

DRAFT BOARD MEETING MINUTES
February 22, 2021
9:30 AM to 3:30 PM
by zoom

Attendees: Mr. Bryan Todd, RO, Chair, Elected Member
Mr. Stephen Kinsella, Vice-Chair, Public Member
Mr. Murray Angus, Public Member
Ms. Diana Bristow, Public Member
Mr. Omar Farouk, Public Member
Ms. Amber Fournier, RO, Elected Member
Ms. Peggy Judge, Public Member
Ms. Ingrid Koenig, RO, Elected Member
Ms. Elsa Lee, RO, Elected Member
Mr. Samir Modhera, RO, Elected Member
Ms. Neda Mohammadzadeh, RO, Elected Member
Ms. Dorina Reiz, RO, Elected Member
Mr. Michael Smart, RO, Elected Member
Mr. Henry Wiersema, Public Member

Administration: Mr. Fazal Khan, RO, Registrar, CEO
Ms. Amy Stein, Acting Deputy Registrar and General Counsel
Ms. Carolyn Robertson, Manager, Communications and Executive Office
Ms. Shelby Sargo, Coordinator, Professional Practice

Guests: Ms. Sarah Butson, Meeting Facilitator
Mr. Jay Bhatt, Chair, Patient Relations Committee
Ms. Lisa Bannerman, Registrar, College of Opticians of British Columbia

1.0 Introduction

1.1 Introductions and Announcements

- B. Todd called the meeting to order at 9:30.
- B. Todd introduced himself, the Board Members, and the administration.
- S. Butson reviewed the meeting norms and high five with participants.

1.2 Conflict of Interest Declaration

No conflicts of interest were declared.

1.3 Adoption of the Agenda

MOTION: TO ADOPT THE AGENDA.

MOVED: S. KINSELLA
SECONDED: S. MODHERA

FOR: 14
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

2.0 Minutes

MOTION: TO APPROVE THE DECEMBER 7 AND 8 MINUTES.

MOVED: H. WIERSEMA
SECONDED: M. ANGUS

FOR: 14
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

3.0 2020 Financial Reports

F. Asad reviewed the highlights of the final 2020 financial variance report.

MOVED: O. FAROUK
SECONDED: A. FOURNIER

FOR: 14
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

4.1 Registration Terms of Reference

D. Bristow reviewed draft updates to the Registration Committee Terms of Reference with the Board. The Governance Committee has completed the process of updating the terms of reference for each committee which set out the parameters around each committee's operation.

Public Interest Considerations: The board considered that the proposed amendments to this policy would increase public trust in the College's ability to govern. It was also noted that the updated terms of

reference permit the board to appoint up to three non-opticians to the committee, which will permit for greater public input and diversity on the committee.

MOTION: TO APPROVE THE AMENDED REGISTRATION COMMITTEE TERMS OF REFERENCE
MOVED: I. KOENIG
SECONDED: S. KINSELLA

FOR: 14
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

4.2 Fitness to Practice Terms of Reference

D. Bristow reviewed draft updates to the Fitness to Practice Committee Terms of Reference with the Board.

Public Interest Considerations: The board considered that the proposed amendments to this policy would increase public trust in the College's ability to govern. It was also noted that the updated terms of reference permit the board to appoint up to three non-opticians to the committee, which will permit for greater public input and diversity on the committee.

MOTION: TO APPROVE THE AMENDED FITNESS TO PRACTICE COMMITTEE TERMS OF REFERENCE
MOVED: S. MODHERA
SECONDED: M. SMART

FOR: 14
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

4.3 Quality Assurance Terms of Reference

D. Bristow reviewed draft updates to the Quality Assurance Committee Terms of Reference with the Board and opened the floor to questions.

Public Interest Considerations: The board considered that the proposed amendments to this policy would increase public trust in the College's ability to govern. It was also noted that the updated terms of reference permit the board to appoint up to three non-opticians to the committee, which will permit for greater public input and diversity on the committee.

MOTION: TO APPROVE THE AMENDED QUALITY ASSURANCE COMMITTEE TERMS OF REFERENCE

MOVED: H. WIERSEMA
SECONDED: A. FOURNIER

FOR: 14
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

4.4 Clinical Practice Committee Terms of Reference

D. Bristow reviewed new proposed terms of reference for Clinical Practice Committee with the Board. The floor was then opened to questions.

Public Interest Considerations: The addition of this committee aligns the COO with other RHPA Colleges, the majority of which have a Clinical Practice Committee and one of the key functions is to support the updating of the Standards of Practice.

MOTION: TO APPROVE THE CLINICAL PRACTICE COMMITTEE TERMS OF REFERENCE

MOVED: M. ANGUS
SECONDED: N. MODHAMMEDZADEH

FOR: 14
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

5.0 Monitoring Reports

5.1 Strategic Outcomes Policy

F. Khan presented the Strategic Outcomes Policy monitoring report and reviewed the progress on the strategic plan key performance indicators with the Board. F. Khan noted that the College has been receiving feedback that shows a strong level of public engagement and awareness of the College and its processes.

MOTION: THAT THE BOARD APPROVE THE REGISTRAR'S INTERPRETATION OF THE POLICY AS A REASONABLE INTERPRETATION.

MOVED: M. SMART
SECONDED: S. KINSELLA

FOR: 14

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

MOTION: THAT THE BOARD AGREES THAT THE REGISTRAR, CEO COMPLIED WITH THE POLICY

MOVED: H. WIERSEMA

SECONDED: M. ANGUS

FOR: 14

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

5.2 Financial Planning and Budgeting

F. Khan reviewed the Financial Planning and Budgeting Policy monitoring report with the Board. It was noted by the board that the report was detailed and transparent, and that decisions made by the Registrar, CEO were informed and timely.

MOTION: THAT THE BOARD APPROVE THE REGISTRAR, CEO'S INTERPRETATION OF THE POLICY AS A REASONABLE INTERPRETATION.

MOVED: M. SMART

SECONDED: A. FOURNIER

FOR: 14

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

MOTION: THAT THE BOARD AGREES THAT THE REGISTRAR, CEO COMPLIED WITH THE POLICY

MOVED: N. MOHAMMADZADEH

SECONDED: E. LEE

FOR: 14

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

5.3 Corporate Identity, Public Image and Communication

F. Khan reviewed the Corporate Identity, Public Image and Communication Policy monitoring report with the Board.

MOTION: THAT THE BOARD APPROVE THE REGISTRAR, CEO'S INTERPRETATION OF THE POLICY AS A REASONABLE INTERPRETATION.

MOVED: M. SMART
SECONDED: H. WIERSEMA

FOR: 14
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

MOTION: THAT THE BOARD AGREES THAT THE REGISTRAR, CEO COMPLIED WITH THE POLICY

MOVED: HENRY W.
SECONDED: S. KINSELLA

FOR: 14
AGAINST: 0
ABSTAINED: 0

5.4 Emergency Registrar, CEO Succession Plan

F. Khan reviewed the Registrar, CEO Succession Plan Policy monitoring report with the Board, noting that as per the policy, A. Stein is currently the Acting Deputy Registrar while M. Woodbeck is on maternity leave.

MOTION: THAT THE BOARD APPROVE THE REGISTRAR, CEO'S INTERPRETATION OF THE POLICY AS A REASONABLE INTERPRETATION.

MOVED: S. MODHERA
SECONDED: O. FAROUK

FOR: 14
AGAINST: 0
ABSTAINED: 0

VOTE: CARRIED

MOTION: THAT THE BOARD AGREES THAT THE REGISTRAR, CEO COMPLIED WITH THE POLICY

MOVED: M. SMART

SECONDED: I. KOENIG

FOR: 14

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

6.0 Life Membership Applications

A. Stein reviewed three life membership applications with the Board.

MOTION: TO GRANT LIFE MEMBERSHIP STATUS TO ALFRED NACSON

MOVED: I. KONEIG

SECONDED: A. FOURNIER

FOR: 14

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

MOTION: TO GRANT LIFE MEMBERSHIP STATUS TO LORNE E. POLLOCK

MOVED: H. WIERSEMA

SECONDED: S. KINSELLA

FOR: 14

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

MOTION: TO GRANT LIFE MEMBERSHIP STATUS TO ROBIN WYNNE DICKINSON

MOVED: N. MOHAMMADZADEH

SECONDED: D. BRISTOW

FOR: 14

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

7.0 Board Monitoring Systems Policy 4-25 Report

M. Smart reviewed the Board Monitoring System Policy monitoring report with the Board. It was noted that steps have been taken to update meeting minutes to align with the policy. In addition, it was noted that in 2020 the board worked to finalize an updated process for the Registrar, CEO's performance review, and that the new process would be introduced in 2021.

MOTION: TO APPROVE THE BOARD MONITORING SYSTEM REPORT 4-25 AS PRESENTED.

MOVED: M. SMART

SECONDED: M. ANGUS

FOR: 14

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

8.0 College Performance Measurement Framework

A. Stein presented the draft college performance measurement framework (CPMF) report to the Board. The final report will be submitted to the Ministry of Health on or before March 31, 2021. It was noted that some further edits may be made before the submission is finalized. It was further noted that the College complies in full or in part with 97% of the benchmarks.

MOTION: TO APPROVE THE DRAFT 2020 CPMF REPORT, SUBJECT TO EDITS.

MOVED: E. LEE

SECONDED: M. ANGUS

FOR: 14

AGAINST: 0

ABSTAINED: 0

VOTE: CARRIED

9.0 Spousal Exemption Regulation

A. Stein reviewed background information on the current status of spousal exemption regulations in Ontario. Currently opticians are barred from treating spouses.

The board was asked to consider whether it wanted to refer the question of pursuing a spousal exemption regulation to the Patient Relations Committee. In the event that the board decides to seek a regulation, the Clinical Practice Committee could be tasked with developing standards/guidelines.

Public Interest Considerations: The board considered that it is important to clarify what is sexual abuse and what is not. There is an inherent power imbalance that exists between a patient and a health care practitioner and a patient, which is why it is crucial that there be strong legislative protections against any form of sexual abuse. Treating spouses, however, gives rise to unique considerations that may be better addressed outside the scope of the existing sexual abuse provisions of the RHPA.

MOTION: TO ASSIGN THE MATTER OF EXPLORING THE POSSIBILITY OF A SPOUSAL EXEMPTION REGULATION TO THE PATIENT RELATIONS COMMITTEE FOR CONSIDERATION AND TO BRING A RECOMMENDATION TO THE BOARD.

MOVED: I. KOENIG

SECONDED: P. JUDGE

VOTE: CARRIED

FOR: 14

AGAINST: 0

ABSTAINED: 0

10.0 Status of The Board Self Evaluation Action Plan

A. Stein reviewed the status of the 2020 Board Self-Evaluation Action Plan with the board. There was only one outstanding item, item 16. The Board decided to move this to the 2021 action plan as it is still in progress.

11.0 Traditional Land Acknowledgement

J. Bhatt presented a recommendation from the Patient Relations Committee that the board add a traditional land acknowledgement to its meetings, and engaging in additional training on cultural safety and humility in 2021.

Public Interest Considerations: The board considered that part of regulating the profession of opticianry in the public interest includes being responsive to the diverse needs of all Ontarians. Providing a land acknowledgement at the beginning of a meeting gives time for reflection and demonstrates recognition of Indigenous lands, treaties, and peoples. It involves thinking about what happened in the past and what changes can be made going forward.

MOTION: THAT THE BOARD APPROVE THAT TRADITIONAL LAND ACKNOWLEDGMENTS BE READ AT THE BEGINNING OF BOARD AND COMMITTEE MEETINGS OF THE COLLEGE AS RECOMMENDED BY THE PATIENT RELATIONS COMMITTEE.

MOVED: D. BRISTOW
SECONDED: D. REIZ

VOTE: CARRIED

FOR: 14
AGAINST: 0
ABSTAINED: 0

MOTION 2: THAT THE BOARD AND APPOINTED MEMBERS CONTINUE PARTICIPATING IN CULTURAL SAFETY AND HUMILITY TRAINING THROUGHOUT THE YEAR

MOVED: S. MODHERA
SECONDED: M. SMART

VOTE: CARRIED

FOR: 14
AGAINST: 0
ABSTAINED: 0

The board then took a lunch break and the meeting resumed at 1:10.

12.0 Regulatory Update from British Columbia

L. Bannerman joined the board meeting to provide an update on the status of regulatory reform in British Columbia.

13.1 Registrar's Report

F. Khan shared the Registrar's Report with the Board for information only.

13.2 Exam Reports / Committee Reports

MOTION: TO APPROVE THE COMMITTEE REPORTS, EXAMS REPORT AS PRESENTED.

MOVED: H. WIERSEMA
SECONDED: N. MOHAMMADZADEH

VOTE: CARRIED

FOR: 14
AGAINST: 0

ABSTAINED: 0

13.4 Communications Report

C. Robertson presented the communications report to the Board.

14.0 In Camera session

B. Todd thanked everyone for attending and noted that the public session was over for the day.

MOTION: TO GO IN CAMERA PURSUANT TO SECTION 7(2)(D) OF THE HEALTH PROFESSIONS PROCEDURAL CODE

MOVED: N. MOHAMMADZADEH

SECONDED: O. FAROUK

VOTE: CARRIED

FOR: 14

AGAINST: 0

ABSTAINED: 0

15.0 Adjournment

MOTION: TO END THE MEETING

MOVED: A. FOURNIER

SECONDED: O. FAROUK

VOTE: CARRIED

FOR: 14

AGAINST: 0

ABSTAINED: 0