



College of Chiropodists of Ontario

**Minutes of the Council Meeting
Friday, June 25, 2021, 9:00 a.m.
Online via Zoom**

Peter Stavropoulos, President

Council Members in Attendance:

1. Andrew Gassmann (via telephone)
2. Matthew Doyle
3. Peter Ferguson
4. Melanie Atkinson
5. Nosheen Chaudhry
6. Ed Chung
7. Sasha Kozera
8. Irv Luftig
9. Cesar Mendez
10. Eliot To
11. Jim Daley
12. Douglas Ellis
13. Allan Katz
14. Ramesh Bhandari

Regrets:

1. Winnie Linker

Staff in Attendance:

1. Nicole Zwiers, Registrar
2. Meghan Clarke, Manager, Professional Conduct and Hearings

Guests:

1. Bruce Ramsden, President, OPMA

1. Call to Order

1.1 Call to Order, Appointment of Secretary

The Chair opened the meeting noting that notice of the meeting was given, and the meeting was properly constituted with a quorum present.

Meghan Clarke was appointed as Secretary.

1.2 Introduction of Registrar

President, P. Stavropoulos, thanked the Acting Registrar, Julie Maciura, and introduced Nicole Zwiers, the new Registrar.

1.3 Approval of Agenda

The agenda was reorganized to move the *in camera* discussion, item 2.0, to the end of the meeting. Also, item 1.6 will include approval, on consent, of all the reports listed in item 5.0 of the agenda.

It was moved by N. Chaudhry and seconded by M. Doyle to approve the agenda with the amendments noted. Motion CARRIED.

1.4 Declaration of Conflict of Interest

No conflict of interest was declared.

It was agreed that preparation time of 4 hours for Professional Council Members was appropriate.

1.5 Approval of Minutes of March 25, 2021 Council Meeting

It was moved by P. Ferguson and seconded by S. Kozera to approve the minutes of the March 25, 2021 Council meeting. Motion CARRIED.

1.6 Consent Agenda Items

It was moved by A. Katz and seconded by R. Bhandari to approve the Committee Reports in item 5 on consent. Motion CARRIED

2. In Camera

It was moved by X and seconded by X to move in camera pursuant to section 7(2) of the Health Professions Procedural Code. Motion CARRIED.

3. Decision Items

A. Bromstein, Counsel, joined the meeting for item 3.

3.1 Bylaw Amendment – Annual Fees

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

1. Revoke Articles 3.03 and 4.03 and substitute that shown in Appendix 2 (the changes to the existing Articles are shown by redline); and

And further, 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.

It was moved by M. Doyle and seconded by P. Ferguson that Council approve the amendment to Bylaw 2, as noted, to increase the annual fees by \$100 to \$1800 for 2022. Motion CARRIED.

In favour:

M. Doyle, P. Stavropoulos, P. Ferguson, I. Luftig, A. Katz, C. Mendez, J. Daley, R. Bhandari, E. Chung, M. Atkinson

Against:

D. Ellis, A. Gassmann, N. Chaudhry, S. Kozera

Abstention:

E. To.

Council discussed the pros and cons of the fee increase. A. Gassmann wanted it noted that he believes it is the wrong timing for a fee increase, given the pandemic, and it did not come to the Audit Committee first, when it should have. He does not see the need for the increase given that the budget has been balanced. D. Ellis agreed that it is not the right time to make an increase.

J. Daley noted that an increase is not justified by the financial position of the College (large, accumulated surplus), just to get in line with what other colleges are charging members.

N. Zwiers and C. Mendez explained that the College does have increased cost implications, like the zero-tolerance policy and the CPMF, that necessitate increasing fees. C. Mendez said smaller, incremental increases will be easier for the membership to accept, rather than a large increase like the one in 2013-2014. E. Chung agreed that the increase is nominal.

N. Chaudhry said the College needs to be transparent to the membership about why the increase is being requested.

P. Stavropoulos reminded Council that it will have an opportunity to review the increase again in October 2021 once it has been circulated to the membership.

3.2 Bylaw Amendment – Cost of Living Allowance

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

1. Revoke the existing Article 4.03.1 and substitute a new Article 4.03.1, as shown in Appendix 2;

And further, 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.

It was moved by P. Ferguson and seconded by M. Doyle that Council approve the amendment to Bylaw 2, as noted, to add an automatic adjustment of the annual fee by the increase in the Consumer Price Index starting with the annual fee for 2023. Motion CARRIED.

In favour:

P. Stavropoulos, I. Luftig, M. Doyle, P. Ferguson, A. Gassmann, J. Daley, C. Mendez, A. Katz, E. Chung, R. Bhandari, M. Atkinson, D. Ellis

Against:

E. To, N. Chaudhry, S. Kozera

3.3 Bylaw Amendment – Corporations

That Bylaw No 3 be amended as shown (additions showed using underlining and deletions shown using strikethrough):

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) **\$950.00** if issued on or after October 1st and on or before March 31st; or
- (b) **\$475.00** if issued after March 31st and on or before September 30th.

~~2.2~~ Subject to Article 2.04, †The fee for the renewal of a certificate of authorization is due on the 30th day of September in each year and is **\$475.00**, if paid on or before the 30th day of September, and **\$575.00**, if paid thereafter.

~~2.3~~ The fee for the renewal of a certificate of authorization due on September 30, 2015 is the fee otherwise payable under Article 2.02 times the fraction, the numerator of which is the number of months from the month after the issuance of that certificate to and including the month of September and the denominator of which is twelve. [By way of example, if the original certificate was issued in January, the fraction to be applied to the annual fee would 8/12.]

[Renumber existing Article 2.4 to become 2.3]

2.4 The fee for the issuing each document or certificate respecting a chiropody profession corporation, other than the original certificate of authorization or the annual renewal of a certificate of authorization, is **\$25.00**.

It was moved by A. Katz and seconded by P. Ferguson that Council approve the amendment to Bylaw 3, as noted. Motion CARRIED.

3.4 Pharmacology Course

That Council approve for the purposes of paragraph 1 of subsection 3(1) of *Ontario Regulation 203/94*, as amended, the course on pharmacology to be designed in accordance with the outline attached as Appendix 1 and to be provided by the Michener Institute of Education at UHN.

It was moved by A. Katz and seconded by J. Daley that Council approve the proposed pharmacology course at the Michener Institute of Education at UHN, in accordance with the outline. Motion CARRIED.

Abstentions:

C. Mendez, E. To

4. Discussion Items

4.1 Surgical Training

N. Zwiers explained that gaps have identified in the surgical training for new graduates. P. Stavropoulos indicated that the registration exam does not test for surgical competencies. N. Zwiers and P. Stavropoulos met with Catherine Gray from the Michener to discuss the gaps, and further meetings will occur. N. Zwiers will report back to Council with suggestions and recommendations.

4.2 CPMF – Registrar’s Update

N. Zwiers explained that the CPMF was new in 2020 as a public accountability tool – all 26 regulated health colleges had to provide a response. M. Clarke put together a list of outstanding items in the 2020 report. N. Zwiers said the government is expected to release a report this month that collates the results. The government has said it will collect data for the first two years, and then will be looking for continuous improvement and markers. One of the things regulators are expected to do is competency-based skills on Council. Collaboration is key – N. Zwiers has had meetings with several other Registrars and has discussed sharing office space, IT etc., though it is all in the early stages.

Right-touch regulation is a guiding principle of regulation. The College has made efficiencies in this regard to reduce legal fees, like removing legal counsel from ICRC meetings and establishing guidelines for the Discipline Committee to move cases more efficiently. The College has done a pilot by scheduling pre-hearings for six discipline committee cases in the hope of narrowing the issues. The Executive Committee decided it would not do an RFP for legal at this time, for a number of reasons: to evaluate the cost-savings measure already put in place first; the law firms we

would want to retain have the same fees as WF, and; the onboarding of new legal counsel at this time would be disruptive.

D. Ellis noted that the risk of not doing an RFP is complacency from WeirFoulds. He agreed that the cost-saving initiatives N. Zwiers identified are also valuable, but it could be done in conjunction with an RFP.

P. Stavropoulos emphasized that the College has gone through a lot of transition in the last eight months and some stability is good.

P. Ferguson and C. Mendez agreed that any cost savings from changing law firms would be offset by the learning curve of new counsel.

A. Gassmann said he continues to object to the decision by the Executive Committee not to proceed with the RFP for legal counsel.

4.3 Cooling Off Period

N. Zwiers explained that part of the CPMF asked about a cooling off period for members who were on an association to serve on Council and committee. We do not have a cooling off period currently, but we will be circulating a Bylaw amendment to add this in.

4.4 Misconduct Regulation

M. Clarke addressed queries from the Ministry about the Regulation and has followed up with legal counsel to see if any further amendments are required.

4.5 Drug Prescribing Regulation

N. Zwiers has followed up with the Ministry but does not have anything to report at this time.

5. Other Committee Reports

P. Stavropoulos noted that, at other regulatory colleges, reports from standing committees are part of a consent agenda and are approved as part of one motion. The reports were voted on, and approved, in item 1.6 above.

6. Next Meeting

6.1 Council Meeting Dates for 2021

The next Council hearing date is October 29, 2021

7.2 Proposed Agenda Items for Next Meeting

7. Adjournment

It was moved by X and seconded by X that the meeting be adjourned. Motion CARRIED.

The meeting was adjourned at X