

EXECUTIVE COMMITTEE REPORT  
December 2018 Report to Council

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**Committee Members:**

David Milne, Chair, Public Member  
Bryan Todd, Vice Chair, RO, Elected Member  
Peggy Dreyer, RO, Elected Member  
Trudy Mauth, Public Member  
Ingrid Koenig, RO, Elected Member

**Number of meetings:**

The Committee had one in-person meeting since the last Council meeting.

**Report:**

*2019 Budget*

The Committee considered the draft 2019 budget. The budget is before Council for consideration and approval at its December 3, 2018, meeting.

*Update on Policy on Honoraria and Expenses for Council and Committee*

The Executive Committee considered information on the timing of submission of honoraria claims under the Honoraria Policy, as raised by Council at its October 1, 2018 meeting. The College has received advice confirming that it is appropriate for the College to ensure that claim forms are submitted by year-end.

*By-law update to Reflect Changes to the RHPA*

The Committee considered a number of College by-laws which ought to be amended in light of changes made to the Regulated Health Professions Act (RHPA) in May 2018. The by-law amendments recommended by the Executive Committee are before Council for its consideration and approval for public circulation at its December 3, 2018 meeting.

### *Strategic Planning Update*

The Executive Committee considered an overview of the process for the upcoming environmental scan and Council's strategic planning session. The Council will also receive information about the strategic planning session at its meeting on December 3, 2018.

### *Appointed Member Interviews*

The Executive Committee conducted appointed member interviews for two available appointed member positions, and two discipline-only appointed member positions. The Executive Committee's recommendations, along with the respective candidate bios, will be presented to Council for consideration at its meeting on December 3, 2018, in accordance with the revised appointed member selection process approved by Council at its the May 28, 2018, meeting.

**Submitted by:**

David Milne, Chair, Public Member



## INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE

Report to Council – December 3, 2018

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### **Panel Information and Composition:**

The Inquiries, Complaints and Reports Committee (ICRC) reviews concerns made to the College regarding its members. This includes formal complaints, Registrar investigations arising from information that is brought to the attention of the College or referrals from the Quality Assurance Committee. Each complaint and report is thoroughly and objectively investigated. A Risk Assessment Framework is used to guide panels of the ICRC in the decision-making process when determining outcomes of complaints and reports. The Committee considers concerns relating to a member’s conduct, competency and capacity to determine if a referral to the Discipline Committee is needed, or if other recommendations are more suitable. The ICRC also investigates and, where appropriate, refers matters to the Executive Committee to commence prosecution in matters involving unauthorized practice.

The Committee’s business is conducted by 2 panels:

<b>Panel 1</b>	<b>Panel 2</b>
<b>Omar Farouk (Chair)</b>	<b>Bryan Todd (Vice Chair)</b>
Ingrid Koenig	John Battaglia
Ed Viveiros	Neda Mohammadzadeh
Gord White	Robert Quinn
Margaret Osborne	Jacalyn Cop-Rasmussen
Daniela Celi	

In order to work efficiently, and taking into consideration convenience and cost-effectiveness, the panels attempt to alternate in-person meetings and conference calls whenever possible. The panels also conduct some of their work via email.

The Committee held an in-person group meeting on October 22, 2018. Both Panel 1 and 2 held in-person meetings in conjunction with the group meeting. In addition, between May and December, there was one additional panel meeting held via teleconference.

There are currently 17 open complaints and 11 open Registrar's Reports. The College has 8 SCERPs to monitor and 9 oral cautions pending. The matters in this report involve concerns pertaining to unprofessional behaviour, unsatisfactory eyeglasses, performing eye exams, record keeping, insurance/OHIP fraud, and failing to complete QAC portfolios.

**Submitted by:**

Omar Farouk Public Member, Committee Chair  
Amy Stein, Manager, Professional Conduct

**ICRC Statistical Report 2018**  
(Statistics accurate as of November 22, 2018<sup>1</sup>)

Complaints Disposition	# of Files
<b>Inquiries:</b>	
Total number of complaint inquiries received in 2018	46
Inquiries that became a formal complaint	4
General Inquiries	11
<b>Formal Complaints:</b>	
Complaint files opened in 2018	16
Cases brought forward from 2017	23
Frivolous and vexatious	-
Closed with no further action	10
Closed with oral caution	4
Closed with SCERP	1
Closed with an oral caution & SCERP	5
Closed with a referral to discipline	1
Closed with written advice	1
Withdrawn by Registrar	1
Complaints disposed of in 2018	23
Open complaints pending further investigation	12
Open complaints awaiting decisions	5

Registrar's Reports Disposition	# of Files
<b>Inquiries:</b>	
Total number of registrar's report inquiries received in 2018	4
Inquiries that became a registrar's report	2
<b>Registrar's Reports:</b>	
Registrar's Reports referred to ICRC in 2018	8
Cases brought forward from 2017 (8 new QAC files in November)	18
Closed with a referral to discipline	2
Closed with no further action	3
Closed with written advice	1
Closed with oral caution issued	-
Closed with oral caution issued and a specified continuing education and remediation program	9
Closed with an undertaking	-
Reports disposed of in 2018	15

<sup>1</sup> Due to staffing changes, please note that the statistics in this report were compiled by the current Manager of Professional Conduct and are to the best of her knowledge.

Open Registrar's Reports pending further investigation	9
Open Registrar's Reports awaiting decisions	2

<b>HPARB Reviews</b>	<b># of Files</b>
HPARB reviews requested in 2018	4
HPARB matters carried over from 2017	4
HPARB review pending (files opened in 2017)	0
HPARB review pending (files opened in 2018)	5
HPARB matters disposed of in 2018	4
Committee decisions confirmed	4
Committee decisions returned for further investigation and reconsideration	-

<b>Unauthorized Practice</b>	<b># of Files</b>
<b>Total number of UPC inquiries in 2018</b>	9
Inquiry abandoned – not enough information / outside jurisdiction / not unauthorized practice	4
Inquiry pending – further information needed	5
Inquiry – formal file	-
Open files pending further investigation	5

## GOVERNANCE COMMITTEE REPORT

December 2018 Committee Report to Council

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### **Governance Committee Members:**

Gord White, Chair, Public Member  
Ingrid Koenig, Vice-Chair, Elected Member  
Peggy Dreyer, Elected Member  
Neda Mohammadzadeh, Elected Member  
Omar Farouk, Public Member  
Margaret Osborne, Appointed Member

### **Number of Meetings:**

The Governance Committee held one in-person meeting since the last Council Meeting.

### **Report:**

The Committee continues to work with Ms. Karen Fryday-Field of Meridian Edge Consulting to revise the governance manual. The Committee considered the following policy additions to the manual at its November 7, 2018, meeting:

- Council Decision Making Policy (GP 4-35)
- Council and Committee Principles Governance Process Policy (GP4-25)
- Council Annual Strategic Agenda (GP4-40)
- Relationship with the Public and COO Beneficiaries Policy (OB2-35)
- Member Relations Policy (OB2-40)
- Emergency Registrar, CEO Succession Policy (OB2-80)

The policies above are submitted to Council for consideration and approval at its December 3, 2018, meeting.

The Committee also received an overview from Ms. Fryday-Field on the connection between the Council's upcoming strategic planning process and the Ends Policy previously approved by Council. Ms. Fryday-Field will also be presenting this information to Council at its December 3, meeting.

### **Submitted by:**

Gord White, Chair, Public Member  
Melanie Woodbeck, Deputy Registrar

## PATIENT RELATIONS COMMITTEE REPORT

December 2018 Committee Report to Council

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### **Patient Relations Committee Members:**

David Milne, Chair, Public Member  
Dennis Tse, Vice Chair, Appointed Member  
Dorina Reiz, Elected Member  
Daniela Celi, Appointed Member  
Joseph Richards, Public Member (until October 20, 2018)  
Behzad Safati, Appointed Member

### **Number of Meetings:**

The Committee had one in-person meeting since the last Council meeting.

### **Report:**

#### *Jurisprudence Handbook Updates*

- The Committee reviewed and finalized the communications chapter questions. The Communications Chapter and test will be uploaded to the online jurisprudence tool.
- The Committee reviewed an additional question on sexual abuse prevention for the mandatory Professional Boundaries chapter. The question will be uploaded to the online jurisprudence tool after a final review by external legal counsel.
- The Committee began considering a potential new chapter relating to the RHPA. This review will continue at the Committee's next meeting.
- The Committee considered the current optional chapters of the handbook and determined that it would recommend to the Quality Assurance Committee that the Record Keeping chapter, which is currently an optional chapter, be made mandatory.
- The Committee directed that the current jurisprudence handbook chapters be supplemented with video content to help educate opticians in a more interactive way.

#### *Patient Bill of Rights*

The Committee began work on the development of a Patient Bill of Rights, intended to educate patients what they can expect from opticians when receiving service. This initiative will be carried over to the Committee's next meeting.

### *Access to Patient Health Information*

The Committee considered the current Access to Patient Health Information policy which is due for policy review. The Committee agreed that the content of the policy be addressed concurrently with a review of the Standards of Practice.

### *Advertising Guidelines*

The Committee considered draft advertising guidelines which would clarify the College's Advertising Regulations. The Committee approved a draft guideline and directed that it be circulated for member consideration.

### **Submitted by:**

David Milne, Chair, Public Member  
Melanie Woodbeck, Deputy Registrar

## FITNESS TO PRACTISE COMMITTEE REPORT

December 2018 Report to Council

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### **Committee Members:**

Robert Vezina, Chair, RO  
John Battaglia, Vice Chair, RO  
Bryan Todd, RO  
Ed Viveiros, RO  
Jacalyn Cop-Rasmussen, Public Member  
Omar Farouk, Public Member  
Behzad Safati, RO  
Derick Summers, RO  
Balbir Dhillon, RO  
David Milne, Public Member  
Robert Quinn, RO

Number of meetings since October Council:

The Fitness to Practise Committee holds hearings to determine if a member is incapacitated to such a degree that this prevents him/her from practicing safely and effectively. The Committee meets on an as-needed basis, should allegations of incapacity of a member be referred.

There have been no referrals made to the Fitness to Practise Committee.

### **Submitted by:**

Robert Vezina, Chair, RO  
Laura Briard, Manager, Professional Programs

## DISCIPLINE COMMITTEE REPORT

December 3, 2018 Report to Council

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### Discipline Committee Members

#### Elected Members

Ingrid Koenig RO  
Balbir Dhillon RO  
Peggy Dreyer RO  
Neda Mohammadzadeh RO  
Rob Vezina RO  
Bryan Todd RO  
Ed Viveiros RO  
Dorina Reiz RO

#### Public Members

**Trudy Mauth, Chair**  
David Milne  
Joseph Richards  
Gord White  
Jacalyn Cop-Rasmussen  
Omar Farouk

#### Appointed Non-Council Members

**Derick Summers RO VC**  
John Battaglia RO  
Margaret Osborne RO  
Daniela Celi RO  
Robert Quinn RO  
Bezad Safati RO  
Dennis Tse RO

#### Training:

On November 2, 2018, 6 committee members attended the Advanced Session on Conducting a Discipline Hearing offered by the Federation of Health Regulatory Colleges of Ontario.

#### Hearings:

The Discipline Committee has held five discipline hearings this year to date. One matter was contested and held over the course of four days. Four matters proceeded on an uncontested basis.

Copies of the Committee's 2018 decisions in the following matters are available on the College's website:

*College of Opticians v. Teclé*

*College of Opticians v. Atyeo*

*College of Opticians v. Garnhum*

*College of Opticians v. Wallner* (to be posted once available)

*College of Opticians v. Sanger* (posted for 90 days pursuant to subsection 23(11.1) of the *Health Professions Procedural Code*)

The following additional matter has been referred to discipline this year. The matter is currently awaiting a hearing date:

*College of Opticians v. Chow*

#### Submitted by:

Trudy Mauth, Chair  
Amy Stein, Manager, Professional Conduct

## REGISTRATION COMMITTEE REPORT

December 2018 Report to Council

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### Committee Members:

Robert Vezina, Chair, RO  
John Battaglia, Vice Chair, RO  
Bryan Todd, RO  
Ed Viveiros, RO  
Jacalyn Cop-Rasmussen, Public Member  
Omar Farouk, Public Member  
Behzad Safati, RO  
Derick Summers, RO

### Registration Appeal Panel:

Balbir Dhillon, RO  
David Milne, Public Member  
Robert Quinn, RO

Number of meetings since October Council:

- November 5, 2018

A statistical report of the number of applications received and reviewed by the Registration Committee is attached.

### Report:

#### *Life Member By-Law Consultation Results*

At its meeting on October 2, 2017, Council approved draft life member by-law amendments and a draft life member policy to be circulated for stakeholder feedback. The draft by-law amendments and policy were circulated via e-blast to members and links to the proposed amendments, policy, background information and survey questions were posted to the College's website. Individuals were invited to answer survey questions and provide comments.

At its meeting on November 5, 2018, the Registration Committee reviewed all stakeholder feedback received. An update on the stakeholder feedback received on the proposed life member by-law amendments and draft life member policy is before Council at its meeting on December 3, 2018 for information.

#### *New Bridging Modules and Integrated Candidate Scorecard*

At its meeting on November 5, 2018, the Registration Committee reviewed the development of thirteen new bridging modules and the incorporation of the new bridging modules into a revised integrated candidate scorecard. The Committee noted that the bridging modules were developed by the College of Opticians of British Columbia using a grant received from the Ministry of Jobs, Tourism and Skills

Training. Following the completion of the thirteen new bridging modules, a new scorecard was developed to include “mandatory” and “optional” bridging modules. Prior to adopting the new bridging modules and integrated candidate scorecard, the Committee has requested that a member of the project team speak to the development of the bridging modules from beginning to end. A member of the project team has been invited to the Committee’s next meeting.

**Submitted by:**

Robert Vezina, Chair, RO  
Laura Briard, Manager, Professional Programs

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**Statistical Report (since October 2018)**

<b>PLAR Applicants</b>	
<p><b>Initial Inquiries Received</b></p> <ul style="list-style-type: none"> <li>• Internationally educated applicants</li> <li>• Applicants from non-accredited Canadian programs</li> <li>• No formal education</li> </ul>	<p><b>10</b></p> <p>10</p> <p>0</p> <p>0</p>
<p><b>New Applications Received</b></p> <ul style="list-style-type: none"> <li>• Internationally educated applicants</li> <li>• Applicants from non-accredited Canadian programs</li> <li>• Applicants that completed international training &amp; non-accredited Canadian education</li> <li>• No formal education</li> </ul>	<p><b>1</b></p> <p>0</p> <p>1</p> <p>0</p> <p>0</p>
<p><b>Applications Refused</b></p>	<p><b>0</b></p>
<p><b>Applications Completed (Decision and Reasons Issued)</b></p> <ul style="list-style-type: none"> <li>• Applicants required to complete bridging</li> <li>• Applicants permitted to write the National Examinations</li> </ul>	<p><b>4</b></p> <p>3</p> <p>1</p>

<b>Active Applications in Process</b>	<b>14</b>
<ul style="list-style-type: none"> <li>• Awaiting further information from applicant</li> <li>• Initial Registration Committee review pending</li> <li>• Applicants currently scheduled for the CGA/eligible to write CGA</li> <li>• CGA completed, interview pending</li> <li>• Final Registration Committee review pending</li> </ul>	<p>5</p> <p>0</p> <p>6</p> <p>3</p> <p>0</p>

<b>Other Applications for Registration</b>	
<b>New Applications for Reinstatement (3+ yrs.) Received</b>	<b>1</b>
<b>Active Applications in Process</b>	<b>2</b>
<ul style="list-style-type: none"> <li>• Initial Registration Committee review pending</li> <li>• Applications considered by Registration Committee</li> <li>• Applications approved to reinstate, with/without continuing education</li> <li>• Competency assessments required</li> </ul>	<p>1</p> <p>0</p> <p>1</p> <p>0</p>
<b>Internal Registration Appeals</b>	<b>0</b>
<b>HPARB Appeals</b>	<b>0</b>
<b>Upgrading Programs Considered by Committee</b>	<b>3</b>
<b>Previously Approved Upgrading Programs Completed</b>	<b>0</b>
<b>Requests for Extension of Registration Committee Decision</b>	<b>0</b>

## QUALITY ASSURANCE COMMITTEE REPORT

December 2018 Report to Council

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### Committee Members:

Peggy Dreyer, Chair, RO  
Joseph Richards, Vice Chair, Public Member (until October 20, 2018)  
Dorina Reiz, RO  
David Milne, Public Member  
Derick Summers, RO  
Dennis Tse, RO

Number of meetings since October Council:

- October 15, 2018 (teleconference)
- October 30, 2018 (teleconference)

### Report:

#### *2018 Competency Review and Evaluation Process Update*

In February 2018, 546 members received notice that they had been randomly selected to participate in this year's Competency Review and Evaluation (CRE) process. Half of these members were selected to participate in Stream One and half of these members were selected to participate in Stream Two:

- Stream One – 273 members were required to submit their 2017 Professional Portfolio to the College by April 5, 2018.
- Stream Two – 273 members were required to submit their 2017 Professional Portfolio to the College by April 5, 2018 and participate in the Multi-Source Feedback (MSF) process by April 25, 2018.

In addition, 72 members were re-selected to participate in this year's CRE process. These members participated in last year's CRE process and were re-selected to participate in this year's CRE process due to a deficiency in their original portfolio submission.

All members with Professional Portfolios or MSF results were flagged as deficient by QA department staff. The QA Committee reviewed all 141 deficient submissions by October 30, 2018. All members who had deficient portfolios or MSF results were notified of the QA Committee's decision by November 23, 2018.

### Decision Making Chart

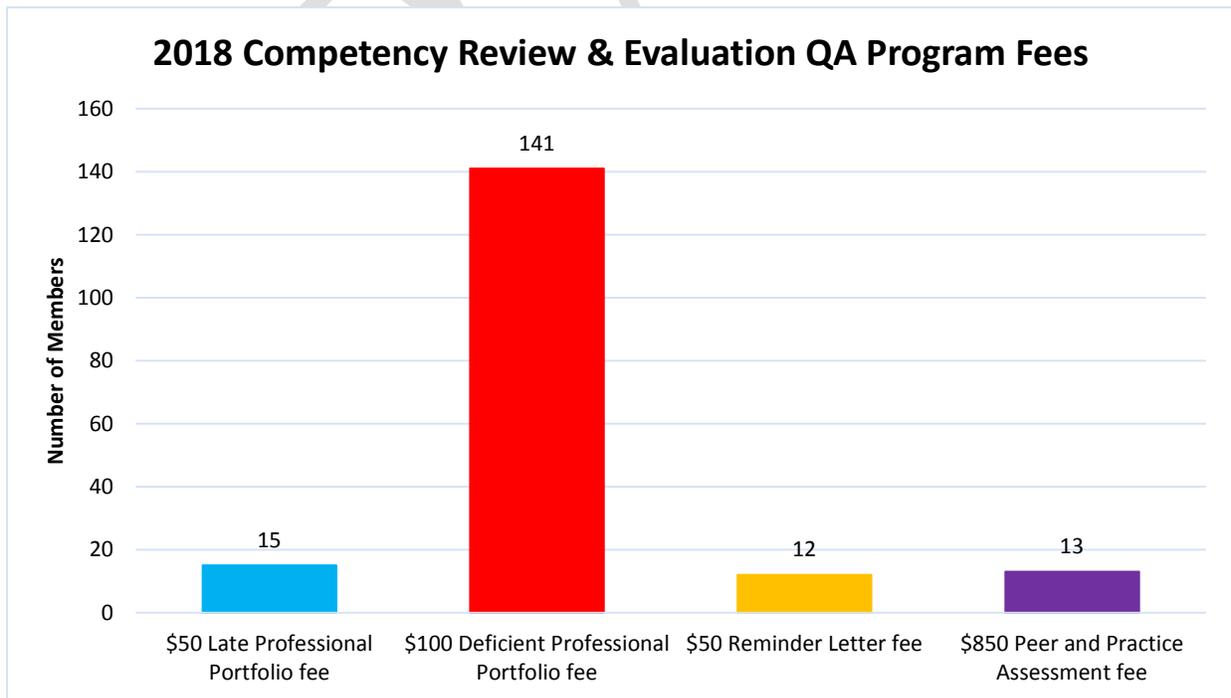
At its meeting on September 25, 2018, the QA Committee reviewed the ways that it can address Professional Portfolio and MSF deficiencies and developed a decision making chart for the 2018 Competency Review and Evaluation process for consistency.

The Committee’s decision making chart is attached as Appendix A. The QA Committee has requested that deficient Professional Portfolios be remedied with additional continuing education (CE) and proof of completion submitted to the College. In addition, the Committee has requested that members who submitted a deficient Professional Portfolio missing a substantial amount of continuing education submit their 2018 Professional Portfolio to the College for assessment in 2019.

### Quality Assurance Program Fees

The new Quality Assurance Program Fees came into effect January 1, 2018, and have been implemented for the first time during this year’s Competency Review and Evaluation process.

15 members were required to pay the \$50 Late Professional Portfolio fee for submitting their Professional Portfolio past the due date required by the Quality Assurance Committee. 141 members were required to pay the \$100 Deficient Professional Portfolio fee for submitting a Professional Portfolio deficient in accredited continuing education hours. 12 members were required to pay the \$50 Reminder Letter fee for failing to submit their Professional Portfolio to the College. Finally, 13 members are required to pay the \$850 Peer and Practice Assessment fee to undergo a peer and practice assessment for not completing their Professional Portfolio requirements or not fully engaging in the CRE process.



The majority of members paid their QA program fees on time. On October 1 and November 1, 2018, a total of 16 members were sent notice that their license would be suspended if they failed to pay their outstanding fee within 60 days.

#### *Quality Assurance Outreach*

QA department staff and the QA Committee Chair attended two continuing education events in October to answer questions from members about the QA program.

#### *Accreditations*

The QA Committee continues to work via email to review accreditation requests submitted by continuing education providers. Since October 2018, the QA Committee has accredited 20 continuing education courses.

#### *Peer and Practice Assessments*

The College's peer assessors have completed a total of 13 peer and practice assessments in 2018. The Committee continues to review peer and practice assessment reports as they are completed.

#### **Submitted by:**

Peggy Dreyer, Chair, RO  
Laura Briard, Manager, Professional Programs

## 2018 Quality Assurance Committee Decision Making Chart – STREAMS 1 &amp; 2 &amp; RE-SELECTION

	<b>Missing 1-3 Accredited Hours or Less</b>	<b>Missing 4-8 Accredited Hours or More</b>	<b>Missing Unaccredited Hours</b>	<b>Professional Portfolio Not Submitted</b>	<b>Expired Accredited Hours</b>	<b>MSF Below Cut-Score</b>	<b>MSF Insufficient</b>	<b>MSF Not Submitted</b>
	<p><b>Review explanation</b></p> <p>Complete (1x) missing hours, 30 days to complete</p> <p><b>+</b></p> <p>Cannot reuse hours in 2018 Professional Portfolio</p>	<p><b>Review explanation</b></p> <p>Complete (1x) missing hours, 60 days to complete</p> <p><b>+</b></p> <p>Cannot reuse hours in 2018 Professional Portfolio</p> <p><b>+</b></p> <p>Request 2018 Professional Portfolio in 2019</p>	<p><b>Review explanation</b></p> <p>Complete (1x) missing hours, 30-60 days to complete</p> <p><b>+</b></p> <p>Cannot reuse hours in 2018 Professional Portfolio</p> <p><i>Optional: Request 2018 Professional Portfolio in 2019</i></p>	<p><b>Review explanation</b></p> <p>Order Peer and Practice Assessment</p> <p><i>Optional: Refer non-compliance to ICRC</i></p>	<p><b>Review explanation</b></p> <p>Complete (1x) missing hours, 30-60 days to complete</p> <p><b>+</b></p> <p>Cannot reuse hours in 2018 Professional Portfolio</p>	Order Peer and Practice Assessment	<p><b>Review explanation</b></p> <p>Possible Peer and Practice Assessment</p> <p>Possible re-selection for MSF portion next year</p>	<p><b>Review explanation</b></p> <p>Order Peer and Practice Assessment</p> <p><i>Optional: Refer non-compliance to ICRC</i></p>
<b>Fee</b>	\$100 + HST deficiency fee	\$100 + HST deficiency fee		\$850 + HST Peer and Practice Fee	<i>Optional: \$100 + HST deficiency fee</i>		\$850 + HST Peer and Practice Fee	\$850 + HST Peer and Practice Fee
<b>Next steps</b>	If requested CE not submitted, provide extension or refer to ICRC.	If requested CE not submitted, provide extension or refer to ICRC.	If requested CE not submitted, provide extension or refer to ICRC.	If non-compliant, refer to ICRC.	If requested CE not submitted, provide extension or refer to ICRC.	If non-compliant, refer to ICRC.	If non-compliant, refer to ICRC.	If non-compliant, refer to ICRC.

## EXAMINATIONS REPORT

December 2018 Report to Council

The National Contact Lens and Eyeglass Examinations are a non-exemptible requirement for a certificate of registration as a Registered Optician in Ontario.

The College, in connection with the National Association of Optician Regulators (NACOR), conducts two national examination sessions in Ontario each year. All eligible examination candidates can complete the examinations anywhere in Canada.

### Fall Examinations:

The fall session of examinations was held at Georgian College in Barrie November 2-4, 2018. The session was the largest session in Ontario to date with the following number of candidates:

Candidate Type	Total	Ontario Applicants <sup>1</sup>	Out-of-Province Applicants <sup>2</sup>
Contact Lens	150	143	7
Eyeglass	149	143	6

<sup>1</sup>Ontario applicants intend to seek registration in Ontario

<sup>2</sup>Out-of-province applicants intend to seek registration in other Canadian provinces

The marks from the examinations will be available in mid-December.

### Spring Examinations:

The spring session of examinations will take place May 3-5, 2019, and will be held at Georgian College in Barrie.

### Submitted by:

Peggy Dreyer, Chief Examiner for Ontario  
Laura Briard, Manager, Professional Programs