



College of Chiropractors of Ontario

**Minutes of the Council Meeting
Friday, May 31, 2024, at 9:00 a.m.
180 Dundas St. W., 19th Floor Conference Room**

Council Members in Attendance:

1. Matthew Andrade
2. Melanie Atkinson
3. Ed Chung
4. Allan Katz, Public Appointee
5. Andrew Klayman
6. Deborah Loundes, Selected Member
7. Murtuza Najmudin
8. Reshad Nazeer, Public Appointee
9. Jannel Somerville
10. Peter Stavropoulos (Chair)

Regrets:

1. Ramesh Bhandari, Public Appointee
2. Andrew Simmons, Public Appointee
3. Chad Bezaire
4. Jim Daley, Public Appointee (Attended and participated in Decision Item 3.16 virtually via Zoom)

Staff in Attendance:

1. Nicole Zwiers – Registrar and CEO
2. Meghan Clarke – Deputy Registrar and Manager, Professional Conduct and Hearings
3. Shruti Tantry – Manager, Communications and Engagement (Recorder)

General Legal Counsel:

1. Erica Richler

Guests:

1. Ian Colin McQuistan, Ontario Society of Chiropractors
2. Jennifer Sinclair, Canadian Federation of Podiatric Medicine
3. Bruce Ramsden, President, Ontario Podiatric Medical Association – via Zoom
4. Zoe Askwith, Senior Policy Analyst, Health Workforce Regulatory Oversight Branch, Ministry of Health – via Zoom

1. Call to Order

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

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

S. Tantry was appointed as Secretary.

J. Somerville delivered a land acknowledgement.

D. Loundes proposed 2.5 hours of preparation time for professional members.

It was moved by D. Loundes and seconded by A. Klayman to approve 2.5 hours of preparation for professional members. Motion CARRIED.

1.2 Approval of Agenda

It was moved by A. Katz and seconded by M. Andrade to approve the agenda. Motion CARRIED.

1.3 Declaration of Conflict of Interest

No conflict of interest was declared.

1.4 Approval of Minutes of January 26, 2024 Council Meeting

It was moved by J. Somerville and seconded by M. Najmudin to approve the minutes of the January 26, 2024 Council meeting. Motion CARRIED.

1.5 Welcome Guests

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

2. Consent Agenda Items

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

2.1 Council Survey Results

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

3. Decision Items

3.10 Revision to Guideline for Suspension

It was moved by A. Klayman and seconded by R. Nazeer that Council approve the proposed changes to the Guideline for Suspension. Motion CARRIED.

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

It was moved by D. Loundes and seconded by J. Somerville that Council approve, in principle, the amendments to By-law 1 and By-law 2, and that Council direct that the proposed amendments be circulated to registrants and other stakeholders for comment for 60 days before the matter is returned to Council. Motion CARRIED

N. Zwiers added that this change aligns with other health regulators' practices, as the idea is to ensure all payments and fees are cleared by registrants prior to or during their registration renewal process.

P. Stavropoulos asked for information on the requirement for consultation for the benefit of the Council members and observers. Legal counsel E. Richler clarified that only certain matters and by-law updates are circulated to the profession for feedback, such as those pertaining to financial matters that would affect the registrant's renewal fees and practice, and any topics that would affect the public and patient care.

3.12 Consultation Feedback – By-law 1 (General): Adding Registrant numbers to the Public Register.

It was moved by M. Najmudin and seconded by A. Katz that Council approve the proposed change to By-law 1 (General), to add registration numbers to the Public Register. Motion CARRIED

N. Zwiers shared a summary of the feedback received by registrants and others through this consultation, and the research and environmental scan conducted by staff. This change will ensure the College's practices are in alignment with other regulators. With respect to concerns about fraud, which were raised in some of the feedback, N. Zwiers reminded Council that registration numbers are easily available in several external documents and materials, such as insurance paperwork, and adding registrant numbers to the Public Register would be unlikely to cause an increase in instances of fraud.

Council discussed having a mechanism to analyze fraud activity trends after moving forward with the addition of registration numbers on the Public Register. N. Zwiers noted that it might be difficult to determine the accuracy of data or reports but is open to feedback and recommendations by Councillors.

3.13 Revision to By-Law 4: Code of Conduct of Councillors and Committee Members.

It was moved by A. Katz and seconded by E. Chung that Council approve the proposed revisions to By-law 4: Code of Conduct of Councillors and Committee Members. Motion CARRIED

3.14 Revision to the Code of Conduct for Members of Council and Its Committees.

It was moved by J. Somerville and seconded by M. Najmudin that Council approve the proposed revisions to the Code of Conduct for Members of Council and its Committees. Motion CARRIED

N. Zwiers stated that these document reviews and updates are to improve College documents by using plain language, so they are easy to read and understand. The Code of Conduct was updated to reflect the most up-to-date, modern terms, such as using “registrant” instead of “member”.

3.15 Continuing Education credits (hours) for newly developed modules (Governability and Clinical Supervision) and the role of Clinical Supervisors.

It was moved by A. Klayman and seconded by M. Andrade that Council approve the Quality Assurance Committee's recommendations for Continuing Education credits for a module on the Governability of Registrants. Motion CARRIED.

P. Stavropoulos shared that this module is meant to address the need to ensure that registrants fully understand their responsibility as regulated health professionals and registrants of this College. This is way to reward and recognize registrants when they complete this module and take the time to learn about the College’s expectations, policies and standards.

N. Zwiers added that in the past, they found that many registrants are not aware of their responsibility as regulated health professionals. This is a way to remind registrants that they must recognize the regulator as the appropriate authority under the legislation to govern the profession. The module captures topics like registrants’ obligation to complete annual renewal, QA requirements and surveys in a timely fashion, and conduct themselves professionally. It also provides examples on how a registrant shows that they are governable. This is a positive approach to encourage governability and prevent negative outcomes, such as ICRC Complaints and disciplinary action. She added that video content is just another medium to reach out to more registrants, and that this registrant-focused approach is meant to support their understanding of governability and prevent breach of standards or policies of the College.

P. Stavropoulos also mentioned that the Registrar and staff reached out to Michener students to introduce the topic of governability before they enter the profession, to support their learning journey.

Staff shared information about the plan to launch the modules on a dedicated Learning Management System (LMS) platform, as each module will have a quiz component.

It was moved by R. Nazeer and seconded by M. Andrade that Council approve the Quality Assurance Committee's recommendations for Continuing Education credits for a module on Clinical Supervision. Motion CARRIED.

P. Stavropoulos noted that this idea originated from an inquiry from a registrant who provides clinical supervision to students and was interested in knowing if the College has any provision of CE credits for mentorship for registrants who provide clinical supervision to trainees.

It was moved by D. Loundes and seconded by M. Najmudin that Council approve the Quality Assurance Committee's recommendations for Continuing Education credits for Registrants taking on students as Clinical Supervisors. Motion CARRIED.

P. Stavropoulos added that providing CE credits to clinical supervisors is a way to recognize mentorship and leadership in footcare practice and encourage registrants to set a positive example in the profession by helping learners gain practical experience and interact with patients in real-life clinical settings.

3.16 Approval of the 2023 Audit Report

It was moved by M. Andrade and seconded by A. Katz that Council approve the 2023 Audited Financial Report.

J. Daley provided a brief summary of the audit process and stated that the report was clear and concise and did not present any conflicts or issues.

3.17 Approval of Hilborn LLP as the Auditors for the College for the 2024 Audit

It was moved by M. Atkinson and seconded by M. Najmudin that Council approve Hilborn LLP as the Auditors for the College for the 2024 Audit. Motion CARRIED.

No comments.

4. Council Education Item #1 – Overview of the Casella Decision

A. Block presented key takeaways from the recent decision and appeal to the Divisional Court (*Casella v. College of Chiropractors of Ontario*), where the registrant was found to have breached the Discipline Committee's order and appealed to reverse the decision by the College's Discipline Committee.

P. Stavropoulos shared his thoughts on the responsibility of registrants to contact the College with any concerns or confusion related to practice guidelines or policies. He stated that the College reaches out to all registrants about updates to policies, by-laws and standards, and hopes that registrants would refer to the information provided on the website and various communication channels.

N. Zwiers talked about the process, expressing that these matters and proceedings can be taxing on small regulators' resources. She thanked legal counsel for their work on the case, and for presenting important insights to Council.

D. McKenna shared a summary of another case: *Spirou v. College of Physiotherapists of Ontario*, and key takeaways about the outcome and what it means for registrants of regulated health professions. The case pertained to insurance fraud based on a complaint filed by an insurance company with the College of Physiotherapists of Ontario.

D. McKenna shared that hopes that these types of cases and their outcomes remind registrants of their individual responsibilities to understand the standards and regulatory requirements of the profession, accountability and overall governability.

5. Council Education Item #2 – Challenges and Opportunities in the Professional Regulation of Chiropodists and Podiatrists

N. Zwiers shared her presentation about the key challenges and opportunities in professional regulation for chiropodists and podiatrists, which she delivered at the May 15, 2024 Town Hall.

N. Zwiers talked about the role of the regulator in terms of addressing the shortage of chiropodists and podiatrists in Ontario to serve the needs of populations that greatly need foot care services, especially those residing in the northern and more remote communities across Ontario. She also discussed the issues related to the legislative restriction on the podiatry profession, which prevents footcare specialists from practising to scope and serve maximum patients who may have complex and specialized footcare needs, for example, bone surgery and other treatments.

A. Katz asked about the possibility of collaborating with other organizations such as the Ontario Renal Network to potentially look for trends on health outcomes and concerns within Indigenous and other vulnerable populations in remote areas.

P. Stavropoulos addressed the huge gap in access to care that impacts the overall wellbeing and health outcomes of Indigenous populations, and the devastating effects of the lack of proper foot care, such as lower limb amputations.

Council members asked interesting questions about future plans and next steps regarding the move to the podiatry model. A. Katz suggested the idea of promoting the Zero Tolerance policy and FAQs regarding orthotics fraud in the profession.

6. Discussion Items

6.1 Registrar's Report

The report is provided in the meeting materials.

6.2 President's Report (verbal)

P. Stavropoulos thanked staff members and the Registrar for their behind-the-scenes work and efforts to coordinate Council meetings. He also noted that there was little to add to the Registrar's Report and thanked Council members, who volunteer their time from their busy lives and practices to participate in College matters.

Finally, the President shared a note of thanks to Councillors D. Loundes and E. Chung, who were completing their term on Council, for their valuable service.

6.3 Key Performance Indicators (KPIs) Update & Dashboard

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

7. In Camera

It was moved by M. Najmudin and seconded by J. Somerville 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 1:00 p.m.

8. Next Meeting

8.1 Council Meeting Dates for 2024

- September 27, 2024

8.2 Council Survey Reminder

8.3 Proposed Agenda Items for Next Meeting

Operational: recognition of service for Councillors at term-end.

9. Adjournment

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

The meeting was adjourned at 1:56 p.m.