

EXECUTIVE COMMITTEE REPORT

February 2022 Executive Committee
Report to the Board of Directors

2022 Committee Members:

Stephen Kinsella, Chair, Public Member
Neda Mohammadzadeh, RO, Vice-Chair, Elected Member
Kevin Cloutier, RO, Elected Member
Peggy Judge, Public Member
Derick Summers, RO, Elected Member

Number of meetings since the December Board Meeting:

- One on February 16, 2022.

Report:

1. General Business

Registrar's Evaluation Process Overview

The Executive Committee met with Karen Fryday-Field to review the process for the Registrar's annual performance review. The Registrar's review will be conducted in accordance with Registrar, CEO Performance Evaluation Process Policy approved by the board in October 2019. Following the February Board meeting the Board will receive surveys for the purposes of gathering feedback on the Performance of the Registrar, CEO. The Executive Subcommittee will review the feedback with Karen Fryday-Field and complete the evaluation and review.

Executive Committee Orientation

The Executive Committee heard from Amy Stein, Deputy Registrar, regarding the role of the Executive Committee and the Proposed Governance Reforms.

2. Exercise of Board Powers in Between Meetings

Under section 12 of the Health Professions Procedural Code, the Executive Committee has all of the powers of the Board with respect to any matter that, in the Committee's opinion, requires immediate attention, other than the power to make, amend or revoke a regulation or by-law. Where the Executive Committee exercises this power, it must report on its actions to the Board at its next meeting.

The Executive Committee did not exercise its powers to act as the Board since the last meeting.

3. Finance Committee

Financial Statements

The Committee was provided with training by Fizza Asad on reading financial reports. The Executive reviewed the 2021 financial variance reports to December 31, 2021.

Submitted by:

Stephen Kinsella, Chair, Public Member

DISCIPLINE COMMITTEE REPORT

February 2022 Discipline Committee Report to the Board of Directors

Committee Members:

Elected Members

Derick Summers, **Chair**, RO
Neda Mohammadzadeh, RO
Dorina Reiz, RO
Kevin Cloutier, RO
Mike Smart, **Vice-Chair**, RO
Amber Fournier, RO
Elsa Lee, RO
Samir Modhera, RO

Public Members

Omar Farouk
Stephen Kinsella
Diana Bristow
Henry Wiersema
Peggy Judge
Paul-Josef Wilik

Appointed Members

Daniela Schowalter, RO
Dennis O'Hagan, RO
Desiree Petralito, RO
Jay Bhatt, RO
John Battaglia, RO
Robert Quinn, RO
Tapiwa Musewe, RO
Tonya Nahmabin, RO
David Milne, Non-RO
Elliot Borins, Non-RO
Gord White, Non-RO
Jamuna Balaram, Non-RO
Panos Petrides, Non-RO

Number of meetings since last Board Meeting: n/a

Report:

On February 15, 2022, a panel of the Discipline Committee heard a motion to adjourn a discipline hearing regarding allegations against Registrant, Anthony Bodington. Mr. Bodington signed an Acknowledgement and Undertaking in which he resigned and surrendered his membership with the College. The Panel ordered the College to adjourn the matter indefinitely.

The following matters have been referred to the Discipline Committee:

Matter	Hearing Date
<i>College of Opticians v. Sanger</i>	TBD
<i>College of Opticians v. Heeremans</i>	TBD
<i>College of Opticians v. Sheidaei</i>	TBD

Submitted by:

Derick Summers, Chair, RO
Raj Bhatti, Manager, Professional Conduct

INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE

February 2022 Committee Report to the Board of Directors

Committee Members:

When reviewing cases, the ICRC sits as two independent panels. When necessary, the Chair of the ICRC strikes additional special panels for the purpose of reviewing appropriate cases.

Panel 1	Panel 2
Amber Fournier, Chair, RO, Elected Member	Kevin Cloutier, Vice Chair, RO, Elected Member
Elsa Lee, RO, Elected Member	Daniela Scholwalter, RO, Appointed Member
Samir Modhera, RO, Elected Member	Peggy Judge, Public Member
John Battaglia, RO, Appointed Member	Stephen Kinsella, Public Member
Desiree Petralito, RO, Appointed Member	Jamuna Balaram, Appointed Member
Omar Farouk, Public Member	Gord White, Appointed Member

Number of meetings since the May Board Meeting:

The ICRC holds full committee meetings for the purpose of orientation and training, as well as to discuss committee policies and other issues of common concern. The balance of ICRC meetings are held as panel meetings for the purpose of reviewing and disposing of cases.

Number of Meetings in 2022	
Full Committee Meetings	1
Panel Meetings	0

Number of Meetings Since Last Board Meeting	
Full Committee Meetings	1
Panel Meetings	0

Report: On January 31, 2022, the committee had a general orientation and training session, which included presentations from Amy Stein, Deputy Registrar, and Rebecca Durcan from Steinecke Maciura LeBlanc. In addition, the committee directed that all oral cautions continue to be delivered virtually for the time being due to the COVID-19 pandemic. The committee will revisit the issue later in the year.

Submitted by:

Amber Fournier, Chair, RO, Elected Member
Raj Bhatti, Manager, Professional Conduct

ICRC Statistical Report 2022
(Statistics accurate as of February 10, 2022)

Complaints Dispositions	# of Files
Inquiries:	
Total number of complaint inquiries received in 2022	7
Covid-19 related inquiries	0
Inquiries that became a formal complaint in 2022	1
Formal Complaints:	
Complaint files opened in 2022	3
Cases brought forward from 2021	18
Frivolous and vexatious	-
Complaints disposed of in 2022 (see the Note below):	0
No further action	-
Written advice/Recommendations	-
Oral caution	-
Specified Continuing Education or Remediation Program (SCERP)	-
Undertaking	-
Referral to Discipline Committee	-
Withdrawn by Registrar	-
Open complaints pending further investigation	15
Complaints awaiting decisions	4

Quality Assurance Committee (QAC) and Registrar's Reports Dispositions	# of Files
Registrar's Reports:	
Registrar's Reports referred to ICRC in 2022	0
Registrar's Reports brought forward from 2021	17
QAC Reports:	
QAC Reports referred to ICRC in 2022	0
QAC Reports brought forward from 2021	15
Reports disposed of in 2022 (see the Note below):	0
No further action	-
Written advice	-
Oral caution	-
Specified Continuing Education and Remediation Program (SCERP)	-
Undertaking	-
Referral to Discipline Committee	-
Open Registrar's Reports pending further consideration	8
Registrar's Reports awaiting decisions	2

Note: matters may have more than one outcome. For example, an oral caution and a SCERP.

HPARB Reviews	# of Files
HPARB reviews requested in 2022	0
HPARB matters carried over from 2021 (not including 1 from 2020)	2
HPARB reviews pending	1
HPARB matters disposed of in 2022	0
Committee decisions confirmed	0
Committee decisions returned for further investigation and reconsideration	0

Unauthorized Practice	# of Files
Total number of UPC inquiries in 2022	0
UPC files carried over from 2021 (not including 10 from 2019, 11 from 2020)	3
Inquiry abandoned – not enough information / outside jurisdiction / not unauthorized practice	-
Inquiry pending – further information needed	-
Inquiry – formal file	-
Open files pending further investigation	24

GOVERNANCE COMMITTEE REPORT

February 2022 Committee Report to the Board of Directors

Committee Members:

Gord White, Public Appointed Member, Chair
Jamuna Balaram, Public Appointed Member, Vice-Chair
Elliot Borins, Public Appointed Member
Diana Bristow, Public Member
Elsa Lee, Elected Member
Tapiwa Musewe, Public Appointed Member
Robert Quinn, RO, Appointed Member
Derick Summers, Elected Member
Paul Wilk, Public Member

Number of Meetings since December 2021:

- January 12, 2022
- February 7, 2022

Report:

Elections

On January 12, 2022, the Committee held a meeting to elect its 2022 Chair and Vice-chair.

Orientation and Training

All members of the Governance Committee were provided with orientation and training at their second meeting. The Committee received training on the role of the Governance Committee, the Board's Policy Governance Framework and an update on the College's evolving governance reform of its operational and governance structure.

2021 Board and Committee Self-Assessment Evaluations

The Committee reviewed the results of the 2021 Board and Committee Self-Assessment Surveys and formulated recommendations for the Board's consideration. The report will be presented to the Board at its February 28th Strategic Planning Meeting.

Governance By-laws and Policies

The Committee recommended that the Board approve the following policies slated for content review at its next meeting in February:

1. Unity of Control Policy
2. Global General Operational Constraint Policy

3. Vendor Relations & Procurement Management Policy
4. Communications and Support to the Board Policy

2022 Election Process (By-law updates)

The Committee recommended amending cooling off periods with respect to election/appointment eligibility criteria to ensure minimizing the real or perceived risk of conflict of interest for Board and committee members. This ensures that the College's eligibility criteria for committee positions are in line with governance best practices.

The Committee recommended that the election voting period be reduced from 30 to 14 days to allow for a wider window in which to carry out screening interviews and provide a buffer in the event that it becomes necessary to open up a supplemental call for nominations. As voting now takes place electronically, there will be still ample time for opticians to cast their online ballots.

The Committee recommended that the Board establish a stand-alone Screening Committee that would be responsible for carrying out pre-election and pre-appointment screening interviews. The composition of a committee made up of all public appointed members would keep the screening process at arm's length from the profession and the Board and would provide a more robust screening process as well as greater transparency and accountability.

These three recommendations along with any corresponding by-laws amendments will be before the Board for their approval at the next meeting in February.

Submitted by:

Gord White, Public Appointed Member, Chair
Deidre Brooks, Manager Patient Relations & Governance

PATIENT RELATIONS COMMITTEE REPORT

February Committee Report to the Board

Committee Members:

David Milne, Public Appointed Member, Chair
Jay Bhatt, Appointed Member, Vice-Chair
Neda Mohammadzadeh, RO, Elected Member
Henry Wiersema, Public Member
Diana Bristow, Public Member
Tonya Nahmabin, Appointed Member

Number of Meetings since December Board Meeting:

- February 15, 2022

Report:

Elections

The Patient Relations Committee held its elections for the 2022 position of Chair and Vice-chair.

Jurisprudence

The following topic will be reviewed by the Committee at its next meeting:

- Updating the communications questions of the jurisprudence module.

Submitted by:

David Milne, Chair, Appointed Member
Deidre Brooks, Manager, Patient Relations & Governance

CLINICAL PRACTICE COMMITTEE REPORT

February 2022 Committee Report to the Board of Directors

Committee Members:

Dorina Reiz, RO, Chair, Elected Member
Dennis O'Hagan, RO, Vice-Chair, Appointed Member
Paul Wilk, Public Member
Elliot Borins, Appointed Member
Daniella Schowalter, RO, Appointed Member

Number of meetings to date: 1

- February 10, 2021

Report:

Committee members were provided orientation and training.

Submitted by:

Dorina Reiz, RO, Chair, Elected Member
Peggy Dreyer, Manager, Professional Practice and Quality Assurance

QUALITY ASSURANCE COMMITTEE REPORT

February 2022 Committee Report to the Board of Directors

Committee Members:

Tanya Nahmabin, RO, Appointed Member, Chair
Dennis O'Hagan, RO, Appointed Member, Vice-Chair
Mike Smart, RO, Elected Member
Derick Summers, RO, Elected Member
Stephen Kinsella, Public Member
Henry Wiersema, Public Member
David Milne, Appointed Member
Panos Petrides, Appointed Member
Tapiwa Musewe, RO, Appointed Member
Robert Quinn, RO, Appointed Member

Number of meetings to date: 2

- January 18, 2022
- February 10, 2022

Report:

Orientation and Training

Members of the Quality Assurance Committee (QAC) were provided with orientation and training at their first meeting. In addition, members were provided with training on accrediting continuing education activities.

Registrant Portal

The committee considered data collected with respect to registrant compliance with 2021 Professional Portfolio requirements and determined that all registrants who had not completed all the requirements online through the registrant portal would be notified they had outstanding requirements. This will be completed prior to random selection for the Competency Review and Evaluation Process.

Multi-Source Feedback (MSF) Process

The QAC considered recent concerns expressed by registrants regarding their ability to complete the MSF process during the ongoing pandemic due to practice restrictions in place and, in some instances, not yet having returned to practice.

The QAC determined to suspend the MSF process until 2023 due to the uncertainty as to what the

practice environment may look like for the remainder of the pandemic and the considerable cost to the program whether completed in full or postponed while in process.

The College is able to fulfill their legislative requirements with the mechanisms in place.

In addition, the committee determined that all opticians who were selected to complete the process in 2020 would no longer be required to do so.

Peer and Practice Assessments

The committee reviewed 3 Peer and Practice Assessment (PPA) reports and:

- closed 2 files as no concerns were identified
- requested incomplete information be submitted by the registrant prior to making a decision

PPA Deferral Request

A deferral is a delay in engaging in the QA Competency Review and Evaluation process.

The committee reviewed and granted one request for a deferral from the PPA process.

Submitted by:

Tonya Nahmabin, RO, Chair
Peggy Dreyer, Manager, Professional Practice & Quality Assurance

REGISTRATION COMMITTEE REPORT

March 2022 Report to Board of Directors

Committee Members:

Doriza Reiz, Chair, RO, Elected Member
John Battaglia, Vice-Chair, RO, Appointed Member
Kevin Cloutier, RO, Elected Member
Jay Bhatt, RO, Appointed Member
Samir Modhera, RO, Elected Member
Desiree Petralito, RO, Appointed Member
Panos Petrides, Public Member
Omar Farouk, Public Member
Peggy Judge, Public Member

Number of meetings since December Board Meeting:

- February 22, 2022

Report:

Registration Committee Orientation and Training

The Committee was provided with an orientation on the role of the College and the Registration Committee, as well as an overview of the types of commonly reviewed applications. The appeal process and the role of the Office of the Fairness Commissioner (OFC) were also discussed.

The Committee was referred to the Ontario Fairness Commissioner (OFC) website for independent completion of Fair Access Law learning modules.

Election of Committee Chair and Vice-Chair

Dorina Reiz, RO, was elected as Chair of the Registration Committee by majority vote. John Battaglia, RO, was elected as Vice-Chair of the Registration Committee by majority vote.

Stakeholder Consultation Regarding Proposed Changes to the By-Laws

The College of Opticians of Ontario (the “College”) is currently seeking amendments to the [Registration Regulation](#) under the *Opticianry Act, 1991* that include addition of the inactive class of registration and removal of the details of the liability insurance from the regulation. The intent of the proposed changes is to streamline the current Registration Regulation.

The Committee was presented with the proposed by-law changes concerning the fee(s) associated with the inactive class of registration and liability insurance. The Committee reviewed the presented fee

schedule, key considerations, as well as budgetary implications of introducing this new class of registration. It was noted that the by-law changes must be finalized before the amended regulation comes into effect.

Upon review of the presented information, the Committee approved circulation of the proposed by-law changes as they relate to the fees associated with inactive class of registration and professional liability insurance to registrants and stakeholders of the College in accordance with s.94(2) of the *Health Professions Procedural Code*. The Committee further requested to conduct an environmental scan of practices of other health regulators pertaining to inactive class of registration and the associated fees.

The results of the stakeholder feedback and the environmental scan will be reviewed by the Committee at its next meeting and will be brought forward to the Board for its approval in May 2022.

Contact Lens Mentor Policy Amendment

The Registration Committee reviewed the Contact Lens Mentor Policy for possible amendment of its eligibility criteria and determined that further information be gathered prior to making any recommendations to the Board.

File Review

The Committee reviewed three initial reinstatement (over three years) applications, and two PLAR assessment results.

Registration Committee Meeting Calendar

The Committee established a meeting calendar for 2022. The Committee agreed to meet quarterly.

Submitted by:

Dorina Reiz, Chair, RO
Anna Jeremian, Manager, Registration