

Inquiries, Complaints and Reports Committee Annual Report 2017

Committee Members:

Omar Farouk, Public Member, Committee Chair
 Bryan Todd RO, Vice Chair
 John Battaglia RO
 Ingrid Koenig RO
 Neda Mohammadzadeh RO
 Dorina Reiz RO
 Ed Viveiros RO
 Gordon White, Public Member
 Joseph Richards, Public Member
 Eve Hoch, Public Member

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. Every complaint and report is thoroughly and objectively investigated. 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:

Panel 1	Panel 2
Omar Farouk	Bryan Todd
John Battaglia	Ingrid Koenig
Ed Viveiros	Neda Mohammadzadeh
Joseph Richards	Gordon White
Dorina Reiz	Eve Hoch

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

Report:

The ICRC strives to be transparent, consistent and objective in its decisions. A risk assessment framework is used to guide panels of the ICR Committee in the decision-making process when determining outcomes of complaints and reports.

There are currently six open complaints and 12 registrar reports including eight quality assurance files that require further investigation. The College has nine files with SCERPs and six oral cautions to be monitored. There are currently 6 open unauthorized practice files. Two of these files include two major optical chains with a combined total of over 28 stores.

Nature of Formal Complaints Filed in 2017:

- Unsatisfactory eyeglasses and/or contact lenses dispensed
- Unprofessional behavior/conduct
- Insurance fraud/OHIP fraud
- Holding out as an optometrist/performing eye examinations & dispensing on that prescription
- Sexual Abuse
- Breaching the Refraction Standard of Practice
- Improper record keeping contrary to the College's Standards of Practice and PHIPA
- Patient abandonment
- Professional boundaries

Nature of Registrar's Reports Initiated in 2017:

- Failing to satisfactorily complete the College's quality assurance requirements
- Using the doctor title, performing eye examinations and dispensing prescription eyewear based upon the results of those examinations
- Record keeping (Improperly disposing of personal health information) and dispensing without supervision while holding a student intern license

A full statistical report is attached.

Submitted by:

Omar Farouk Public Member, Committee Chair
Deidre Brooks, Manager, Professional Conduct

ICRC Statistical Report 2017
(Statistics accurate as of December 31, 2017)

Complaints Disposition	# of Files
Inquiries:	
Total number of complaint inquiries received in 2017	61
Inquiries that became a formal complaint	15
Inquiries abandoned / outside jurisdiction / not a complaint	13
Inquiries pending further information	-
Formal Complaints:	
Complaint files opened in 2017	12
Cases brought forward from 2016	10
Frivolous and vexatious	-
Closed with no further action	8
Closed with oral caution	3
Closed with an oral caution & specified continuing education and remediation	3
Closed with a referral to discipline	2
Complaints disposed of in 2017	16
Open complaints pending further investigation	6

Registrar's Reports Disposition	# of Files
Registrar's Reports referred to ICRC in 2017	21
Closed with a referral to discipline (Files opened in 2016)	3
Closed with no further action	1
Closed with written advice	1
Closed with oral caution issued	-
Closed with oral caution issued and a specified continuing education and remediation program	6
Closed with an undertaking	-
Reports disposed of in 2017	11
Open Registrar's Reports pending further investigation	12

**Of the reports disposed of in 2017, 3 were opened in 2016*

HPARB Appeals	# of Files
Total number of HPARB appeals in 2017	4
HPARB review pending (files opened in 2016)	3
HPARB review pending (files opened in 2017)	1
Committee decision confirmed	-
Committee decision returned for further investigation and reconsideration	-

Unauthorized Practice	# of Files
Total number of UPC inquiries in 2017	13

Inquiry abandoned – not enough information / outside jurisdiction / not unauthorized practice	7
Inquiry pending – further information needed	-
Inquiry – formal file	-
UPC files opened in 2017	6
Open files pending further investigation	6
Files closed in 2016 – no further action – no evidence of illegal dispensing / outside jurisdiction	-