise approved by a process.

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 **chiroprapist councillor**, the **member** holds a certificate of registration in the chiroprapist 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;
- 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;
- 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.

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.

51. SELECTED COUNCILLORS

- 51.01** For the purpose of clause 7(1)(c) of the **Act**, two **members** 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**.
- 51.02** 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

- 51.03** A **selected councillor** may be reappointed but a **selected councillor** shall not serve for more than two consecutive terms in that capacity.
- 51.04** 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.
- 51.05** 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.

52. NON-COUNCIL COMMITTEE MEMBERS

- 52.01** Council shall appoint eligible **members** to be **non-council committee members** in accordance with the process set out in **Schedule 3**.
- 52.02** 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

52.03 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

52.04 A **non-council committee member** may be reappointed but shall not serve for more than two consecutive terms in that capacity.

52.05 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

52.06 Subject to the balance of the provisions 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 chiropody in Ontario, or if the **member** does not practise chiropody, 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;
- 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; and

- 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**.

52.07 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.

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

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

53. DISQUALIFICATION

53.01 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;
- 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.

53.02 Council shall disqualify a selected councillor from sitting on Council if the selected councillor

- i) is determined by Council not to have met the requirements for selection;
- ii) ceases to be a member of a faculty of the Michener Institute for Applied Health Sciences;
- iii) ceases to be the holder of a certificate of registration;
- iv) is found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee;
- v) is found to be incapacitated by a panel of the Fitness to Practise Committee;
- vi) has a term, condition or limitation placed on his or her certificate of registration other than one applicable to all **members** holding that class of certificate;
- 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.

53.03 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;
- 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;
- 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.

53.04 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.

53.05 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**.

53.06 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**.

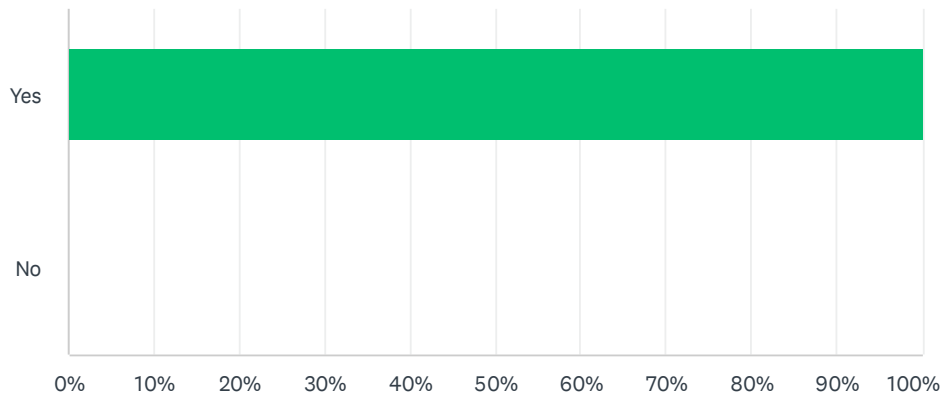
53.07 An **elected** or **selected councillor** who becomes the subject of a disciplinary or incapacity proceeding, including one which originates at any time after the deadline for receipt of nominations, shall not serve on Council or on any **committee** until the proceeding is finally completed.

- 53.08** 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.
- 53.09** 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.
- 53.10** 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.
- 53.11** 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.
- 53.12** 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.
- 53.13** 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.
- 53.14** 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.
- 53.15** 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.
- 53.16** 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.
- 53.17** 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.
- 53.18** 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.
- 53.19** 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.
- 53.20** 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.
- 53.21** 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**.

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

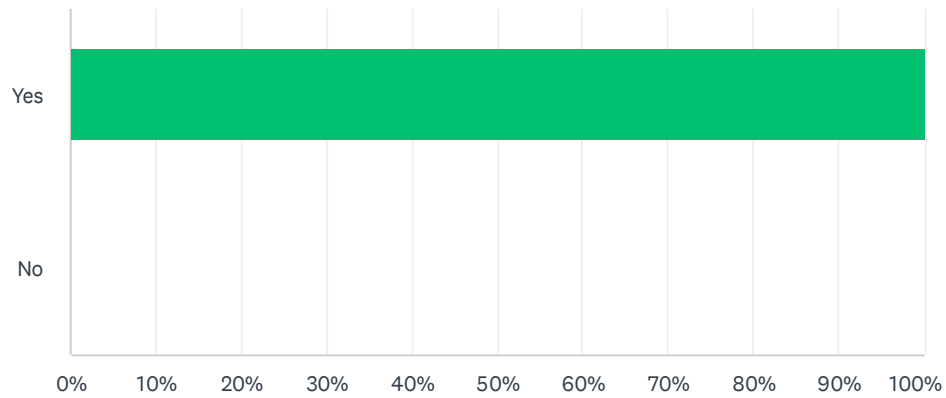
Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	10
No	0.00%	0
TOTAL		10

Q2 Did the chair run an efficient and effective meeting?

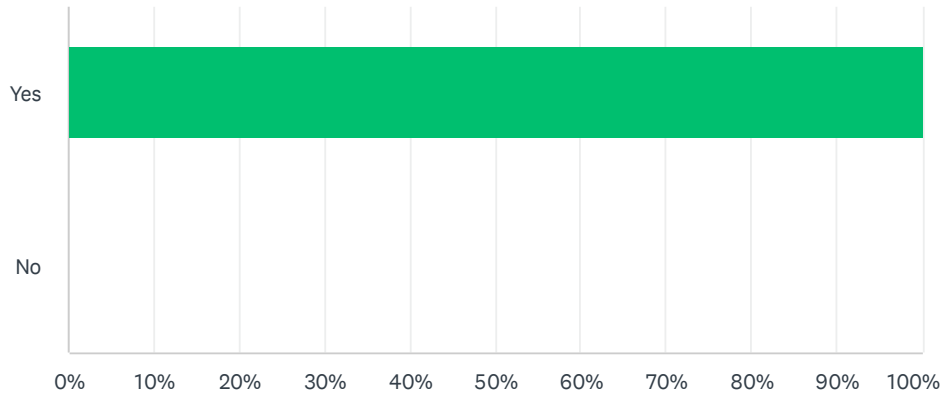
Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	10
No	0.00%	0
TOTAL		10

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

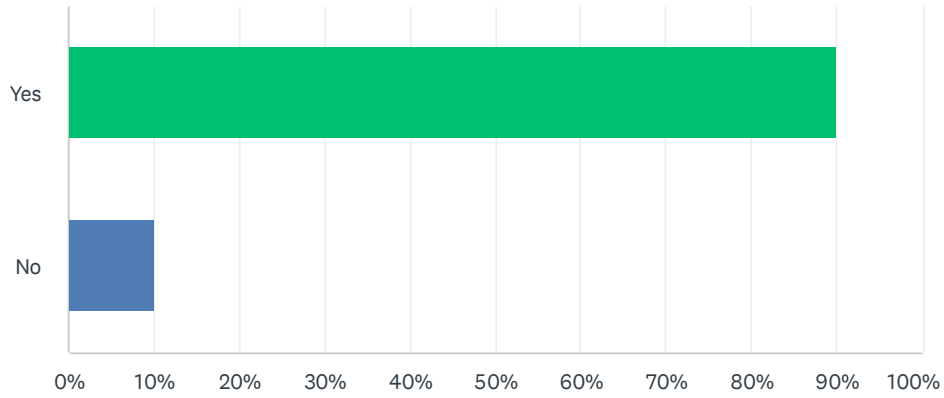
Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	10
No	0.00%	0
TOTAL		10

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

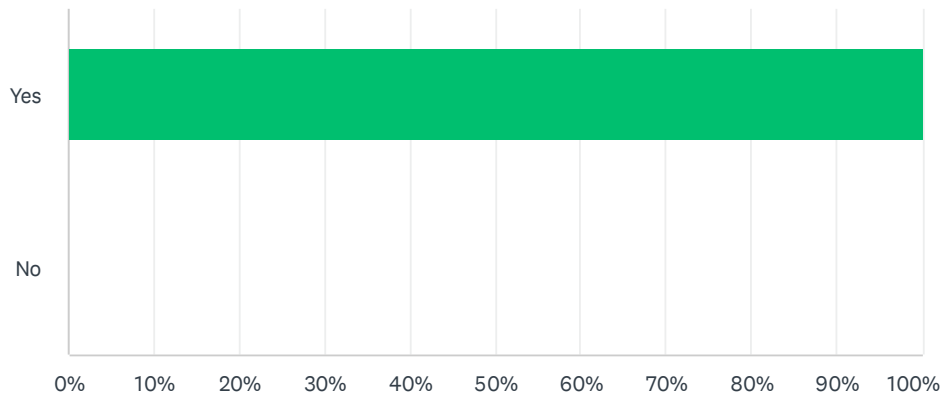
Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	90.00%	9
No	10.00%	1
TOTAL		10

Q5 Did all committee members participate in the meeting appropriately?

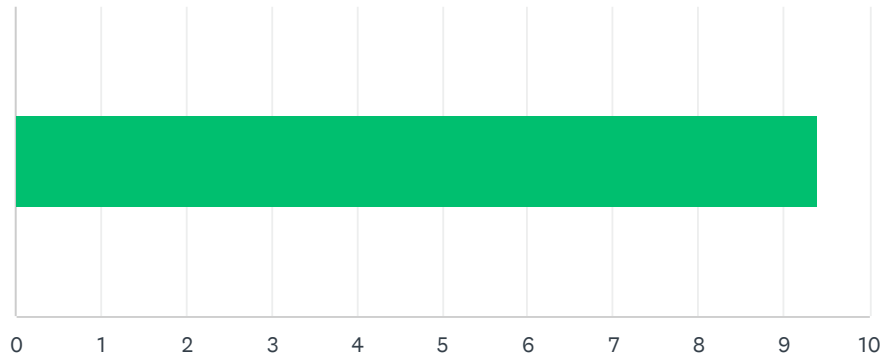
Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	10
No	0.00%	0
TOTAL		10

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

Answered: 10 Skipped: 0



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	9	94	10
Total Respondents: 10			

#		DATE
1	8	11/6/2022 3:48 PM
2	10	11/3/2022 3:16 PM
3	10	11/2/2022 11:21 PM
4	10	11/2/2022 10:09 AM
5	8	11/1/2022 7:56 PM
6	10	11/1/2022 7:16 PM
7	8	11/1/2022 7:10 PM
8	10	11/1/2022 5:28 PM
9	10	11/1/2022 8:37 AM
10	10	10/28/2022 5:05 PM

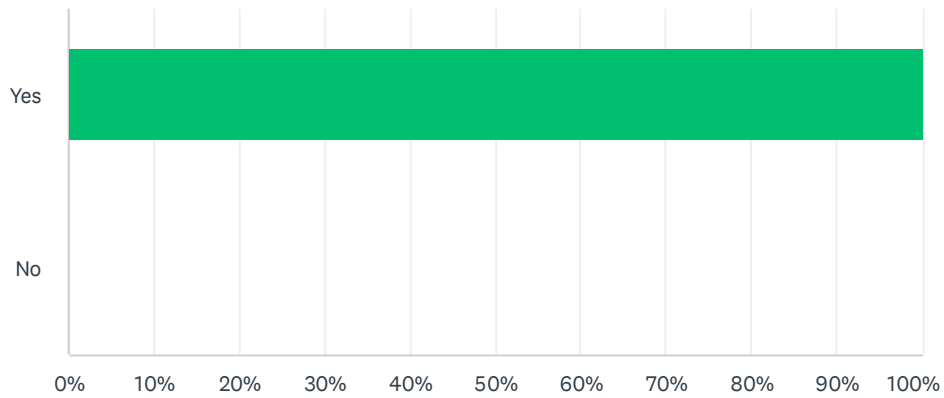
Q7 Please provide any comments, questions, concerns, or feedback that we can do differently in the next meeting.

Answered: 7 Skipped: 3

#	RESPONSES	DATE
1	Time management	11/2/2022 11:21 PM
2	The panel of Registrars from other regulatory Colleges was very informative.	11/2/2022 10:09 AM
3	Suggest that as we move along the agenda, have a bit more time to allow participants to find the required documents on their devices, and indicate pages/location. Location is great . Breakfast buffet nice, suggest adding some options le bread, fruit. And for lunch, keep the buffet- to allow folks to choose amounts, and rice or veggies. The individual buckets were limiting. Also, when selecting chicken, although it was tasty, please provide stronger cutlery if bones and skin- the cutlery provided was too weak to be effective. Cookies/ sweets would be appreciated for afternoon.	11/1/2022 7:56 PM
4	Sound quality for remote attendees should be improved	11/1/2022 7:10 PM
5	No concerns. A well organized and efficiently run meeting. Much better having Exec compose committees at their working lunch break	11/1/2022 5:28 PM
6	n\	11/1/2022 8:37 AM
7	Hot breakfast was a refreshing touch. Warm entree, cold salad and coleslaw were individually packed were tasty.	10/28/2022 5:05 PM

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

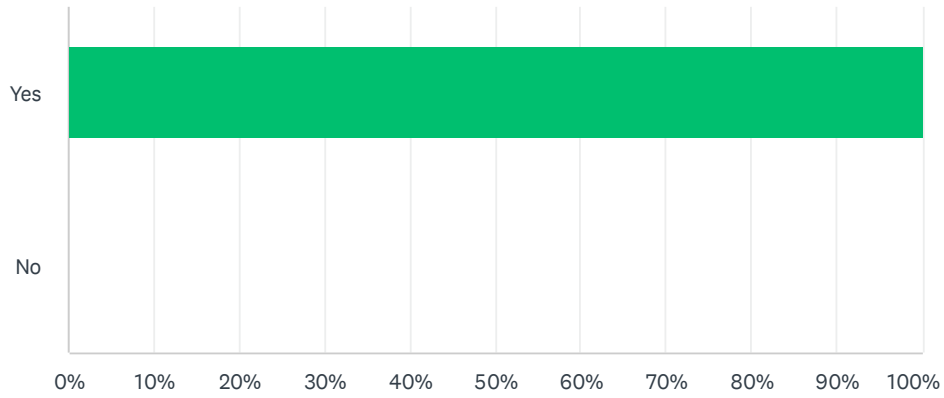
Answered: 7 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	7
No	0.00%	0
TOTAL		7

Q2 Did the chair run an efficient and effective meeting?

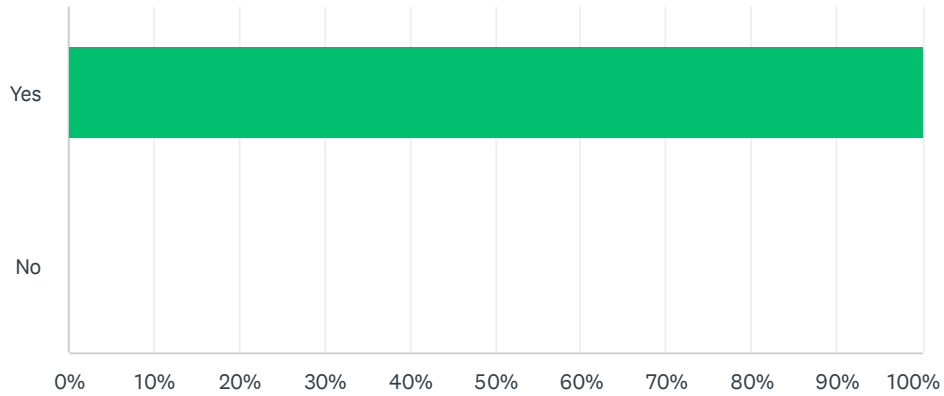
Answered: 7 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	7
No	0.00%	0
TOTAL		7

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

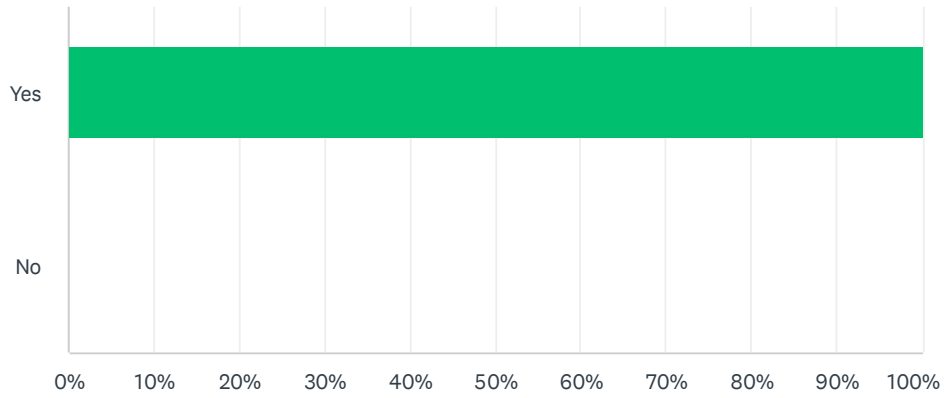
Answered: 7 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	7
No	0.00%	0
TOTAL		7

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

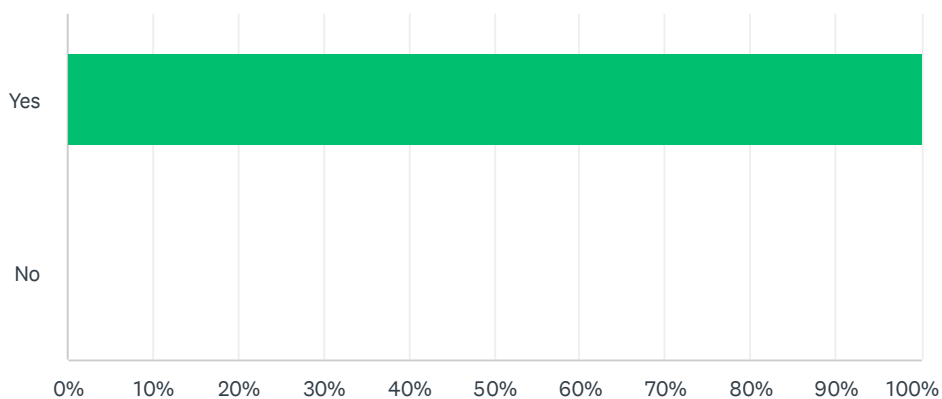
Answered: 7 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	7
No	0.00%	0
TOTAL		7

Q5 Did all committee members participate in the meeting appropriately?

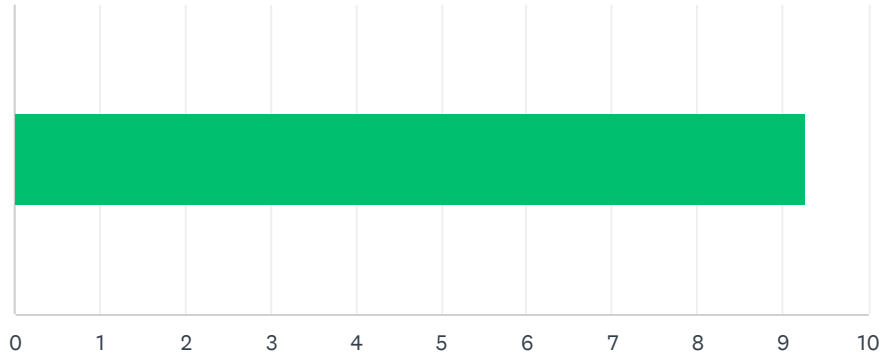
Answered: 7 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	7
No	0.00%	0
TOTAL		7

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

Answered: 7 Skipped: 0



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	9	65	7
Total Respondents: 7			

#		DATE
1	9	11/25/2022 4:52 PM
2	8	11/21/2022 8:55 PM
3	10	11/21/2022 6:27 PM
4	9	11/21/2022 6:03 PM
5	10	11/21/2022 5:35 PM
6	9	11/21/2022 5:32 PM
7	10	11/21/2022 5:31 PM

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

Answered: 2 Skipped: 5

#	RESPONSES	DATE
1	The evening time slot worked well to ensure it was outside of normal working hours and avoid schedule conflicts	11/21/2022 8:55 PM
2	No recommendations.	11/21/2022 5:31 PM



College of Chiropodists of Ontario

ITEM 2.2

PRACTICE ADVISOR REPORT - January 27, 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 October Council meeting:

- Received 108 phone calls and emails relating to the practice advisory service between October 31 and January 6.
- Collaborated with the practice advisors of other Colleges consistent with CPMF recommended best practices.
- Sources of enquires include: members of the public, registrants, clinic managers, healthcare industry service providers (for example, in office X-ray machines), other regulated health professionals (for example, pharmacists), third party insurance companies, practice advisors from other Colleges, 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 Practice Advisor.
- Work alongside the College's Manager of Registration, Examinations and Quality Programs to assist in the development of both on-line and in-person educational sessions and learning resources to promote the awareness of best practices.
- Enhance learning resources available on the College website.

Respectfully submitted,

Peter Stavropoulos, DPM
Acting Practice Advisor



College of Chiropodists of Ontario

ITEM 2.3.1

DISCIPLINE COMMITTEE REPORT

January 27, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Cesar Mendez, Chiropodist

Professional Members (Council):

Matthew Andrade, Chiropodist
 Melanie Atkinson, Chiropodist
 Chad Bezaire, Chiropodist
 Ed Chung, Podiatrist
 Donna Shewfelt, 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
 Cesar Mendez, Chiropodist

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 January 26, 2023.

Completed Matters – October to December 2022

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 October and December 2022, 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,
- practised the profession in a conflict of interest,
- 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 disgraceful, dishonourable, and unprofessional.

The Panel ordered that the registrant receive an oral reprimand, that his certificate of registration be suspended for four months (prior to returning to work, the registrant must complete the ProBe Ethics Course), and that upon returning to work, the registrant is required to provide any chiropody institute that retains him to teach students and/or provide clinical placements for students with a copy of the panel's decision. The registrant is also required to inform the Registrar if he is retained by a chiropody educational institution to teach students and/or provide clinical placements to students and confirm he has provided the educational institution with the panel's decision. Finally, the registrant was ordered to pay costs in the amount of \$15,000 to the College.

In September, 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,
- 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;
- contravened the *Chiropody Act* and its regulations, and
- engaged in conduct that was disgraceful, dishonourable, and unprofessional.

In December, 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 nine 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 six months from the date his suspension ends, and that he be restricted from prescribing, fabricating, fitting, dispensing and/or ordering prescription footwear modification 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 \$85,000 to the College.

In a third matter, the hearing proceeded on a contested basis, with the Panel hearing evidence from the College and the Registrant. The Panel has not released its decision on this case.

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 October and December 2022, there were no 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 October and December 2022
- **Scheduled hearings:** two of the four referrals have scheduled hearing dates.

B. PRE-HEARING CONFERENCES

- **Completed pre-hearings:** No pre-hearing conference took place between October and December 2022
- **Scheduled pre-hearings:** one pre-hearing conference is scheduled to take place in January 2023.



College of Chiropodists of Ontario

ITEM 2.3.2

INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE REPORT

January 27, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Peter Stavropoulos, Podiatrist

Professional Members (Council):

Matthew Andrade, Chiropodist
 Melanie Atkinson, Chiropodist
 Chad Bezaire, Chiropodist
 Ed Chung, Podiatrist
 Donna Shewfelt, Chiropodist
 Peter Stavropoulos, Podiatrist

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 January 26, 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 October and December 2022, the College received one complaint. This number is lower than usual, which is related to the change of the Council meeting from February to January and the shorter reporting period. See chart 2 below for comparison. The new complaint was from a patient.

A. Dispositions

Between October and December 2022, ICRC panels disposed of three complaints matters as follows:

- 2 cases – no further action was taken
- 1 case – caution and a SCERO

The three complaint matters that were considered by ICRC panels were disposed of in an average of 75.3 days. This average is slightly higher than what was reported in October 2022 (56.8 days), but it remains well below the 150-day mark outlined in the *Health Professions Procedural Code*, which is Schedule 2 to the *Regulated Health Professions Act, 1991*.

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 October and December 2022 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 disposed of by a committee of the College.

The ICRC did not impose any interim orders between October and December 2022 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 October and December 2022, an investigator was appointed to conduct one Registrar's Investigations. This is relatively consistent with the data from 2020 and 2021.

Chart 2

	October 2020 – January 2021	February – May 2021	June – September 2021	October 2021 – January 2022	February – May 2022	June – September 2022	October – December 2022
Complaints	14	11	8	8	9	8	1
Registrar's Investigations	4	3	1	1	2	1	1

B. *Dispositions*

Between October and December, panels of the ICRC did not dispose of any Registrar Investigations.

Interim Orders

The ICRC did not impose any interim orders because of a Registrar investigation October and December 2022.

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 October and December 2022, the ICRC did not receive any referrals from the QAC.

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 October and December 2022.

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 Chiropractic 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 December 2022

As of the end of December 2022, there were six active complaints.

Date Received	Days Elapsed	Stage1	Stage 2	Stage 2a	Stage 3	Stage 3a	Stage 4
January 5, 2022	360	✓	✓	✓	✓	✓	
February 18, 2022	316	✓	✓	✓	✓	✓	
April 20, 2022	255	✓	✓	✓	✓	✓	
April 27, 2022	248	✓	✓	✓	✓	✓	
August 22, 2022	131	✓	✓	✓	✓	✓	
October 5, 2022	87	✓	✓	✓	✓	✓	

Average: 232.8 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 December 2022

As of the end of December 2022, there was one ongoing Registrar's investigations.

Date Received	Days Elapsed	Stage1	Stage 2	Stage 2a	Stage 3	Stage 3a	Stage 4
July 20, 2022	164	✓	✓	✓	✓	✓	✓
November 28, 2022	33						

Average: 98.5 days



College of Chiropodists of Ontario

ITEM 2.3.3

QUALITY ASSURANCE COMMITTEE REPORT

January 27, 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
Millicent Vorkapich-Hill, 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.

In 2022, the College randomly selected 41 registrants for on-site practice assessments. Of the 41, 37 on-site practice assessments were completed. 3 assessments were deferred due to requests from the members relating to illness, family issues, or maternity leave. 1 Registrant advised of his

retirement at the beginning of the assessment process. The 37 on-site assessments showed an impressive result with more than 30 Registrants receiving a AAA rating. The Committee will be meeting in early 2023 to review all 2022 reports, as well as a few of the outstanding matters from 2021.

The practice assessment cycle for 2023 will commence in February 2023.

The Quality Assurance Committee met on January 26, 2023, for a half-day business meeting which included a review of the existing Practice Assessment and Continuing Education policies, as well as the existing Practice Assessment evaluation report. The meeting concluded with a presentation from Dr. Anthony Marini, of Martek Assessments, on risk-based assessment.

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.

The continuing education audit process for approximately eighty (80) selected members for the Jan 2020-Dec 2021 cycle is complete and the results will be presented to the Committee at its next meeting.



College of Chiropodists of Ontario

ITEM 2.3.4

REGISTRATION EXAM COMMITTEE REPORT

January 27, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Stephanie Shlemkevich, Chiropodist

Professional Members (Council):

Donna Shewfelt, Chiropodist

Matthew Doyle, Chiropodist

Professional Members (Non-Council):

Andrew Klayman, Podiatrist

Brooke Mitchell, Chiropodist

Sonia Rebello, Chiropodist

Julie Fraser, Chiropodist

Stephanie Shlemkevich, Chiropodist

Public Appointees:

None

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 members 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 two written components (jurisprudence & core competencies) and a clinical (OSCE) component.

MEETINGS

The Committee met several times since the October 2022 Council meeting to prepare for the supplemental examinations for November 2022. The committee continues to meet to prepare new questions for the written and OSCE exams. In addition to preparing for the November supplemental exams, the newly constituted Committee met to discuss the re-development of the jurisprudence and OSCE exams.

DECISION/OUTCOMES

- For 2023, the Jurisprudence exam will become a stand-alone exam and consist of 80 questions. The core competencies exam will consist of 200 questions.
- Map the existing OSCE stations to the Competency Profile, and where necessary, create new OSCE stations
- Delegate question writing to the item writers to continue building the Multiple-Choice Question banks for jurisprudence & core competencies.

NEXT MEETING

January 2023:

- Jurisprudence and OSCE subcommittee meetings

February 2023:

- Business meeting and Item Writing Workshop (lead by Martek Assessments as part of their contractual obligations)
- OSCE subcommittee

March 2023:

- subcommittee meetings for jurisprudence and OSCE development
- In-person item review meeting to approve questions written following workshop

EXAM DATES

- June 3, 2023 – OSCE
- June 6, 2023 – Written (Jurisprudence & Core Competencies) – online, proctored.



College of Chiropodists of Ontario

ITEM 2.3.5

STANDARD AND GUIDELINES COMMITTEE REPORT

January 27, 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 October 2022 and January 2023.

DECISION/OUTCOMES

The Committee reviewed the Draft Fees Guideline at the October 2022 meeting, and it was then sent for final approval.

In January 2023, the Committee met to consider elevating the Social Media Advisory to a standard of practice, and to develop a guideline to clarify the currency of practice requirement for applicants and registrants. Both of those documents are before Council for its consideration.

NEXT MEETING

There are no meetings scheduled at this time.



College of Chiropodists of Ontario

ITEM 2.3.6

REGISTRATION COMMITTEE REPORT

January 23, 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

A panel of the Registration Committee met on October 5, October 21, and December 20 to review an application for registration from an applicant currently working in Manitoba. The applicant had previously failed the College's qualifying exams then commenced working in Manitoba in March 2022. He successfully completed the jurisprudence exam in November 2022, then invoked the labour mobility provisions to obtain registration in Ontario. The Committee has obtained legal advice on how to proceed with this matter given concerns about this applicant's competency.

NEXT MEETING

February 17, 2023 – full day, in-person business meeting.



College of Chiropodists of Ontario

ITEM 2.3.7

PATIENT RELATIONS COMMITTEE REPORT

January 27, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Peter Stavropoulos, Podiatrist

Professional Members (Council):

Matthew Doyle, Chiropodist
Brooke Mitchell, Chiropodist
Peter Stavropoulos, Podiatrist

Professional Members (Non-Council):

Pauline Looi, 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

ITEM 2.3.8

AUDIT COMMITTEE REPORT

January 27, 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 Appointees:

Jim Daley, Public Appointee

ROLE OF THE COMMITTEE

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

The Committee did not meet since the last Council meeting.

DECISION/OUTCOMES

N/A

NEXT MEETING

April 2023



College of Chiropodists of Ontario

ITEM 2.3.9

FITNESS TO PRACTISE COMMITTEE REPORT

January 27, 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

ITEM 2.3.10

TECHNICAL COMMITTEE REPORT

January 27, 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.



College of Chiropodists of Ontario

ITEM 2.3.11

STANDING DRUG COMMITTEE REPORT

January 27, 2023 Council Meeting

COMMITTEE MEMBERS

Chair: Peter Stavropoulos, Podiatrist

Professional Members (Council):

Peter Stavropoulos, Podiatrist

Professional Members (Non-Council):

Cesar Mendez, Chiropodist

Jannel Somerville, Chiropodist

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 to suggest amendments based on current and changing legislation.

MEETINGS

This Committee met November 29, 2022 and January 19, 2023.

DECISION/OUTCOMES

Following the approval of the updated and expanded drug list by Council at the October 28 Council meeting, the College informed the MOH accordingly. The MOH provided a list of questions relating to items such as the number of registrants that are currently prescribing, what educational upgrade is currently, or will be, available to permit those registrants who wish to prescribe from the expanded list of drugs within the schedules; specifics about the educational program, and the expected number of registrants likely to upgrade their prescribing privileges. The committee reviewed these questions and responded to each of them consistent with the commitments and assurances communicated in the past by the College to the MOH and the registrants, based on

the initial consultation with registrants and as approved by Council. The College's response was provided to the MOH before the holiday break in December.

The committee remains ready to address any further questions that might be forthcoming from the MOH in moving toward approval of the Drug Regulation in the near future.

NEXT MEETING

There are no meetings scheduled at this time.



College of Chiropodists of Ontario

ITEM 2.3.12

ELECTIONS COMMITTEE REPORT

January 27, 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 Committee convened on January 12, 2023, via zoom, for its first annual business meeting. At the meeting, the Committee reviewed and approved the attached Terms of Reference, Appendix A. Further, the Committee reviewed the existing by-laws and recommends revisions to the by-laws as presented to the Council in decision item 3.3. This includes revising the call for nominations from June to May to accommodate the September 22, 2023 Council meeting.

The Knowledge, Skills, and Experience Matrix document along with the Council Competency Matrix have been posted on the COCOO website and are a requirement of the election cycle for chiropodists and podiatrists seeking election to the Council.

DECISION/OUTCOMES

Districts 3 & 4 Chiropract and Combined District 2 Podiatrist are the districts open for elections in 2023.

NEXT MEETING

None scheduled at this time.

Appendix A**Terms of Reference****Committee Name:**

- Elections Committee

Committee Type:

- Standing Committee

Purpose:

- The Elections Committee provides regulatory oversight of the College's elections processes.

Responsibilities:

- Dealing with disputes relating to the election of elected councillors and other matters provided in the by-laws;
- Dealing with such other disputes or issues referred to it by the Council or the Executive Committee;
- Studying and making recommendations to Council on improving the election process; including recommendation to amend the election-related provisions in Bylaw No. 1: General.
- Review and recommend to Council changes or updates to the skills & knowledge matrix and the council competencies questionnaire created and implemented in the 2022 election process.

Authority:

- The Election Committee's authority is granted pursuant to
 - Sections 94(1)(d.1)(d.2)(d.3) of Schedule 2 – Health Professions Procedural Code, *Regulated Health Professions Act*, 1991, S.O. 1991. c. 18.
 - Bylaw No.1: General – Articles 23.01 through 23.03
 - Bylaw No.1: General – Article 27
 - Bylaw No.1: General – Articles 45 through 51.

Composition:

- The Elections Committee shall be comprised of at least three public councillors and at least one professional member.
- Quorum – quorum is constituted by three members of the Committee.
- Each member of the Committee is responsible for properly preparing for each meeting, attending scheduled meetings, and actively participating in meetings.
- A Committee/Panel member who does not uphold their responsibilities or misses meetings without a reasonable explanation will be asked by the Chair to resign from the Committee. If the member refuses to resign, a vote will be taken, and a recommendation will be made to the Council or, the Executive Committee acting on behalf of Council, for removal of the member.

Committee Meetings:

- The Committee shall meet in its entirety on an annual basis for at least one business meeting and a maximum of two business meetings. Additional meetings may be called at the discretion of the Chair in consultation with College staff.

Reporting:

- The Committee Chair will report to the Council in accordance with the Council's annual meeting schedule
- The Committee Chair will seek direction, guidance or make recommendations to the Executive Committee as is required.

- Each member of the Committee shall submit to College staff, their expense claim within 5 business days of the meeting.

Decision-making:

- The Committee shall strive for consensus when making decisions. If consensus cannot be achieved the Committee members must agree on how to address the outstanding issues.
- The Committee shall not discuss outstanding issues or Committee business via email. The Chair shall call a meeting of the Committee to discuss outstanding issues or Committee business, at which point the Committee can decide on how to proceed, including, but limited to, referring the matter to the Executive Committee for direction or guidance.

TOR Review:

- The Terms of Reference shall be reviewed on an annual basis at the Committee's business meeting.

Approved by Committee	January 12, 2023
-----------------------	------------------



College of Chiropodists of Ontario

ITEM 2.3.13

STRATEGIC PLANNING COMMITTEE REPORT

January 27, 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 (KPI's) were drafted at the November 9, 2022 meeting. This list of ten KPI's provide a way to measure the College's success in meeting the objectives. These KPI's 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

Finalized a draft of ten KPI's to present to the Executive Committee – those KPIs are before Council.

NEXT MEETING

None scheduled.



College of Chiropodists of Ontario

ITEM 3.1

COUNCIL BRIEFING NOTE RE: Election Chiropodist District 6 & Appointment Podiatrist Combined 2

Background:

In November 2022, the Chiropodist council member in District 6 resigned from council citing health reasons. Additionally, the Podiatrist council member from Combined District 2 resigned citing pending retirement.

At present, there are two vacant seats on the Council.

Public Interest Rationale for Decision:

It is in the public interest that the College's Council is operating with the appropriate number of elected members to ensure that the Council is representative of the membership and can make the most effective decisions to meet its public protection mandate.

Recommended Motion:

That the Council,

- a) Elect by acclamation podiatrist member, Andrew Klayman, to the vacant position in Combined District 2; and
- b) Elect a chiropodist member from the list attached as Appendix A, to the vacant position in District 6.

Mover: _____

Secunder: _____

APPENDIX A Election and Acclamation

Combined District 2 (Podiatrist)

1. *Andrew Klayman*
- Self Nominated

District 6 (Chiropodist)

1. *Yaroslav Tarasevych*
 - Nominated by Deanna Falvo, Joseph Francesco Quadri
 - Brief Bio - I am writing to express my interest in joining the College Council for the District 6 position. A little bit about me, I received a bachelor's and Master's in Biomedical Sciences from the University of Guelph and acquired my Diploma of Chiropody afterwards in 2021. I went straight into the private sector and set up my little office in Mississauga, as well as work in clinics in the Etobicoke and Bradford region. Additionally, I have been with the Navy Reserve since 2009 and worked for the Junior's Rank Mess executive team and now as a senior head of department for the Marine Technicians. I am also the Regional Mentor for the new training course regarding the future progression of the marine technician trade. My intent with the council is to help our profession grow in anyway that it can in order to properly take care of our patients and ensure their well being. As a recent graduate, I anticipate a steep learning curve about the council process and its functioning, but I am determined to learn and advocate for our patients and colleagues.
2. *Michael Turcotte*
 - Nominated by Peter Guy
 - Brief Bio - Board Governance has always been a passion of mine and would like to participate as a council member to help with strategic planning for the College. I have been practicing since 1992 and would like to help in any capacity.
Michael E. Turcotte B.Sc. Hons. Podiatric Studies D. Ch. IIWCC-CAN Chiropodist / Foot Specialist
Michael E. Turcotte B.Sc. Hons. D. Ch. IIWCC-CAN Chiropodist / Foot Specialist is a Registered Chiropodist licensed under the Chiropody Act with the College of Chiropodists

of Ontario and is a member of the Canadian Federation of Podiatric Medicine (C.F.P.M.).
His credentials include:

- Past President of the Canadian Federation of Podiatric Medicine (C.F.P.M.)
- University of Brighton Eastbourne, England –Degree of Bachelor of Science Honors (Podiatric Studies)
- Toronto Institute of Medical Technology (Michener Institute of Applied Sciences) CHIROPODY PROGRAM
- First graduation class for soft tissue surgery and local anesthetics.
- IIWCC-CAN wound care, University of Toronto.
- Pharmacology for D.Ch. Michener Institute
- Advanced Certificate in Board Governance Ontario Hospital Association

Elected director of the Cornwall Hospital from 2005-2015

Chairman of the board of the Cornwall Hospital from 2013-2015

Chairman of the Executive Committee CCH 2013-2015

Director of the Finance and Audit Committee CCH 2005-2015

Director of the Governance Committee CCH 2010-2015

Chairman of the Quality and Performance Committee CCH 2005-2015

Member of the Medical Academy of Cornwall CCH 2010-2015

I have served on CCH Compensation Ad Hoc Committee for 7 years.

I have worked closely with the Provincial Government for the new funding models for acute care hospitals (Quality Based Procedures)

I have worked with Miller Thompson legal firm, KCI and Navigator on the HPRAC submission for the profession of Chiropody/Podiatry in Ontario

Founder and Chairman for the Ghost Walk for Charity

Current President of Cornwall Girls Hockey Association

President of Kinsmen Girls Softball for the last 14 years

Tournament organizer for CGHA

Board member of Rachel's Kids Foundation

Foster program, Small Moments of Joy, Mount Carmel Kids, Saint Mary's Kids in Sri Lanka.

Food and education programs internationally

Committee member of the Fred Page Cup 2015

Committee member of the Benson Centre expansion for the community

Coaching Girls hockey for 20 years

Coach for the South Stormont Minor Hockey Association Boys

3. *Tony Young*

- Nominated by Leigh Fairbridge, Peter Tsang & Jocelyn Reyes
- Brief Bio - My name is Tony Young, BSc, DCh and I am running for the District 6 council position. My interest in council stems from 25 years of clinical practice and currently in a position now to switch gears and take on a new challenge of working for the College. My educational background consists of a Biology degree from the University of Toronto and a Chiropody diploma from the Michener Institute. I have practiced in a number of settings which include hospitals, community health centres and family health teams. I am currently the owner/operator of a multi-disciplinary wellness centre in Orillia, ON. Besides operating a full-time practice, the office has been a site for third year clinical rotations in 2019-2021. I am currently mentoring first and third year Chiropody students and thoroughly enjoying the educational process. Other college roles include being an OSCE examiner and participating in disciplinary matters as an expert witness for certain cases. I am a dedicated practitioner, eager to learn and looking forward to fulfilling the role of being on council.

4. *Jannel Somerville*

- Nominated by Laurie Lang, Rose Tassone & Ian McLean
- Brief Bio - I am a Chiropodist who operates a private practice in my rural community of Stayner since 2015. I received my undergraduate degree in Honours Biomedical Science, with a minor in Biology from the University of Waterloo in 2010. I graduated from the Michener Institute with distinction in Chiropody in 2014. I am a current member of the Standing Drug Committee and a new addition to both the Strategic Planning and Standards and Guidelines Committees. In my time as a Chiropodist, I have thoroughly enjoyed being a member of our profession and take great pride in the care our profession provides to the communities we serve. I want to be a member who helps bring change and shape the future of our profession. I have an interest in helping our professionals provide the best possible care to the communities we serve and aid in the decisions that ensure this. I believe I have the skills that would make me an asset to the college council to positively impact the profession. I am an open-minded individual and can be transparent in decision-making. Honesty and integrity are attributes that I will bring to the College in addition to the commitment this position requires. I believe that I have an ability to communicate effectively and a willingness to listen. I am excited to be a candidate for the district 6 vacancy and the potential of being your elected member of the College Council.

5. *Ian Colin McQuistan*

- (Nominated by Amanda Cates, Srdjan Petrusic & Nancy Nguyen)
- Brief Bio - Having served in the past on the college council as both a member and as vice-president as well as chair of the ICRC and government relations committee, I feel the need to again put forth my name to join the college of chiropody in protection of the public interest. I began my career in orthotics and prosthetics, was a certified pedorthic technician and then a certified pedorthist. I then owned and operated a foot orthotic and orthopedic bracing laboratory before pursuing my chiropody education. Following my registration as a chiropodist in Ontario I took my BSc. in podiatric medicine through Leeds Metropolitan University in the U.K. I have worked in private practice for the last 15 years as owner of McQuistan Chiropody Professional Corporation. I have membership in the Ontario Society of Chiropodists and the Canadian Federation of Podiatric Medicine.

6. *David Kerbl*

- Self Nominated
- Bio not provided.

7. *Mary-Ellen Mitchell*

- Nominated by Stephanie Shlemkevich, David Simard & Robert Holland
- Brief Bio - I am running for election because I have a passion for our profession and an interest in its governance. My professional passion spans thirty some years of practice in a variety of work settings. I have a dedication to continuing education. After college graduation I completed a Bachelor degree and a Master's degree. I have been and continue to be dedicated to maintaining a very high standard of clinic expertise through yearly continuing education. I have worked in a variety of work environments, in hospital, private practice, in First Nations Communities and most recently in a Family Health Team. My family commitments have declined in recent years, and I now have some time to volunteer. I do volunteer for the College of Chiropodists of Ontario on the examination committee and for Wounds Canada at their annual conference. I have volunteered for CorHealth to assist in the development of the Lower Limb Preservation Pathway. I would like to see our profession grow to its full potential. I have professional experience and am willing to learn new skills for this role.



College of Chiropodists of Ontario

ITEM 3.2

COUNCIL BRIEFING NOTE RE RECOMMENDED AMENDMENTS TO BYLAW 2: FEES Examination Fee Increase

Background:

In February 2022, the Council approved an increase in the examination fees, which came into effect in May 2022 after public consultation. The rationale behind the fee increase was two-fold: 1) Registrants should not be encumbered with financing the examinations out of their membership fees; and 2) the existing examination fees were below what was necessary to cover the costs. At present, the examination fees are \$2600.00 to write all three components: jurisprudence, core competencies and the OSCE.

The Examination Committee in conjunction with college staff are closely reviewing all costs related to the development, administration, and maintenance of the examinations. Notwithstanding the earlier increase, the examination costs continue to be partially funded by registrant fees.

The Council is being asked to consider an increase in the registration examination fees. Such an increase will ensure that the College continues to meet its public protection mandate through rigorous testing of Applicants and future Registrants of the College. Additionally, it will help to ensure the financial sustainability of the College and support its fiscal responsibilities.

At its October 28, 2022, meeting, the Council approved, in principle, the recommended motion to increase the examination fees. The issue was then put out for public consultation for a period of 60 days. Attached as **Appendix A** is an anonymized compilation of the comments that were received from interested stakeholders.

Public Interest Rationale for Decision:

It is in the public interest that the College remains financially stable and has the proper funding and resources to fulfill its mandate of protection of the public. As part of its mandate, the College

is required to meet all expectations of the Ministry of Health and its obligations under the *Regulated Health Professions Act, Procedural Code, Chiroprody Act*, and related Regulations. The Council adopted its Strategic Plan at its February 25, 2022, Council meeting that requires the College to ensure its sustainability, including financial sustainability. The proposed exam fee increase is in keeping with the College's Strategic Plan's commitment to sustainability.

Recommended Motion:

That By-law No. 2: Fees be amended as follows:

1. Revoke Articles 5.01, 5.02, 5.03(a) & (b), and substitute with that shown in **Appendix B** (the changes to the existing Articles are shown by redline and blue line additions).
2. In summary, the Examination fees will increase as follows:
 - a. Jurisprudence Exam - \$750
 - b. Written & Clinical (OSCE) Exam - \$3600
 - i. Written only – Jurisprudence & Core Competencies (if first attempt fails) - \$1500
 - ii. Written only – Jurisprudence OR Core Competencies (if first attempt fails) - \$750
 - iii. OSCE only (if first attempt fails) - \$2100

The motion which the Council is being asked to pass would increase the qualifying examination fees for 2023, moving towards the goal of cost neutrality.

Mover: _____

Seconded: _____

APPENDIX A
Comments Received from Stakeholders re:
Examination Fees Increase

1. November 2, 2022 – professional member

*I hope this finds you well and healthy.
My only comment to the amendments to the exam fee,
would be the 7,500 for supplementation portion.
Just wondering if that in itself may deter people from coming here, bringing their experience,
expertise, and skills from other countries where the exchange rate may not be so favourable.
That's just my opinion.*

2. November 3, 2022 – professional member

*I support the proposed fee increases on all items provided in the briefing note sent. My quick
math highlights that a cohort with a perfect score with no supplemental examinations in a class
of 40 will account for roughly 170k. Assuming the current 200k cost to the college includes
supplemental exam fees and multiple test dates, I believe the proposed amendment places the
college in a stronger position to achieve cost neutrality.*

*Strengths of this amendment: 1) Increased accountability to prospective members taking the test
2) Reduced financial vulnerability of the college 3) Separates the cost of the examination of
current members (annual fees) from prospective members.*

3. November 11, 2022 – professional member

*Increasing fees is one matter and expecting the applicants to fund the examination process is
another. I agree with a fee increase but disagree with applicants funding the examination
process. If we expect the applicants to completely fund the examination process the fees may
discourage applicants and we really need more applicants. Perhaps there should be 1
examination per year to guarantee that the cost is shared with many applicants.*

4. January 3, 2023 – professional members (5 members submitted the same email)

*I am firmly against the proposed fee increase for the licensing exam. A second substantial
increase within such a short time frame puts undue burden on students who have already begun
their studies. The current students should not suffer for years of mismanagement of the exam
fee structure. The idea that a cost neutral examination process protects the public by protecting
the College's financial interest is also, in my opinion, misguided. The public is protected when*

they can receive care from practitioners of diverse backgrounds and levels of socioeconomic status. These fee increases, and the speed at which they are being proposed, unjustly targets students of lower socioeconomic status. The more increased barriers of entry to the profession, the less access the public will have to equitable and comprehensive health care.

I understand that members are expected to provide the necessary resources to fund self-regulation. I also understand that as a smaller group of professionals we pay more to have the privilege of self-regulating. However, I do not agree that a cost neutral examination process should be the goal when the number of candidates applying for licensure will always be small. The students should not be punished for choosing a profession that often goes unrecognized and unappreciated.

Furthermore, based on the financial statements available, the College has run a surplus in 8 of the 13 years from 2009 - 2021. This indicates to me that the speed at which the College is barreling towards a cost neutral examination process is completely unnecessary. Though I disagree overall that a cost neutral examination process should be the end goal considering there will always be a small group of candidates applying for licensure, at the very least the College should show some discernment in their decision-making process.

APPENDIX B

FEES RELATED TO EXAMINATIONS

- 5.01** A person who applies to attempt the College's jurisprudence exam without applying to attempt the other examinations required for a certificate of registration shall pay a fee of ~~\$500.00~~ \$750.00.
- 5.02** A person who applies to attempt an examination which is a requirement for a certificate of registration but is not the jurisprudence examination referred to in Article 5.01 or the supplemental examination referred to in Article 5.03, shall pay a fee of ~~\$2600.00~~ \$3,600.00.
- 5.03** Where a person fails the examination referred to in Article 5.02 and the person applies for and is eligible to take a supplemental examination, the person shall pay a fee of
- (a) ~~\$500.00~~ \$750.00 for the written examination, if the requirement to take a supplemental examination was due solely to the applicant being unsuccessful on the jurisprudence portion of the written examination;
 - (b) ~~\$500.00~~ \$750.00 for the written examination, if the requirement to take a supplemental examination was due solely to the applicant being unsuccessful on the core competencies portion of the written examination;
 - (c) ~~\$1000.00~~ \$1500.00 for the written examination, if the requirement to take a supplemental examination was due to the applicant being unsuccessful on both the jurisprudence and core competencies portions of the written examination;
and
 - (d) ~~\$1,600.00~~ \$2100.00 if the requirement to take a supplemental examination was due to the applicant being unsuccessful on the clinical (OSCE) examination.



College of Chiropodists of Ontario

ITEM 3.3

COUNCIL BRIEFING NOTE RE: Exam Honorarium

Background:

In October 2022, the Registration Examination Committee was reduced to eight professional members. Individuals who assist with the development, maintenance, and administration of the exams no longer form part of the formal committee. It was determined that a specific honorarium policy for the examinations should be created to provide reimbursement to the professional members who give their time and energy to the examination process outside of the Examination Committee work.

Traditionally the costs associated with the work outside of the Examination Committee has been a significant expense for the College. In May 2022, Council approved an increase in the examination fees, which had not been raised for several years. Again, in October 2022, the Council approved, in principle, another increase to the examination fees. The increasing costs of the examination fees are intended to reach cost neutrality, such that the registration fees paid by members do not fund the examinations. Estimating the costs from year to year of the exams is difficult owing to the fluctuation in the number of students writing the exam in a given year.

To ensure that the examination fees approach cost neutrality in respect of the costs associated with conducting the exams, a reasonable fee structure is necessary.

Public Interest Rationale for Decision:

It is in the public interest that the College be fiscally responsible to fulfill its regulatory mandate and to provide reasonable compensation to the professional members who contribute their time, energy, and knowledge to the examinations.

Recommended Motion:

That the Examination Honorarium policy, attached at Appendix A, be approved.

Mover: _____

Secunder: _____

APPENDIX A to Item 3.3

Examinations Honoraria and Expense Policy

DATE APPROVED BY COUNCIL	January 28, 2023	DATE LAST REVIEWED	January 2023
NEXT REVIEW DATE	2024	PAGE #	1 of 3

Policy Statement

The College provides professional members with a per diem for work done on behalf of the College related to the development, maintenance, and administration of the College's Qualifying Examinations ("Examination Business").

Honoraria Rates

Role	Full Day (more than 6 hours)	¾ day (4-6 hours)	½ day (2-4 hours)	¼ day (up to 2 hours)
Committee Chair	\$350	\$262.50	\$175	\$87.50
Committee Member	\$300	\$225	\$150	\$75
Item Writers – writing workshop	\$275	\$200	\$125	\$50
Item Writers	\$300 for ten (10) multiple choice questions or two (2) OSCE stations approved and added to the Item Bank** <ul style="list-style-type: none"> ○ Reimbursement will be paid for a maximum of ten (10) multiple choice questions at a time unless there have been instructions from the Committee Chairperson and staff approval. ○ Reimbursement will be paid for a maximum of two (2) OSCE stations unless there have been instructions to the alternative from the Committee Chairperson and staff approval. ○ Reimbursement will be made after the 10 questions or 2 OSCE stations have been peer reviewed, include valid references and coordinating competencies. ○ The Honoraria rates do not apply to the task of item writing (MCQ or OSCE) which is a flat rate reimbursement. 			
Standard Setters	\$120 flat rate (this includes the attendance at initial meeting, homework post meeting and second meeting, if required)			
Examiners	Full Day attendance - OSCE = \$200.00		Half Day attendance - OSCE = \$100.00	

Meeting Cancellations

- a) If a meeting, scheduled during regular business hours (9am-5pm) is cancelled before it has commenced, but less than 48 hours before it would have commenced, the honoraria rate is paid in full, as though the meeting had gone ahead as scheduled.
- b) If a scheduled meeting is cancelled with more than 48 hours notice, no honoraria rate is paid.

Travel Time

Travel time per diem claims must be included with the expense claim and are payable to all professional members engaged Examination Business are reimbursed a half day per diem, if travel of more than 40 kilometres, is required.

Rate for Extended Travel Time

When travel time is required for Examination Business, the College will pay \$125 to members whose return trip involves over 500 kilometres of travel. This amount is in addition to actual travel expenses (claimed on the Travel Expenses Claim Form). Extended travel is to be claimed as an honoraria rate as it is a taxable benefit.

Expenses

Reimbursement of necessary and reasonable expenses incurred in conducting Examination Business will be paid in accordance with this policy.

a) Travel

Travel will be reimbursed for the most economical means of transportation.

Mileage can be claimed where the distance travelled from the member's residence to the meeting site is greater than 40 kilometres one way. The mileage rate currently in effect is 0.50 cents per kilometre. Receipts are not required if a personally owned vehicle is used.

b) Parking

Reasonable charges for parking are reimbursable.

c) Accommodation

Accommodation is not provided to members who reside within a 40-kilometre radius of the meeting site.

Members who require overnight accommodation in the City of Toronto will be reimbursed up to \$400.00 per night.

If a member chooses to use private accommodation in place of a commercial hotel room, \$25.00 per night will be paid.

d) Meals

Where meals are not provided as part of a meeting or event, a member may claim a daily maximum of \$50 for meals. No meals or meal reimbursements are provided for virtual meetings. Meal delivery charges and alcohol are not considered reimbursable expenses.

Timing of Expense Submissions

Submissions for remuneration **must** be submitted monthly to the College and must only include claims incurred in that month.

Submissions for remuneration must be submitted to the College in the budgetary year in which they were incurred. Any claims submitted for expenses from another budgetary year will not be paid by the College.

Any claims submitted within six months of being incurred, in the same budgetary year, may be paid by the College at the sole discretion of the Registrar.

Expense Form

Members must use the online expense form to submit claims for reimbursement. The form should include as much detail as possible about the meeting or event.

General

1. All submissions for remuneration will be reviewed by the Registrar or designate prior to payment.
2. College staff will prepare and distribute T4As to all members in February for tax purposes.
3. This honorarium policy will be reviewed annually.



College of Chiropodists of Ontario

ITEM 3.4

COUNCIL BRIEFING NOTE RE: Election Bylaw Amendments

Background:

In May 2021, the College's elections were converted to an online nomination and voting process. With the online nomination process and voting platform, there is less need for lengthy time frames during the election process, which had previously served to allow for the count of physical mailed-in ballots.

In October 2022, the Council revised its meeting schedule, moving the last meeting of the year, at which new council members join and Committees are reconstituted, to September from October.

The existing election bylaws do not reflect this new process and require amendment to accord with the online process and the Council meeting schedule to ensure new Council members are elected in advance of the Fall meeting.

Public Interest Rationale for Decision:

It is in the public interest that the College's bylaws are accurate to ensure the efficient running of the Council to carry out the College's public protection mandate.

Recommended Motion:

That the Election Bylaw Amendments, attached at Appendix A, be approved.

Mover: _____

Secunder: _____

49. TIMING OF ELECTIONS

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

- i) in ~~June~~ **May** of the year ~~2007~~ **2025** and in ~~June~~ **May** of every third year thereafter for each of electoral districts 1 and 2 for the election of **chiropodist councillors** and for the combined electoral districts 1 and 2 (**also referred to as combined district 1**) for the election of a **podiatrist councillor**;
- ii) in ~~June~~ **May** of the year ~~2008~~ **2023** and in ~~June~~ **May** of every third year thereafter for each of electoral districts 3 and 4 for the election of **chiropodist councillors** and for the combined electoral districts 3 and 4 (**also referred to as combined district 2**) for the election of a **podiatrist councillor**; and
- iii) in ~~June~~ **May** of the year ~~2009~~ **2024** and in ~~June~~ **May** of every third year thereafter for each of electoral districts 5 and 6 for the election of **chiropodist councillors** and for the combined electoral districts 5 and 6 (**also referred to as combined district 3**) for the election of a **podiatrist councillor**.

51. ELECTIONS

51.01. The Registrar shall supervise the nominating and election of **elected councillors**.

51.02. At least ~~ninety~~ **sixty** days before the date of an election or **at least thirty days before the date of a** by-election, the Registrar shall notify in writing each **member** who is then eligible to vote in that election or by-election of the date of the election, the nomination procedure, and the deadline for returning nominations to the **College**.

51.03. The Registrar shall provide each **member** who is eligible to vote with ~~a nomination form~~ **access to the online nomination platform**.

51.04. The nomination of a candidate for election shall be in writing, be received by the Registrar at least ~~sixty~~ **thirty** days before the date of the election and shall include the written consent of the **member** wishing to stand for election and the signature of one eligible nominator who may be the **member** wishing to stand for election.

51.05. Each nominator shall be a **member** who is eligible to vote in that election on the date of nomination and on the date on which the nominations close.

- 51.06. The Registrar shall establish a deadline by which each candidate shall complete, and ~~file~~ ~~submit~~ the **College's** conflict of interest form which deadline shall not be less than ~~fifteen~~ ~~seven~~ days after the date upon which nominations close.
- 51.07. The Registrar shall provide each nominated candidate with a copy of the **College's** conflict of interest form, notice of the deadline for the ~~filing~~ ~~submission~~ of that form and relevant portions of the **College's** by-law relating to conflict of interest.
- 51.08. If, after the deadline referred to in Article 51.06, the number of eligible candidates nominated for an electoral district is equal to the number of **members** to be elected in that electoral district, the eligible candidates shall be elected by acclamation.
- 51.09. If, after the deadline referred to in Article 51.06, the number of eligible candidates nominated for an electoral district is less than the number of **members** to be elected in that electoral district, the Registrar shall establish a new election schedule including, where necessary, a new date for that election.
- 51.10. Time frames referred to in Articles 51.02, 51.04 and 51.06 do not apply to where the Registrar acts under Article 51.09.
- 51.11. Where the Registrar acts under Article 51.09, the deadline for nominations for that election shall be re-opened for ~~fifteen~~ ~~seven~~ days or such greater number of days as determined by the Registrar and a new deadline by which the candidates shall complete, and ~~file~~ ~~submit~~ the conflict-of-interest form shall be established by the Registrar.
- 51.12. Where the Registrar acts under Article 51.09, the Registrar shall notify in writing each **member** referred to in Article 51.02 of the date of the election and the deadline for returning nominations to the **College** which deadline shall be determined by the Registrar.
- 51.13. If the number of eligible candidates nominated for election for an electoral district after the second call for nominations remains less than or equal to the number of **members** to be elected in the electoral district, those eligible candidates shall be elected by acclamation.
- 51.14. If after two calls for nominations there are still insufficient eligible candidates for election in any electoral district, the seat shall be considered vacant, and the vacancy shall be dealt with by Council at its next regular meeting.
- 51.15. The Registrar shall advise each eligible candidate that he or she has an opportunity to have included with the ballot a candidate information page so long as the candidate provides to the Registrar the information in a form consistent with the guidelines set by the Registrar and on or before the deadline established by the Registrar.

51.16. No later than ~~thirty~~ fifteen days before the date of an election, the Registrar shall send to every **member** eligible to vote in an electoral district in which an election is to take place, ~~a voting package which will include a ballot, a list of eligible candidates and voting instructions~~ a link to the online election platform, which includes voting instructions, a list of eligible nominees and a brief biography of each nominee.

51.17. Voting for eligible candidates for election to Council shall be ~~by mail ballot using the ballot supplied~~ conducted by an online voting platform, approved by the Registrar.

51.18. A **member** eligible to vote may cast one vote for any one eligible candidate.

~~51.19. On the day of the election ballots received on or before the deadline for the receipt of ballots will be opened and counted by returning officers appointed by the Registrar.~~

51.20. As soon as possible following the ~~counting of the ballots~~ tabulation of the ballots, the Registrar shall, in respect of each election,

- i) notify each eligible candidate of the results of the election and the number of votes cast for each eligible candidate; and
- ii) notify each eligible candidate that he or she may ~~require a recount~~ request details of the online voting process and a re-tabulation.

51.21 An eligible candidate may ~~require a recount~~ make a request as stated in Article 51.20(ii) by giving a written request to the Registrar no more than ~~fifteen~~ seven days after the date of an election and paying a fee of \$300.

51.22 A ~~recount~~ request made pursuant to Article 51.20(ii) shall be ~~held~~ conducted within ~~fifteen~~ seven days of receipt of the request referred to in Article 51.21 ~~at a time and place determined by the Registrar~~ on a date and at a time determined by the Registrar.

51.23 ~~A recount shall be conducted in the same manner as the original counting of the ballots except that a representative of the College named by the Elections Committee shall be present and each eligible candidate shall be entitled to attend in person or by a representative.~~ A request made pursuant to Article 51.20(ii), shall be dealt with by the Elections Committee which shall investigate the facts and report its findings and recommendations to the Registrar, for such decision as the Registrar deems appropriate.

51.24 Where a ~~recount~~ re-tabulation occurs, if the ~~recount~~ re-tabulation changes the election outcome, the **member** ~~requiring the recount~~ requesting the re-tabulation shall be entitled to the return of the fee required in Article 51.21.

51.25 Subject to Article 51.27, the successful candidate in an election is the eligible candidate with the highest number of votes.

- 51.26** Subject to Article 51.27, in each election the Registrar shall declare the successful candidate elected after the **counting tabulation** of the ballots or in the case of a **recount** request pursuant to Article 51.20(ii), after the **recounting** re-tabulation of the ballots.
- 51.27** If there is a tie in any election and it is necessary to break the tie to determine who shall be the successful candidate, the Registrar shall ~~designate a person to break the tie by lot and then declare that candidate elected~~ **inform** the tied nominees, and direct that the online voting platform be re-opened to eligible voting members to submit a second ballot where the tied nominees are the only eligible nominees.
- 51.28** If the Registrar acts under Article 51.27, the nominations are not re-opened. For clarity, a second vote under Article 51.27 is to determine the successful nominee arising from a tie.
- 51.29** The **College** shall notify its **members** of the results of all elections by publication of those results on the College's website or in such other or additional manner as Council may direct.
- 51.30** ~~The Registrar may authorize destruction of all ballots thirty one days after the announcement to eligible candidates of the results of an election or in the case of a recount, thirty one days after the announcement to eligible candidates of the results of the recount.~~
- 51.31** ~~If there is an interruption of mail service during a nomination or election, the Registrar may extend the holding of a nomination or election for such period of time as he or she considers necessary to compensate for the interruption.~~



College of Chiropodists of Ontario

ITEM 3.5

COUNCIL BRIEFING NOTE Key Performance Indicators (KPIs)

Background:

At its February 2022 Council meeting, Council passed the College's first Strategic Plan. The Strategic Plan was the result of the efforts of the Strategic Planning Committee (SPC) over a number of months who worked together to successfully develop the College's vision, mission, values and objectives over the next 3-5 years. The SPC determined that the College's efforts should focus on two key areas: Sustainability and the Podiatry Model, an approach unanimously accepted by Council.

In respect of sustainability, the SPC and Council recognized the critical importance of the College ensuring sufficient financial resources for the College to effectively protect the public and meet all of its many legislative obligations. In respect of the podiatry model, the SPC and Council unanimously agreed that the adoption of the podiatry model in Ontario is the only path forward to evolving the profession of footcare to maximize the quality of care and access to care for all Ontarians. Pursuant to s. 2.1 of the RHPA, *Procedural Code*, the College is duty-bound to work with the Minister of Health and advise on the need to ensure adequate numbers of qualified, skilled and competent chiropodists and podiatrists in the province.

The SPC and Council were also motivated to support the adoption of the podiatry model in furtherance of the College's obligation to participate meaningfully in Truth and Reconciliation, recognizing that First Nations and Indigenous peoples in Ontario suffer triple the rate of lower limb amputations due to complications from diabetes and peripheral artery disease in the province compared to other Ontarians. In addition, based on data demonstrating that lower limb amputation rates decline sharply when Ontarians have access to the skills of chiropodists and podiatrists, the SPC and Council overwhelmingly supported the adoption of the podiatry model and a podiatry program in the province.

The KPIs drafted by the SPC are intended to allow the College to effectively measure its performance in achieving the objectives it has set for itself in the Strategic Plan. KPIs are also a requirement of each RHPA regulator in fulfilling its reporting obligations to the Ministry of Health through the College Performance Measurement Framework (CPMF).

Public Interest Rationale for Decision:

It is in the interest of the public that the College ensure accountability in achieving the objectives identified in its Strategic Plan with KPIs that effectively measure the College's success in this respect. Further, given that the KPIs are a requirement of the CPMF, the College is duty-bound to develop KPIs. To remain an effective Regulator that is protecting the public, the College must meet all of its obligations, including those arising from the annual reporting tool, the CPMF.

Recommended Motion:

That Council approves the KPIs.

Mover: _____

Seconder: _____

Key Performance Indicators	Strategic Plan Objective Measured By KPI
1. Annual review of the financial reserves to determine sufficiency.	Financial Oversight. Right Touch Regulation.
2. Continuous improvement of the College's performance in the College Performance Measurement Framework (CPMF) metrics	Continuous Improvement. Right Touch Regulation.
3. Financial reporting by Registrar at each Council meeting	Financial Oversight. Governance Oversight.
4. Annual onboarding and orientation of new Councillors prior to first Council meeting as well as new chairs and new committee members.	Governance Oversight. Right Touch Regulation. Continuous Improvement.
5. Maximize membership in the Health Professions Regulators of Ontario (HPRO) with regular engagement by Registrar and staff.	Right Touch Regulation. Communications and Community Engagement.
6. Engagement and follow-up in advancing the Full Scope Podiatry Model (FSPM) as identified in the Position Paper.	Modernization and Innovation. Communications and Community Engagement.
7. Finalize and maintain the competencies for FSPM.	Continuous Improvement.
8. Engagement of academic institutions that can fulfil the FSPM and with Ministry of Training, Colleges and Universities as required.	Modernization and Innovation.
9. Present the FSPM to HPRO for endorsement.	Right Touch Regulation. Communications and Community Engagement
10. Develop an ongoing strategy for implementation by November 2023 to ensure Members have the requisite knowledge, skill, and training to provide care according to evidence-based best practices.	Modernization and Innovation. Continuous Improvement. Right Touch Regulation.



College of Chiropodists of Ontario

ITEM 3.6

COUNCIL BRIEFING NOTE RE: COLLEGE 2023 OPERATING BUDGET

Background:

The College is now in receipt of financial statements for the 2022 Operating Budget and in a position to present the 2023 Operating Budget for Council's consideration and approval. The College will retain the College's auditors, Hilborn LLC, to conduct an audit of the 2022 financial statements and the audit will be presented at the May 2023 Council meeting for Council's consideration and approval.

Of note in the 2023 Budget:

(1) Inflation:

In recognition of the unusually high rate of inflation in 2022, many of the College's vendors provided notice of a fee increase for 2023. Those increased costs are reflected in the budget line items for legal, investigation, database management, and staff salaries, among others. As well, inflation had an impact on the College's revenue with respect to an increase in the annual fee of 7.6 % because of the increase in the Consumer Price Index from July 2021 to July 2022. It is anticipated that inflation will continue to be high in 2023, continuing to impact salaries, consulting/legal fees and equipment, which was taken into account when drafting the budget.

While we anticipate a number of efficiencies to be realized in 2023 with smaller committee composition and significant improvements to committee Chair and member training, as well as sufficient staff support for meetings, some efficiencies will be offset by inflationary increases.

(2) Bill 106:

As a result of Bill 106, which is now in effect, the College is required to update its Registration Regulation. The intent is to reduce barriers to registration for internationally trained applicants, and to create an emergency class of registration. The budget anticipates an increase to legal fees and committee time to operationalize the new regulation when it comes into effect, which is expected to be August 2023.

(3) IT Hardware and Software:

The College's server needs to be replaced in 2023. The College intends to transition the server to a cloud-based system, and to update to Microsoft 365 Business Premium, which

includes Sharepoint. In addition, the College will continue to customize iMIS, our member platform, as such customization is required for this type of off-the-shelf platform. Ultimately, the improvements to iMIS are expected to create greater efficiencies in College resources.

(4) Further Exam Fee Increase:

In February 2022, Council approved an increase to the examination fees, which came into effect in May 2022 after public consultation. The rationale behind the fee increase was two-fold: 1) Registrants should not be encumbered with financing the examinations out of their membership fees; and 2) the existing examination fees were below what was necessary to cover the costs. Notwithstanding the earlier increase, the examination costs continue to be partially funded by registrant fees due to the need to review and substantially revise the Jurisprudence exam in 2023 as well as the updating of the OSCEs and the continued compilation of an exam question bank. Towards the end of 2023, we will review the revenue generated by the exam against the expenditures and determine if there is a further need to revisit the exam fees at that time.

(5) Increase to Professional Health Corporation Fees:

Bylaw No. 3 Professional Health Corporation has not been amended since it was passed in October 2014 and, therefore, the fees set out in the bylaw have not increased in over eight years. The budget contemplates an increase to apply for or renew a professional health corporation.

Public Interest Rationale for Decision:

The College must remain financially stable to fulfil its legislative mandate to protect the public. In addition to the operating budget, the College has funds that can be accessed to cover operating expenses should the annual revenue be insufficient to cover necessary expenses or unexpected costs. There is no requirement that the College's Operating Budget be restricted to its revenues for any given year, particularly where there are needed expenditures identified. While it will likely be feasible in future operating budgets for the College to meet its obligations within the limits of its annual revenue, it is critically important that the College have the financial resourcing to address past years of underfunding. This includes insuring the College has sufficient resources within its Reserve Fund to meet any unexpected costs. With the introduction of the CPMF and the additional costs and obligations stemming from it, the College must align with the MOH's expectations. These expectations, and their costs consequences, have been included in the 2023 Operating Budget.

Recommended Motion:

That the proposed 2023 Budget be approved by Council.

Mover: _____

Secunder: _____

COLLEGE OF CHIROPODISTS OF ONTARIO
Proposed Budget 2023

	Budget	Budget	Actual	
	2023	2022	2022	
REVENUE				
Membership Fees	\$ 1,602,440	\$ 1,434,600	\$ 1,427,400	826 members x \$1940 annual fees
Application Fees	6,900	3,000	9,200	estimated 30 new members (27 from Ontario \$200 and 3 outside of Ontario \$500)
Examination Fees	97,200	80,000	111,700	27 students graduating from Michener; estimated 3 - 5 extra-jurisdictional applicants
Incorporation Fees	110,000	102,000	87,400	162 professional corporations renewing at an additional charge of \$125 and 15 new applications at an increase of \$125
First time Registrant - Fee	32,000	12,000	24,500	30 new members registering after July 1, 2023 at \$968.40 plus initial \$100 registration fee
Late fee penalty	1,600	400	1,600	Based on 2022 actuals
	1,850,140	1,632,000	1,661,800	
Other Revenue				
Interest	25,000	7,000	28,267	estimate based on 2022 actuals
Credit Card Fees	1,500	-	1,680	estimate based on 2022 actuals - \$35 credit card use fee
Miscellaneous (Incl. Inhalation and Sedation Courses)	6,000	26,000	5,975	renewal of inhalation certificate; based on 2022 actuals
Legal Recovery	150,000	150,000	176,000	estimate based on 2022 actuals
Total Revenue	2,032,640	1,815,000	1,873,722	
EXPENSES				
Committee expenses	250,000	204,200	213,205	estimate based on 2022 actuals and anticipated increase in business meetings for committees and in person attendance
Special projects	220,000	220,000	183,570	based on 2022 actuals and anticipated move to the Cloud with additional costs of \$6000.00
Salaries and benefits	650,000	600,000	613,759	estimate based on 2022 actuals
Legal Fees	575,000	510,000	515,800	based on 2022 actuals with anticipated fee increase for 2023
General Administration	260,250	280,704	265,639	based on 2022 actuals with anticipated inflation rate
Total Expenses	1,955,250	1,814,904	1,791,973	
Net income (deficit) for the year	\$ 77,390	\$ 96	\$ 81,749	

Schedule of Expenses	Budget	Budget	Actual	
	2023	2022	2022	
Committee Expenses				
Council	45,000	27,000	37,993	Main Orientation in September with individual orientation for new members at various times; Chair training and associated costs of travel, overnight stay and meals.
ICRC	25,000	15,000	23,197	Based on 2022 actuals
ICRC inspector / investigator costs	35,000	56,000	31,410	Based on 2022 actuals plus investigation fee increase
Discipline/Fitness to Practice	55,000	22,000	49,464	2 Business meetings; anticipated contested hearings; similar to last year for DC hearings
Executive	23,000	25,000	17,052	
Registration	6,500	1,200	2,841	1 Business meeting; 4 1.2 panel meetings
Patient Relations	1,500	1,800	325	Estimated 2 meetings
Quality Assurance	38,500	25,000	38,588	2 Business meetings; 5-6 1/2 day panel meetings; assessor training
Standing Drug Committee	4,000	12,500	2,363	estimate based on expected new drug regulation in 2023
Technical Committee	-	200	-	
Strategic Planning Committee	8,500	5,000	8,322	estimate based on new KPIs and assessment of College's performance plus reporting by committee
Registrars Compensation Committee	500	1,000	338	
Audit	1,000	1,000	-	
Competency Working Group	-	5,000	-	
Standards and Guidelines	6,500	6,500	1,313	Anticipated referrals to S&G from Executive Committee
Total Committee Expenses	250,000	204,200	213,205	
Special Projects				
MESPO	-	-	-	
Inhalation/Sedation Course	-	8,730	-	
Registration Examination	135,000	115,000	139,374	Development of new jurisprudence exam; Updating of OSCE and attendance twice yearly; Martek
Consulting -General	15,000	10,000	-	Estimate based on third-party assessment of council; other consultants for strategic planning and drug regulation and podiatry model
Database development	70,000	86,270	44,196	Estimated costs for continuing improvements to iMIS for member portal
Total Special Projects	220,000	220,000	183,570	
Salaries and Benefits				
Salaries and Benefits	650,000	600,000	613,759	Estimate based on 2022 actuals and anticipated inflationary increase
Total Salaries and Benefits	650,000	600,000	613,759	
Legal Fees				
General administration	85,000	70,000	75,601	Based on 2022 actuals and anticipated inflationary increase

ICRC	65,000	70,000	56,995	Based on 2022 actuals
Discipline	400,000	345,000	361,929	inflationary increase to legal fees; projection based on current matters referred to discipline and 2022 actuals
Council and other committees	25,000	25,000	21,275	based on 2022 actuals
Total Legal Fees	575,000	510,000	515,800	
General Administration				
Accounting and Audit	27,000	35,000	22,309	Based on 2022 actuals plus inflationary increase expected
Credit Card Charges	2,000	36,000	35,353	
Bank Charges	2,500	2,000	2,416	
Capital Assets Depreciation	7,000	8,600	7,166	
Computer software	20,000	7,500	19,160	Anticipated upgrades to software
Insurance	17,500	17,500	17,398	Based on 2022 actuals plus inflationary increase expected
Registrar Travel	7,000	6,000	5,041	Based on attendance at CLEAR and CNAR and misc travel
Federation Expenses	8,475	8,475	8,475	
Resource Materials	-	-	-	
Membership Fees	5,000	10,000	2,763	Based on 3 memberships with the LSO and 1 membership with COCOO
Rent	92,275	87,729	86,255	Based on lease
Photocopying, Printing	100	3,000	(11)	
Postage and Courier	300	500	227	
Telephone	6,500	7,600	6,151	Based on 2022 actuals
Zoom licenses	2,500	2,300	-	
General Expenses	3,500	5,000	3,094	
Office Supplies	600	2,500	505	
Computer, database & website mtce	30,000	25,000	28,115	
Equipment Rentals/Service Contracts	8,000	8,000	7,558	
Professional Development	20,000	8,000	13,663	Based on attendance at CLEAR and CNAR and misc travel
Total Other Expenses	260,250	280,704	265,639	
Total Expenses	1,955,250	1,814,904	1,791,973	
Surplus (Deficit)	\$ 77,390	\$ 96	\$ 81,749	



College of Chiropodists of Ontario

ITEM 3.7

COUNCIL BRIEFING NOTE RE: DECLARING CLINICAL PRACTICE HOURS GUIDELINE

Background:

Sections 4(1)(3) and 8(1)(1) of Ontario Regulation 830/93 under the *Chiropody Act, 1991*, S.O. 1991 c. 20 state that to obtain and maintain a General certificate of registration, an applicant or registrant “must have engaged in clinical practice for a total of at least three months during the two years immediately preceding” the date of application or renewal (“Currency of Practice”). The purpose of the Guideline is to define the number of hours required to declare currency of practice, and to define what clinical practice is/is not.

Public Interest Rationale for Decision:

It is in the interest of the public that members of the profession understand the number of hours required to declare currency of practice to ensure that only members with recent clinical practice can continue to practice unrestricted.

Recommended Motion:

That Council approve the Declaring Clinical Practice Hours Guideline

Mover: _____

Seconder: _____

DECLARING CLINICAL PRACTICE HOURS

Guideline for Members of the College of Chiropractors of Ontario

Approved by Council: **X**



Background

Sections 4(1)(3) and 8(1)(1) of Ontario Regulation 830/93 under the *Chiropractic Act, 1991*, S.O. 1991 c. 20 (“Chiropractic Act”) state that to obtain and maintain a General certificate of registration, an applicant or registrant “must have engaged in clinical practice for a total of at least three months during the two years immediately preceding” the date of application or renewal (“Currency of Practice”).

Purpose

To set out criteria for registrants and applicants to accurately complete their registration and annual renewal declaration regarding chiropractic currency of practice requirements.

This includes:

1. How is Currency of Practice calculated; and
2. What is clinical practice for the purpose of Currency of Practice.

How is currency of practice calculated?

Registrants and applicants to the College must have 360 practice hours within the scope of practice of the profession in the two years immediately preceding the date of application or renewal.

For example:

- A Registrant working **full-time** will have accumulated 1,380 hours in the past year (based on 30 hours of hands-on patient care within the scope of practice per week over 46 weeks in the year).
- A Registrant working **part-time** will have accumulated 690 hours in the past year (based on 15 hours of hands-on patient care within the scope of practice per week over 46 weeks in the year).
- A Registrant working **casually or less than part-time** will have accumulated 276 hours in the past year (based on six hours of hands-on patient care within the scope of practice per week over 46 weeks in the year).

Note: The calculations are based on an average of six weeks of holiday/time away from practice per year.

What is clinical practice?

The purpose of the requirement to maintain at least 360 hours of practice is to ensure that Registrants practise chiropractic safely, ethically and competently.

Applicants and registrants of the College must consider the following criteria when determining whether certain activities contribute to meeting the College's minimum 360 hours in two years currency requirement.

1. Practice hours must include direct, hands-on, clinical care of patients within the scope of practice of the profession and includes charting the care provided contemporaneously. Non-clinical hours, for example professional development or continuing education courses, are not considered for the purpose of calculating and declaring practice hours.
2. Similarly, non-clinical practice, research, working in a lab or academic placements are not considered for the purpose of calculating or declaring practice hours.
3. Section 4 of the *Chiropody Act* defines the scope of practice of Chiropody as the assessment of the foot and the treatment and prevention of diseases, disorders or dysfunctions of the foot by therapeutic, orthotic or palliative means.
4. Authorized acts are defined in the *Chiropody Act* in sections 5(1) and (2) and are considered practising chiropody. For example:
 - a. Cutting into subcutaneous tissues of the foot.
 - b. Administering, by injection into feet, a substance designated in the regulations.
 - c. Prescribing drugs designated in the regulations.
 - d. Administering, by inhalation, a substance designated in the regulations.
5. Podiatrists are entitled to engage in additional authorized acts in the course of engaging in the practice of chiropody:
 - a. Communicating a diagnosis identifying a disease or disorder of the foot as the cause of a person's symptoms.
 - b. Cutting into subcutaneous tissues of the foot and bony tissues of the forefoot.
 - c. Administering, by injection into feet, a substance designated in the regulations.
 - d. Prescribing drugs designated in the regulations.
6. Registrants and applicants should exercise reasonable professional judgement to determine their practice hour determinations based on the individual circumstances related to their specific role and practice setting.
7. Out of province chiropody practice may count towards practice hours, provided registrants practise chiropody according to the criteria outlined above (chiropodists must follow jurisdictional requirements as applicable).



College of Chiropractors of Ontario

ITEM 3.8

COUNCIL BRIEFING NOTE RE: SOCIAL MEDIA STANDARD OF PRACTICE

Background:

In February 2021, Council adopted a Social Media Advisory to assist members with social media best practices. At the time, it was discussed that, as an Advisory, it was purposely drafted using language such as “should” and “may” rather than “must” or “shall.” It was not a binding document that could be enforced in the same way that regulations or standards can be.

As a result of increased use of social media by the membership, the Standards of Guidelines Committee decided it was appropriate to elevate the Advisory to a College Standard. The Standard sets out how members should effectively use various social media platforms, which have become sources of information and innovative ideas for clinical practice, networking, and social support.

Public Interest Rationale for Decision:

It is in the interest of the public that members of the profession be given guidance from their regulator with respect to the appropriate use of social media platforms so that their online presence is always professional and fosters trust in the ability of the profession to regulate itself.

Recommended Motion:

That Council approve the Social Media Standard of Practice

Mover: _____

Secunder: _____

SOCIAL MEDIA

Standard of Practice for Members of the College of Chiropractors of Ontario

Approved by Council as an Advisory: February 26, 2021

Approved: **X**



INDEX

The Role of the College in Guiding Professional Practice	3
Informed Consent	4
Social Media Use.....	4
Advertising and Conflict of Interest.....	5
Discussion Group/Forum Moderation.....	5
Monitoring Online Activity	5
Professional Image	5
Other Helpful Resources.....	7

Introduction

Social media is a powerful tool for communicating and networking and has become pervasive in all aspects of our lives, both personal and professional. This is especially true during global crises, like the COVID-19 pandemic. In recognition of the serious consequences of misusing social media, Council upgraded the Social Media Advisory it adopted in February 2021 to a College Standard.

Various social media platforms, such as Facebook (especially the group discussion forums), livestreaming sites, Twitter, and Instagram, have become sources of information, innovative ideas for clinical practice and coping strategies, networking and social and emotional support. For Members of the College, social media can be useful for:

- Advertising
- Educating the public and promoting foot health
- Networking with other Members or members of other colleges
- Sharing of ideas
- Professional development opportunities (e.g. conferences, webinars)
- Discussing challenging and/or interesting issues
- Gathering news, whether it's global, local and/or professional

As health care professionals, the opportunity to reach out, dialogue, inform, educate and learn online are tremendous. But Members must be cautious in their use of social media, especially with respect to maintaining patient confidentiality and professional boundaries in an environment that is inherently public and not secure. This Standard outlines the requirement for Members to use social media ethically to maintain public trust, respect professional boundaries, and reflect positively on the profession.

The Role of the College in Guiding Professional Practice

The role of the College in regulating the profession is to ensure the core principles, standards, and relevant legislation are interpreted and applied to practice and to conduct, including within the social media environment. This includes, but is not limited to, confidentiality and privacy, professional behaviour and boundaries, consent, and advertising standards.

Where there are many benefits of social media, as indicated above, those benefits need to balance against the obligation to protect the interest of the public and ensure professional, ethical behaviour and relationships are maintained.

Informed Consent

Members are accountable for ensuring health information is not collected, used, or disclosed without the informed consent of the patient. When interacting with the public and/or other members of the College using social media platforms, Members must be mindful and adhere to their professional obligations under, among others, the [Health Care Consent Act](#), the [Personal Health Information Protection Act \(PHIPA\)](#), and the [College's Standards](#) (including, in particular, the Patient Relations Standard).

Social Media Use

Members must consider the following when participating in social media:¹

1. Don't Lie

Members must only share information online that is true, not misleading, and/or obtained from credible sources. Members must always fact-check before posting or disseminating information. Members should always consider whether the information they are sharing is helpful to the reader or whether it will propagate unnecessary fear, panic and misinformation. Additionally, Members should always retract or correct any inaccurate comments or information they have shared.

2. Don't Pry

Members are prohibited from seeking personal or sensitive information about patients, patients' family members or friends. Doing so may constitute professional misconduct and/or a breach of the College's Standards.

3. Can't Delete

Most social media "posts" are searchable and very difficult to eliminate from the cyber-world. Therefore, Members should always "pause before you post" and consider whether what they are sharing online is helpful or harmful to others. In addition, Members could consider if what they are posting is targeting another individual or an identifiable group and could be considered as discriminatory, bigotry, offensive, cyber-bullying and/or unprofessional.

4. Don't Steal, Don't Reveal

Members should never share information that is confidential or proprietary. When sharing credible information online, Members should always cite and give credit to its source.

Privacy and Confidentiality

¹ Adapted from the "12-Word Social Media Policy" by the Mayo Clinic Social Media Network
[https://www.hrreporter.com/DynamicData/AttachedDocs/facebook-refcheck-PRINT%20\(2\).pdf](https://www.hrreporter.com/DynamicData/AttachedDocs/facebook-refcheck-PRINT%20(2).pdf)

Members must comply with relevant privacy legislation, and other College standards of practice, when using social media. Members must never post a client's personal health information on any social media site.

When using social media, Members should remain updated on each platform's privacy settings. Members should be mindful that, even on their personal social media account(s), employers, colleagues, patients or the College may be able to see their posts or personal information. It is best to assume that anyone can see anything you post online, and that something you post can be copied or forwarded without your consent.

Advertising and Conflict of Interest

When using social media to advertise chiropody services, Members must ensure the information is factual and verifiable, and that it with the College's General Regulation on Advertising (O. Reg. 203/94, Part II) and the Advertising Guideline. Members must avoid a conflict of interest when using social media as noted in the Professional Misconduct Regulation, O. Reg. 750/93. Social media should not be used to pressure clients to accept chiropody services or to promote or reference a specific brand of equipment or device, contrary to O.Reg. 203/94.

Discussion Group/Forum Moderation

When Members are moderators of social media groups/forums related to the profession, it is their responsibility to ensure that the College's Standards (and relevant legislation) are followed on their respective platforms. Moderators must develop policies and guidelines for participation and communicate them clearly to their users/group members, and they must enforce these policies and guidelines and act accordingly if there are violations or breaches.

Monitoring Online Activity

Members must regularly monitor the social media sites they engage with to critically assess information and to remove unprofessional or offensive content that may impact their professional online presence.

Professional Image

Information, pictures and/or opinions posted on social media platforms and the internet are permanent. Negative or unprofessional images and/or statements by Members are harmful to the reputation of the profession and undermine patient or public trust.

"It is absolutely crucial to remember that anything you post online may stay there forever, in one form or another, so think carefully before you post – post information with eyes wide open, and consider the potential risks to their employment – current and future. Whether through the

Internet Archive's Wayback Machine Site or the caches of Google and Yahoo, old versions of websites are indeed searchable by those 'in the know'. What is actually found may include your own posted material, as well as information about you posted by others."

– Dr. Ann Cavoukian, the former Information and Privacy Commissioner of Ontario and one of the world's leading privacy experts

Other Helpful Resources

- 1) Canadian Medical Protective Association – Top 10 tips for using social media in professional practice: <https://www.cmpa-acpm.ca/en/advice-publications/browsearticles/2014/top-10-tips-for-using-social-media-in-professional-practice>
- 2) How to use social media in healthcare: a guide for health professionals: <https://blog.hootsuite.com/social-media-health-care/>
- 3) Social Media and Health Care Professionals: Benefits, Risks and Best Practices: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4103576/>
- 4) How to be an Effective Social Media Moderator (LinkedIn): <https://www.linkedin.com/pulse/how-effective-social-media-moderator-jay-majumdar>
- 5) Social Media – Embracing the Opportunities, Averting the Risks: https://www.nasba.org/app/uploads/2011/03/Social_Media_Policy_Article_PresentationAug09.pdf
- 6) Social Media Toolkit for Ontario Public Health Units (Feb 2014): <https://www.publichealthontario.ca/-/media/documents/L/2014/ldcp-social-mediatoolkit.pdf?la=en>
- 7) The Health Communicator’s Social Media Toolkit: https://www.cdc.gov/socialmedia/tools/guidelines/pdf/socialmediatoolkit_bm.pdf



College of Chiropodists of Ontario

ITEM 3.9

COUNCIL BRIEFING NOTE

RE: BYLAW NO. 3 PROFESSIONAL HEALTH CORPORATION AMENDMENT

Background:

In 2014 Bylaw No. 3 Professional Health Corporation was approved by the Council. The passing of the bylaw permitted Registrants of the College to incorporate their professional practices and it set the fees associated with an application for a certificate of authorization of incorporation with the College, including annual corporate renewal fees and late fees for corporate renewal. The bylaw has not been amended since it was passed in October 2014 and, therefore, the fees set out in the bylaw have not increased in over 8 years. During this time, the annual renewal fees for Registrants increased in 2022 by \$100.00 and in 2023 a cost-of-living allowance is being applied, as both increases were approved by Council in 2021.

Public Interest Rationale for Decision:

It is in the interest of the public that the College increase fees from time to time to ensure it has sufficient financial resources to continue to fulfill its legislative mandate to protect the public. The College's primary source of revenue is generated through its Registrant fees, including fees associated with professional health corporations. It is incumbent on the College to increase such fees from time to time to offset inflationary increases to the College in conducting its regulatory business and in continuing to meet both ongoing and additional legislative requirements.

Recommended Motion:

That Council approve the amendments to Bylaw No. 3 Professional Health Corporation Amendment

Mover: _____

Seconder: _____



College of
Chiropractors
of Ontario

BY-LAW NO. 3: HEALTH PROFESSION CORPORATIONS

- 1.01** The fee for the application for a certificate of authorization for a chiroprody profession corporation, including any application for reinstatement of a certificate of authorization, is ~~\$150.00~~100.00.
- 2.1** The fee for the issuance of a certificate of authorization, whether initial or revised, and the fee for the reinstatement of a certificate of authorization is
- (a) ~~\$1075.00~~950.00 if issued on or after October 1st and on or before March 31st; or
- (b) ~~\$600.00~~475.00 if issued after March 31st and on or before September 30th.
- 2.2** The fee for the renewal of a certificate of authorization is due on the 30th day of September in each year and is ~~\$600.00~~475.00, if paid on or before the 30th day of September, and ~~\$700.00~~575.00, if paid thereafter.
- 2.3** The fee for the issuing each document or certificate respecting a chiroprody profession corporation, other than the original certificate of authorization or the annual renewal of a certificate of authorization, is ~~\$45.00~~25.00.
- 3.1** Every member of the College shall, for every chiroprody profession corporation of which the member is a shareholder, provide, in writing, the following information on the application and annual renewal forms for a certificate of authorization, upon the written request of the Registrar within 30 days and upon any change in the information within 30 days of the change:
- (a) the name of the chiroprody profession corporation as registered with the Ministry of Consumer and Business Services;



College of
Chiropodists
of Ontario

- (b) any business name used by the chiropody profession corporation;
- (c) the name, as set out in the College's register, and registration number of each shareholder of the chiropody profession corporation;
- (d) the name, as set out in the College's register, of each officer and director of the chiropody profession corporation, and the title or office held by each officer and director;
- (e) the principal practice or head office address, telephone number, facsimile number and email address of the chiropody profession corporation;
- (f) the address and telephone number of all locations, other than residences of clients, at which the professional services offered by the chiropody profession corporation are provided; and
- (g) a brief description of the chiropody profession activities carried out by the chiropody profession corporation.

4.01 The information specified in Article 3.01 is designated as public for the purposes of paragraph 14 of subsection 23(1) of the Code.

GENERAL – RULES RESPECTING PAYMENT

5.1 A fee or money shall be considered paid

- (a) if payment is made in cash, on the date upon which the money is actually received at the offices of the College;
- (b) if payment is made by VISA, MasterCard or other credit card accepted by the College, on the date upon which appropriate authorization is actually received at the offices of the College;
- (c) if payment is made by cheque, the date of the cheque or the date the cheque is actually received at the offices of the College, whichever is later, provided that the cheque is ultimately honoured on first presentation to the financial institution of the payer; ~~and~~

~~(e)~~ if payment is made by money order, on the date upon which the money order is actually received at the offices of the College; ~~and~~

(e) if payment is made by online banking or by electronic transfer of funds, on the date on which the payment is received into the College's bank account,



College of
Chiropractors
of Ontario

5.2 Payment by any other means other than those specified in Article 5.01 is not to be considered payment under this by-law.

OTHER FEES

6.1 A fee of ~~\$50.00~~^{\$35.00} 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.

Approved by Council – ~~October 17, 2014~~ January 27, 2023



College of Chiropodists of Ontario

ITEM 3.10

COUNCIL BRIEFING NOTE BYLAW No. 1 GENERAL AMENDMENT – ELECTIONS ELIGIBILITY

Background:

The College's Bylaw No. 1 General provides the eligibility requirements of professional members for election to Council. In recognition of the importance of Council members being best positioned to fulfill their obligation to act in the best interests of the College in all decision-making, it is imperative that professional members who are elected to Council do not have a significant history of complaints and/or serious disciplinary outcomes. It is further important that the College's stakeholders have confidence that professional members elected to Council reflect competent practice in chiropody and/or podiatry and can provide the lens of a skilled and competent practitioner in order to assist the College in protecting public.

The proposed amendment includes a prohibition on members being elected to Council or Committees who are on the public register and/or who have been found by Council to have breached the Code of Conduct. In addition to concerns about ensuring the competency of all professional members on Council and Committees, there are also concerns that anyone who has previously been found to have breached the College's Code of Conduct has not demonstrated the necessary behaviour expected of a professional member to properly participate in College business.

Public Interest Rationale for Decision:

It is in the interest of the public that Council members represent competent professional members across the province who can bring the lens of a competent, skilled chiropodist and podiatrist to Council decisions. It is further in the public interest that professional members with conduct matters on the public register and/or a finding of a breach of the Code of Conduct by Council not serve on Council or College Committees, except as may be reconsidered within the decision-making framework for assessing eligibility as set out in the proposed bylaw amendment.

Recommended Motion:

That Council approve the bylaw no. 1 general amendment – elections eligibility

Mover: _____

Seconded: _____

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 **chiroprapist councillor**, the **member** holds a certificate of registration in the chiroprapist 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** cannot have 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 COUNCILLORS

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

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**.

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.

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 chiropody in Ontario, or if the **member** does not practise chiropody, 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

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

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.

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; ~~and~~
- 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** cannot have 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,

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.

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.

national or provincial association or organization whose members are predominately chiropodists, podiatrists or other foot care providers and whose mandate in any way relates to the provision of foot care by its members:

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

53.09 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

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.

- 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;
- 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

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.

- 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;
- 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.

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.

- 54.05** 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 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 **chiroprapist councillor**, the **member** holds a certificate of registration in the chiroprapist 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** cannot have 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 COUNCILLORS

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

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**.

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.

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 chiropody in Ontario, or if the **member** does not practise chiropody, 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

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

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;
- 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** cannot have 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

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.

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.

predominately chiropodists, podiatrists or other foot care providers and whose mandate in any way relates to the provision of foot care by its members:

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

53.09 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

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.

- 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;
- 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

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.

- 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;
- 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.

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.

- 54.05** 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 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

ITEM 5.1

Registrar's Report: January 27, 2023

2022 marked a significant year for the College, particularly notable for the overall growth in membership, adequate staffing and profile, as well as in governance and operational improvements. 2023 will continue to see the College improve, building upon the many positive outcomes of the previous year. At the core of everything we do is the protection of the public. We never lose sight of this legislative obligation and use that as our guide in all College decision-making.

Below are the key areas we will focus on in 2023, capitalizing on the successes and work done in 2022.

1) Raising the Profile of the College:

It can well be said that it is difficult to protect the public when the body authorized to do so has very little profile or presence, even among other regulators. I have made increasing the College's profile a priority in 2022 and will continue to do so in 2023. To that end, I have frequently attended regulatory functions and meetings. In addition, I have met with other RHPA Registrars in small groups as well as one-on-one and have reached out to key stakeholders, including the Michener and Chiropody students.

The College also derives value and increased profile from its membership in the Ontario Hospital Association (OHA), the Council of Licensure, Enforcement and Regulation (CLEAR) as well as the Canadian Network of Agencies of Regulation (CNAR). I, along with staff, have submitted a proposal to CLEAR to present at the conference in September 2023. We will submit a proposal to present at the CNAR conference in October 2023.

2) Implementation of the Strategic Plan and the KPIs to Measure Success:

I will continue to work with the Strategic Planning Committee to implement the key performance indicators (KPIs) that Council is being asked to approve at this month's Council meeting. The KPIs are required by the College Performance Measurement Framework (CPMF), an annual reporting tool to the Ministry of Health, made available to the College's stakeholders on our website. The 2022 CPMF will be posted at the end of March 2023.

The KPIs will help the College measure how well it is meeting the objectives identified in the College's Strategic Plan. Best practice is to limit KPIs to 8 to 12, recognizing that meaningful measurement should be focused and clearly identified.

Council adopted the College's first Strategic Plan in early 2022, adopting a two-prong approach for the College over the next 3 to 5 years, focusing on Sustainability and the Podiatry Model. Sustainability means a commitment to ensuring the College has the necessary resources, including financial and human resources, to meet its obligations to protect the public. The Podiatry Model means working with key stakeholders, including the Ministry of Health and the Government of Ontario, generally, to evolve the landscape for footcare in the province and allow Ontarians the opportunity to have access to the

important work registrants of the College do for overall health. Notably, both member associations – the Ontario Society of Chiropodists (OSC) and the Ontario Podiatric Medical Association (OPMA) – support the College’s strategic plan to work towards the adoption of the podiatry model in the province.

3) CPMF Alignment for 2022 (Reported in March 2023):

The CPMF was implemented in 2020 and provides a tool designed for optimal accountability and transparency among the *Regulated Health Professions Act* (RHPA) Regulators. It is a mandatory reporting tool from the Ministry of Health (MOH) that is reported at the end of every March. The College’s 2020 and 2021 CPMFs are available on our website: <https://cocoo.on.ca/college-performance-measurement-framework-cpmf/>.

We have made significant strides in satisfying the requirements of the CPMF and have made further improvements that will be captured in our 2022 submission. One such improvement is the third-party assessment of Council that will take place during the January 27, 2023 Council meeting. I am pleased to share that the College was able to secure a consultant with many years’ experience in RHPA Regulation at a reasonable cost to the College. We look forward to receiving feedback from our consultant as to how our Council is performing, best practices we are engaging in and opportunities for improvement.

We will continue to implement improvements at the College that align with the MOH’s requirements set out in the CPMF throughout 2023.

4) Continued Education/Training for Council and Committee Members:

In 2022 I introduced the College to: educational components at every Council meeting; Business Meetings for Statutory Committees; and Chair training. The feedback we received was overwhelmingly positive – further information, education and training was welcomed by those who received it. I promised to continue the educational component at Council meetings and to conduct two Business Meetings for the Statutory Committees (the first Business Meetings of 2023 will be held on January 26th for Discipline Committee, Inquiries, Complaints and Reports Committee and Quality Assurance Committee). Business Meetings are an opportunity to bring committee members together to discuss issues that have confronted committee members and to receive relevant training in legal and practical matters. It is considered a best practice and most RHPA regulators conduct regular Business Meetings for their Statutory Committees.

An orientation for all Council members was held in early 2022 and again in October 2022. The orientations provide Council members with training in good governance, conflicts of interest and the role of a Council member. Council members told us they want these Orientation days to continue. In 2023, orientation will be a regular feature for onboarding new Council members as well as reinforcing information for more seasoned Council members.

The Chair training was held in December and was also very well received. The attendees were the Chairs of the College committees and the feedback was all positive. We will conduct Chair training at least once annually following the appointment of Chairs at the September Council Meeting.

Training for Assessors was also conducted and was a success, providing crucial guidance to the College’s Assessors to ensure consistency in their practice assessments. This was particularly critical as the number of practice assessments conducted annually by the College is now at 5% of the membership.

Finally, because we now have a robust education and training component for our Council and Committee members, we will be dispensing with external training for Council and Committee members in 2023 and focusing on continuing with our education plan.

5) Continued Collaboration with other RHPA Colleges and Registrars:

The College is a paying member of the Health Professional Regulators of Ontario (HPRO), along with the other 25 health regulators in the province. I have made it a priority to attend at all HPRO Registrar meetings, as well as board meetings and other relevant meetings to ensure the College has a voice at the table and to foster important relationships with other regulators and Registrars as well as staff within professional regulation. In addition, I have had success in exploring and realizing cost saving measures by collaborating with colleagues through HPRO. Finally, HPRO serves as an opportunity for sharing best practices among regulators, direct contact with the MOH and developing the College's profile within health regulation.

With the additional resources needed to meet the obligations of the CPMF, the collaboration within HPRO has continued to be a source of gaining efficiencies and effective practices within our College. I look forward to working with my RHPA counterparts through HPRO in 2023.

6) Continued Collaboration and Engagement with Members and Member Organizations:

I have made efforts to ensure the College's stakeholders, including the member associations, are consulted where feasible as part of the College fulfilling its mandate in protecting the public. I attended the OSC Conference in May 2022 and presented as well as answered questions by members. I attended the OPMA's pre-Annual Meeting in October 2022 and engaged with members in that forum.

As a priority, I held the first College Townhall. There was some confusion as to what was intended by the term "Townhall," which I did not appreciate was confusing. However, after brief clarification, everyone interested in attending seemed to understand that the intent was to allow me to present current information about the College's work to members and to provide an opportunity for members to respond and ask questions. The Townhall took place on December 10, 2022 and was well attended, mostly by virtual attendees. I answered questions raised by members in attendance and, based on the feedback received, I look forward to hosting another Townhall meeting in 2023.

7) Modernization of Regulation at the College:

Modernization within professional regulation includes accountability and transparency. In 2022 we began posting the Executive Committee and Council meetings agendas, related documents, and minutes on the College website, even going back in time to post earlier meetings of the Executive Committee from January 2021.

In 2022 we implemented competencies for elected professional members and Committee members to ensure that the College is being governed by a well-balanced Council with experienced members as well as members who are new to professional regulation governance. We also introduced a Governance Orientation Slideshow for new Council Members with questions to be answered to ensure comprehension. We further introduced a post-Council survey and post-training surveys that we ask

attendees to complete to provide us with feedback and opportunities to improve the training. This has proven to be an excellent source of training too.

I introduced “issue-based decision writing” for our ICRC decisions as well as plain language. We have made strides in using plain language in our documents to make our communications as accessible to all our stakeholders as possible. We will continue to draft new documents in the plain language style and revise older documents.

These efforts towards modernization will continue in 2023.

8) Expanded Professional Development for Staff:

At a small regulator it is critically important that staff receive regular professional development to ensure the College aligns with best practices in professional regulation. I have also introduced Staff Retreats held at our office twice yearly as an opportunity for in-house staff development and for us to tackle larger issues, such as website revamping, that we don't have an opportunity to address in our daily activities.

Starting in 2022, each staff member is assigned as support to our committees so that every Committee has staff support to seamlessly move between governance and operations.

Importantly, I need to acknowledge the significant contributions of the College staff in all of the highlights noted above from 2022 and in ensuring continuous improvement in these areas in 2023. In this respect, I thank the staff – Meghan, Christine and Stanley – for their hard work and skill.

Finally, I also need to acknowledge and thank Council and the Executive Committee, without whose guidance and good governance, none of the foregoing achievements are possible.

Nicole Zwiers
Registrar/CEO