



# College of Chiropodists of Ontario

**Minutes of the Council Meeting  
Friday, October 29, 2021, 9:00 a.m.  
Online via Zoom**

**Council Members in Attendance:**

1. Matthew Doyle
2. Peter Ferguson
3. Melanie Atkinson
4. Ed Chung
5. Sasha Kozera
6. Winnie Linker
7. Irv Luftig
8. Jim Daley
9. Allan Katz
10. Ramesh Bhandari
11. Patrick Rainville
12. Donna Shewfelt
13. Andrew Simmons
14. Peter Stavropoulos

**Regrets:**

1. Eliot To

**Staff in Attendance:**

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

**General Legal Counsel:**

1. Alan Bromstein

**Guests:**

1. Bruce Ramsden, President, OPMA
2. Jana Charyk, OSC
3. Geoffrey Alchin, Ministry of Health

**1. Call to Order**

**1.1 Call to Order, Appointment of Secretary**

N. Zwiers called the meeting to order at 9:16 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, staff and guests. N. Zwiers acknowledged the new Council members – Patrick Rainville, Donna Shewfelt and Andrew Simmons.

## **1.2 Approval of Agenda**

N. Zwiers asked that a motion be added to the agenda for Council to approve the re-appointment of Ed Chung to Council. The motion was added as item 3.0.1.

*It was moved by W. Linker and seconded by M. Doyle to approve the agenda with the addition of item 3.0.1. Motion CARRIED.*

N. Zwiers asked that a motion be added to the agenda as item 3.1.1. for Council to approve the year-end audited financial statements.

*It was moved by P. Stavropoulos and seconded by J. Daley to approve the agenda with the addition of item 3.1.1. Motion CARRIED.*

## **1.3 Declaration of Conflict of Interest**

No conflict of interest was declared.

## **1.4 Approval of Minutes of June 25, 2021 Council Meeting**

*It was moved by P. Ferguson and seconded by M. Doyle to approve the minutes of the June 25, 2021 Council meeting. Motion CARRIED.*

## **2. Consent Agenda Items**

*It was moved by P. Ferguson and seconded by A. Katz to approve consent agenda items 2.1 and 2.2. Motion CARRIED*

## **3. Decision Items**

### **3.0.1 Re-Appointment of Ed Chung to Council**

N. Zwiers advised that a call was put out to all podiatrist members for the podiatry position on Council. No members put their names forward. E. Chung was eligible and agreed to serve another term.

*It was moved by M. Doyle and seconded by W. Linker to approve Ed Chung as the podiatrist member on Council. Motion CARRIED.*

### **3.1 Auditor's Report**

*It was moved by P. Ferguson and seconded by R. Bhandari to approve the Auditor's Report. Motion CARRIED.*

#### **3.1.1. Audited Financial Statements**

*It was moved by J. Daley and seconded by W. Linker to approve the audited year-end financial statements. Motion CARRIED.*

### **3.2 Appointment of Auditor for 2021 Financials**

*It was moved by W. Linker and seconded by J. Daley to approve Hilborn LLP as the auditor for the 2021 financial statements. Motion CARRIED.*

A. Katz asked when the College last solicited bids for an auditor, and J. Daley noted that it has been several years. J. Daley explained that the challenge is whether the College will get any added value from doing an RFP. J. Daley noted that there is good service from Hilborn and he does not feel there is value in going through the RFP process.

### **3.3 Proposed Orthopaedic Footwear Standard**

*It was moved by J. Daley and seconded by P. Rainville to approve the revised Orthopaedic Footwear Standard to replace the draft previously in effect. Motion CARRIED*

J. Daley noted the efforts of the professional members involved in updated the Orthopaedic Footwear Standard. E. Chung added that the updated standard was reviewed by legal counsel, Debra McKenna, and he thanked her for her efforts as well.

### **3.4 Proposed Bylaw Amendment to Bylaw 2 – Annual Fee Increase**

That By-law No. 2: Fees be amended, 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

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

***In favour:*** P. Stavropoulos, D. Shewfelt, W. Linker, M. Doyle, M. Atkinson, P. Rainville, P. Ferguson, A. Katz, J. Daley, R. Bhandari, I. Luftig, E. Chung, A. Simmons

***Against:*** S. Kozera

S. Kozera noted that she previously voiced her opposition to the bylaw amendment, and at the time, she suggested that it be put off for a year. She reiterated that that the optics do not look good for the College to increase fees and, at the same time, increase the honorarium for Council members.

W. Linker noted that bringing forward small increases over time is not best practice, and putting it forward in the way it has been done is more efficient.

P. Stavropoulos said there are a number of undertakings the College has in store, including the CPMF, that require additional funding. The College is small, but it must still meet the same requirements as larger colleges. It has been seven years since there was a fee increase. The cost of living has gone up, and the College is not immune from that. It is more of a catch up, and the COLA will alleviate the need to go back to the membership regularly to request an update.

P. Ferguson said, one of the reasons the honorarium is on the table, is because being on ICRC and Discipline takes a lot of time out of practice. The current honorarium is quite low, and to recruit high-quality and engaged members, we need to compensate them accordingly.

M. Doyle noted that the honorarium was last updated in 2002 and the cost of living has gone up since then. The College honoraria is substantially lower than the current rates paid by other colleges. Although it is coming at the same time as the fee increase, it is needed to get us on par.

S. Kozera said she appreciates the feedback from other Council members, but she reiterated that the perception from the membership will not be good. The College is making a fee increase during a pandemic and the feedback from the membership was that they were hit quite hard. In terms of the honorarium, S. Kozera noted that the College is behind in compensating Council members, but the perception from the membership will be that Council is looking for more money to pay itself. S. Kozera recommended postponing the fee increase by one year and then

applying the COLA increase the year after that. She questioned whether the new honorarium policy could be applied without the fee increase.

N. Zwiers clarified that the motion on the table is an increase in 2022. In respect of the June 25, 2021 meeting, the issue was reviewed and then sent out to the membership, as per the bylaws. Council is being asked to approve the motion on the table.

J. Daley said the OSC asked for a deferral of implementing this increase by a year, which he said is possible financially. He said Council could consider that, though he noted that he continues to support the motion as proposed. The OPMA asked how the College will determine the cost of living and J. Daley suggested Council clearly define the cost of living.

M. Atkinson said the increase is a modest increase.

M. Doyle emphasized that the College's mandate is to protect the public and a lot of the opposition to the fee increase was membership driven.

N. Zwiers said some members, in their comments, noted that the 2015 increase was intended to be temporary. She revisited the minutes from the October 2014 Council meeting, when the increase was approved, and there is no reference to the increase being temporary as a result of HPRAC.

### **3.5 Proposed Bylaw Amendment to Bylaw 2 – COLA**

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

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

*It was moved by D. Shewfelt and seconded by I. Luftig that Council approve the amendments to Bylaw 2, as noted, to add an automatic adjustment to the annual fee by the increase in the Consumer Price Index starting with the annual fee for 2023. Motion CARRIED.*

***In favour:*** P. Stavropoulos, D. Shewfelt, W. Linker, M. Doyle, M. Atkinson, P. Rainville, P. Ferguson, A. Katz, J. Daley, R. Bhandari, I. Luftig, E. Chung, A. Simmons

***Against:*** S. Kozera

J. Daley reiterated that Council should define COLA. N. Zwiers noted that it has defined it as being in line with what Statistics Canada deems the cost-of-living increase, and J. Daley was content with that explanation.

S. Kozera reiterated that she does not believe the timing of the increase is ideal and she requested that it be deferred to 2024. N. Zwiers noted that Council will vote on the increase, as moved, and if it is denied, S. Kozera can put forward a new motion.

W. Linker noted that the COLA increase will be very nominal, and she asked S. Kozera to expand on her opposition. S. Kozera reiterated that the fee increase does not look good optically when Council is also asking for an increased honorarium. And, based on J. Daley's comments, there is no financial need to approve an increase at this time.

P. Stavropoulos said the cost of living increase is an attempt to avoid the need for future increases. It acknowledges the College's increasing costs, and it will hopefully avoid the need to come back to Council with increases in the near future. In terms of the honorarium, it will be voted on by public members of Council only, not professional members.

N. Zwiers said the idea behind the COLA is to protect against large increases in the future.

### **3.6 Honoraria Policy**

*It was moved by J. Daley and seconded by A. Katz that Council adopt the Per Diems and Council and Committee Compensation & Expense Policy to replace the College's existing policy, and that Council commit to reviewing the policy annually. Motion CARRIED.*

N. Zwiers noted that this policy stands to benefit the professional members on Council, and although professional members cannot be prevented from voting, it would be best for professional members to abstain.

J. Daley noted that the proposed honorariums are reasonable and warranted, and there has been no change to this policy in almost 20 years. The previous compensation is inadequate, and the change recognizes this is more than just volunteering and giving up professional time.

W. Linker said the increase being requested is modest and an increase is needed after 20 years.

***In favour:*** J. Daley, W. Linker, R. Bhandari, A. Simmons, A. Katz

***Abstention:*** P. Ferguson, P. Stavropoulos, I. Luftig, S. Kozera, E. Chung, M. Doyle, P. Rainville, D. Shewfelt, M. Atkinson

### **3.7 Reserve Fund Policy**

*It was moved by P. Stavropoulos and seconded by P. Rainville that Council adopt a Reserve Fund policy, as drafted, that contemplates a reserve fund of \$700,000. Motion CARRIED.*

N. Zwiers explained that the CPMF contemplates that Colleges have a reserve fund. It does not outline the amount. The reserve fund is to cover unforeseen expenses, like legal fees, in the event of an appeal to Divisional Court or a judicial review. The College would not want to be caught financially unprepared in the event of something unforeseen. N. Zwiers and J. Daley discussed the amount, and they agreed on \$700,000.

### **3.8 Proposed Bylaw Amendment for Cooling Off Period**

*It was moved by D. Shewfelt and seconded by A. Katz that Council decide the appropriate length of time for a cooling off period and recommend a bylaw amendment to reflect the cooling off period. Motion CARRIED.*

N. Zwiers said the idea is that there should be a cooling off period between a member serving on a professional association and then on Council. Council is being asked to decide on the appropriate cooling off period – two years has been proposed, but because the College is smaller, it may need to consider a shorter period.

S. Kozera noted that the professional is very small, and the pool of members who are interested in being involved in associations and Council, so there is a challenge getting members involved with the College. In her view, the two-year period is quite long. She noted that six months to a year would be reasonable.

P. Stavropoulos said he supports the cooling off period. He agrees with S. Kozera that, given the size of the College, two years is a long time. He said he would support a one year cooling off period.

P. Ferguson clarified that the policy only applies to involvement on associations at the board level.

J. Daley said, in his time on Council (7 years), there has only been one instance of a Council member coming on Council right after serving on an association. He said he would support a one year cooling off period, but he thinks two years is more appropriate. The College needs to make sure Council members do not come on with an association mindset.

M. Doyle agrees that six months is too short. He would support a one year cooling off period.

P. Ferguson said two years is standard for colleges. We should not ask for a shorter period, just because we're a smaller College. He supports the two-year period.

D. Shewfelt supported a two-year cooling off period.

A. Katz said he would support one year as a bare minimum, but six months is too short.

E. Chung said he thinks two years is too long and he would support one year.

6 – 12 months – S. Kozera

12 months – E. Chung, P. Ferguson, W. Linker, M. Atkinson, I. Luftig, A. Simmons, R. Bhandari

Two years – P. Stavropoulos, D. Shewfelt, M. Doyle, P. Rainville, J. Daley, A. Katz

BREAK – 10:35 a.m. to 10:50 a.m.

### **3.9 Elections of Executive Committee Members**

*It was moved by D. Shewfelt and seconded by P. Ferguson to approve M. Clarke as scrutineer, in the event an election is required, and to conduct the secret ballot by having votes emailed to M. Clarke. Motion CARRIED.*

N. Zwiers reported that there were five positions for election to the Executive Committee that would be cast by secret ballot, if necessary. The five positions were 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.

#### **(a) Election of President**

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

#### **(c) Election of Professional Member**

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

#### **(d) Election of Public Member – First Position**

N. Zwiers requested nominations for the first public member on the Executive Committee. P. Ferguson 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. There were no further nominations. J. Daley was acclaimed.

### **3.9.1 Executive Committee's Recommendations of Committee Composition and Committee Chairs**

*It was moved by D. Shewfelt and seconded by W. Linker to consider and approve the committee composition recommended by the Executive Committee. Motion CARRIED.*

(a) Inquiries Complaints and Reports Committee

Peter Stavropoulos, Chair  
Melanie Atkinson  
Ed Chung  
Peter Ferguson  
Sasha Kozera  
Irv Luftig  
Donna Shewfelt  
Patrick Rainville  
Ramesh Bhandari  
Jim Daley  
Allan Katz  
Winnie Linker  
Andrew Simmons  
Eliot To  
Riaz Bagha  
Peter Guy  
Allan Frankel  
Stephen Haber  
Martin Hayles  
Sylvia Kovari  
Neil Naftolin  
Nat Rave  
Stephanie Shlemkevich  
Ruth Thompson  
Millicent Vorkapich-Hill  
Brooke Mitchell  
Adrian Dobrowsky  
Nosheen Chaudhry  
Cesar Mendez

(b) Discipline Committee

Cesar Mendez, Chair  
Melanie Atkinson  
Ed Chung  
Peter Ferguson  
Sasha Kozera  
Irv Luftig  
Donna Shewfelt  
Patrick Rainville  
Ramesh Bhandari  
Jim Daley  
Allan Katz  
Winnie Linker  
Andrew Simmons  
Eliot To  
Riaz Bagha  
Peter Guy  
Stephen Haber

Martin Hayles  
Sylvia Kovari  
Jamie Maczko  
Anne-Marie McLaren  
Millicent Vorkapich-Hill  
Brooke Mitchell  
Adrian Dobrowski  
Nosheen Chaudhry

(c) Fitness to Practise Committee

Peter Guy, Chair  
Matt Doyle  
Winnie Linker  
Pauline Looi  
Kim Resmer  
Cesar Mendez

(d) Patient Relations Committee

Peter Stavropoulos, Chair  
Matt Doyle  
Allan Katz  
Jim Daley  
Pauline Looi  
Brooke Mitchell

(e) Quality Assurance Committee

Anna Georgiou, Chair  
Melanie Atkinson  
Matt Doyle  
Irv Luftig  
Patrick Rainville  
Ramesh Bhandari  
Cindy Lewis  
Brooke Mitchell  
Millicent Vorkapich-Hill  
Tina Rainville  
Jaffer Shaikh  
Cesar Mendez

(f) Sedation Committee

Anna Georgiou, Chair  
Melanie Atkinson  
Matt Doyle  
Irv Luftig  
Patrick Rainville  
Ramesh Bhandari  
Cindy Lewis  
Brooke Mitchell  
Millicent Vorkapich-Hill  
Tina Rainville

Jaffer Shaikh  
Cesar Mendez

(g) Registration Committee

Matt Doyle, Chair  
Sasha Kozera  
Peter Stavropoulos  
Melanie Atkinson  
Ramesh Bhandari  
Winnie Linker  
Deepka Duggal

(h) Audit Committee

Jim Daley, Chair  
Ed Chung  
Melanie Atkinson

(i) Standards and Guidelines Committee

Nosheen Chaudry, Chair  
Ed Chung  
Peter Ferguson  
Sasha Kozera  
Irv Luftig  
Eliot To  
Peter Guy  
Cindy Lewis  
Brooke Mitchell

(j) Registration Examination

Stephanie Shlemkevich, Chair  
Matt Doyle  
Peter Ferguson  
Marcella Cowan  
Kathryn Ferguson  
Jacky Fu  
Megan Grantham  
Kay Hayles  
Martin Hayles  
Andrew Klayman  
Brooke Mitchell  
Sonia Rebello  
Nosheen Chaudhry  
Donna Shewfelt  
Mary Ellen Kennedy Mitchell  
Riaz Bagha  
Lisa Balkarran  
Jaffer Shaikh

(k) Ad-Hoc Drug Committee

Peter Stavropoulos, Chair  
Jim Daley  
Jannel Somerville  
Martin Hayles  
Cesar Mendez

(l) Technical Committee

Peter Ferguson, Chair  
Ed Chung  
Matt Doyle  
Peter Ferguson  
Sasha Kozera  
John Lanthier  
Tracy Oliver

(m) Elections Committee

Peter Ferguson, Chair  
Matt Doyle  
Peter Ferguson  
Peter Stavropoulos  
Ramesh Bhandari  
Jim Daley  
Allan Katz

(n) Strategic Planning Committee

Peter Ferguson, Chair  
Sasha Kozera  
Peter Stavropoulos  
Jim Daley  
Allan Katz  
Nosheen Chaudhry

(o) Registrar's Performance and Compensation Committee

Winnie Linker, Chair  
Peter Ferguson  
Peter Stavropoulos  
Allan Katz

**4. Discussion Items**

**4.1 Elections Update – New Council Members**

N. Zwiers welcomed P. Rainville and D. Shewfelt, the new professional members on Council, and A. Simmons, the new public member.

**4.2 Strategic Planning Committee**

P. Ferguson explained that the College is required to complete the Ministry's CPMF, part of which is to have a strategic plan. The goal is to have a strategic plan in place before the 2021 CPMF submission is made in March 2022. The SP Committee met yesterday with Deanna Williams, the consultant who has been retained to guide the process.

She has a long history in healthcare regulation. Yesterday, the Committee discussed why a strategic plan is important and how it will be developed. P. Ferguson circulated the Committee's report to Council, and he reviewed the report. He noted that the College's two main priorities in the strategic plan are sustainability and moving towards the podiatry model.

P. Ferguson noted that the Committee's goal is to bring the plan to Council in February 2022.

#### **4.3 Registrar's Report**

N. Zwiers noted that the 2021 CPMF is upon us. The Ministry has done a soft launch of the report, which contains tweaks to the 2020 report. N. Zwiers is on the working group at HPRO to identify any issues or concerns with the soft launch. On November 4, 2021, the College is meeting with the Ministry. In the soft launch, the MOH is focusing on strategic partnerships among other regulators and stakeholders. Another theme in the CPMF is continuous improvement, with a recognition that colleges are making changes. N. Zwiers pointed out that Council voted on a few issues directly related to the CPMF today, like the reserve fund.

N. Zwiers also met with the Michener about surgical competency, to make sure graduates are best suited to enter practice.

The College has also spoken to the Ministry about the drug regulation. There is an hoc committee that will meet with the Ministry about the proposed changes.

N. Zwiers said she is hopeful Council will receive a draft strategic plan in February 2022.

She also stated there is a need for IT modernization, which the 2022 budget will have to address.

There is an opportunity for shared resources among other regulators. N. Zwiers has met with a number of regulators about sharing space. The College has a lease until February 2024, but it could offer another regulator the use of its space. Most regulators are adopted a hybrid model going forward. N. Zwiers said the plan will be to move towards a hybrid model in January 2022, with one day a week where all staff is in the office.

N. Zwiers reported that she has regular meetings scheduled with Catherine Gray at the Michener.

The College will be looking at the exam costs for 2021, and based on that review, there will be a proposed bylaw amendment to get to a neutral position in the exam.

Staff is continuing to look for ways to improve Council materials. We are implementing a survey that we ask you to complete to help us make effective improvements. It will be circulated at the end of the meeting.

#### **5. In Camera**

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

Council moved in camera at 1:35 p.m.

P. Ferguson left the meeting 1:35 p.m.

#### **6. Next Meeting**

##### **6.1 Council Meeting Dates for 2021, 2022 and 2023**

- February 25, 2022
- June 24, 2022

- October 28, 2022
- 2023 dates to be provided

## **6.2 Proposed Agenda Items for Next Meeting**

## **7. Adjournment**

*It was moved by P. Ferguson and seconded by M. Doyle that the meeting be adjourned. Motion CARRIED.*

The meeting was adjourned at 12:00 p.m.