# ANNUAL GENERAL MEETING OF THE COUNCIL OF THE COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO

**MINUTES**

***June 21–22, 2017***

***At***

***The College Board Room***

***375 University Avenue, Suite 800, Toronto***

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| **Attendees:** |  |
| Mr. Gary Rehan (President) | Ms. Janet Law |
| Ms. Catherine Hecimovich (Vice President) | Mr. James Lee |
| Mr. Ron Bourret | Ms. Nicole Graham |
| Ms. Jane Darville | Ms. Sharee Mandel |
| Ms. Zita Devan | Mr. Tyrone Skanes |
| Ms. Theresa Stevens | Ms. Lisa Tichband |
| Ms. Nadine Graham | Ms. Jennifer Dolling |
| Mr. Darryn Mandel |  |

**Recorder:** Ms. Elicia Ramdhin

**Guests:** Mr. Jatinder Bains (June 21, 2017)

Ms. Marcia Dunn (June 21, 2017)

Ms. Deborah Lucy (June 21, 2017)

Ms. Michelle Addison (June 21, 2017)

Ms. Sheila Cameron (June 21, 2017)

Ms. Vinh Lu (June 21, 2017)

Mr. Jim Wernham (June 21, 2017)

Mr. Daniel Negro (June 21, 2017)

Ms. Lori Neill (June 21, 2017 via teleconference)

**Observer:** Ms. Kate McLeod, Ontario Physiotherapy Association (June 21 and 22, 2017)

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| **9:00 AM** | **Welcome and Introduction**Mr. Gary Rehan, President, welcomed guests and members of Council. As part of the annual fire training, the emergency exits were identified and protocols were reviewed.Council was informed all council and committee meeting packages will no longer be provided in paper format in support of reducing costs and conserving paper. |

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|  | A copy of the confidentiality form and councillor declaration forms weredistributed and asked to be completed by the end of the day. |  |
| **1.0****Motion** | **Approval of the Agenda 1.0**It is moved by Ms. Jane Darville and seconded by Ms. Zita Devan that:The agenda be accepted with the possibility for changes to the order of items to address time constraints. |  |
|  | **CARRIED.** |
| **2.0** | **Fiduciary Duty/Conflict of Interest**Mr. Rod Hamilton, Associate Registrar, Policy and Quality Assurance, reviewed Council’s fiduciary responsibilities and options for managing conflicts of interest. |  |
| **3.0****Motion** | **Motion to go *in camera* pursuant to section 7(2) of the Health Professions Procedural Code****3.0**It is moved by Ms. Theresa Stevens and seconded by Mr. Tyrone Skanes that:Council move *in camera* to discuss matters in keeping with Section 7(2) of the Health Professions Procedural Code.Council moved back to the public portion of its meeting at 10:30 a.m. |  |
|  | **CARRIED.** |
| **4.0** | **Sexual Abuse Awareness Training**Ms. Stephanie Swayne, MSW, facilitated sexual abuse awareness training with councillors, committee members and staff. Key concepts included continuous consent, unequal power distribution, cumulative trauma over time, and boundaries. Bill 87 and its impact on how colleges manage sexual abuse cases was also touched on. |  |
| **5.0** | **Council Members at Outreach**As part of the College’s strategic initiatives, the College engages in yearlyoutreach events across the province. This year’s topic is the Quality Assurance Program. Councillors were invited to participate as co-presenters with Ms.Fiona Campbell, Senior Practice Advisor and provided with information about how to make the appropriate arrangements. |  |

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| **6.0** | **Advisory Group on Regulatory Excellence Governance Day Report**Ms. Sharee Mandel, Councillor, provided an update on discussions from an Advisory Group on Regulatory Excellence governance day.Council discussed the potential pros and cons of alternative governance structures including skills-based (rather than elected) Council, ineligibility of Council members for all statutory committees and equal pay for public members of Council.Further discussions of these issues are anticipated in the coming year. |
| **7.0** | **Risk-Based Regulation**Ms. Shenda Tanchak, Registrar, reviewed the key principles and benefits of risk-based regulation, and explored how the College follows a combination of principles from risk-based and rules-based regulation. |
| **8.0** | **Role of Essential Competencies**Ms. Fiona Campbell, reviewed the seven key competencies required by physiotherapists and reviewed a case study to demonstrate how the “Essential Competency Skills Profile for Physiotherapists in Canada” works. It was noted that the Competency Profile is a useful tool for investigation, committee analysis, practice advice and setting learning goals. |
| **9.0** | **What is Physio? A Tool for Understanding When a Treatment is Physiotherapy for Regulatory Purposes**At its March Council meeting, Council was introduced to a decision making tool that was created by the Canadian Alliance of Physiotherapy Regulators (CAPR) Registrar’s Group to assist committees in determining if an emerging or alternative treatment is part of the regulated practice of physiotherapy.Ms. Anita Ashton, Associate Registrar, Professional Conduct and Registration, reviewed how the tool works by working through a few scenarios with Council. |
| **10.0** | **New Certificate of Registration to Facilitate Cross Border Care**Ms. Tanchak reported on a Memorandum of Understanding (MOU) achieved through CAPR. The MOU which will make it easier and less expensive for physiotherapists to provide care in provinces in which they are not presently registered. The agreement applies to physiotherapists who provide care in- person or through telehealth and will yield a restricted certificate and reducedregistration fees. |

# 11.0 Canadian Alliance of Physiotherapy Regulators Update

Mr. Darryn Mandel, Councillor and CAPR Board member, provided an overview of the historical framework that led to changes to the current process for the CAPR examination and credentialing system. Examination statistics and CAPR Financial statements were also reviewed.

# Annual Committee Reports – 2016 to 2017

Received with no comments.

* + - Executive Committee
		- Registration Committee
		- Quality Assurance Committee
		- Patient Relations Committee
			* Funding for Therapy
		- Inquiries, Reports and Complaints Committee
		- Discipline and Fitness to Practise Committees
		- Finance Committee
			* Q4 Financial Reports

# 13.0

**Motion**

# Committee Slate Approval 13.0

It is moved by Mr. Tyrone Skanes and seconded by Ms. Zita Devan that:

Council approve the proposed 2017–18 committee slate (with Chairs):

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| Executive Committee: | Mr. Gary Rehan, ChairMs. Catherine Hecimovich Mr. Darryn MandelMs. Theresa Stevens Mr. Tyrone Skanes |
| Inquiries, Complaints and Reports Committee (ICRC): | Ms. Michelle Addison, Chair Ms. Sharee MandelMr. Gary Rehan Mr. Tyrone Skanes Ms. Jane Darville Ms. Vinh Lu |
| Discipline and Fitness to Practise Committees: | Ms. Catherine Hecimovich, Chair Ms. Nadine GrahamMs. Lisa Tichband Mr. Darryn Mandel Ms. Zita DevanMr. Ron Bourret |

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|  | Mr. James LeeMs. Sheila Cameron Ms. Lori NeillMr. Jim Wernham Mr. Daniel NegroQuality Assurance Ms. Theresa Stevens, ChairCommittee: Ms. Lisa Tichband Mr. Ron Bourret Mr. James Lee Ms. Deb LucyMr. Jatinder BainsRegistration Committee: Ms. Jennifer Dolling, ChairMs. Janet LawMs. Nadine Graham Ms. Jane Darville Ms. Marcia DunnPatient Relations Ms. Sharee Mandel, ChairCommittee: Ms. Nicole Graham Ms. Zita DevanMr. Jatinder BainsFinance Committee: Mr. James Lee, Chair Mr. Gary RehanMs. Catherine Hecimovich Ms. Nicole GrahamMs. Janet Law | **CARRIED.** |
| **14.0** | **Council Photos** |  |
|  | **June 22, 2017 (Day 2)** |  |
| **8:30 AM** | **Welcome and President’s Announcements**Mr. Rehan called the meeting to order. |  |
| **15.0****Motion** | **Approval of the March 22-23, 2017 Council Minutes 15.0**It is moved by Mr. James Lee and seconded by Ms. Theresa Stevens that:The Council meeting minutes of March 22 and 23, 2017 be approved. |  |
|  | **CARRIED.** |

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| **16.0** | **Registrar’s Report**Strategic initiatives, dashboard reporting, and partnership activities. |  |
| **17.0****Motion** | **2016– 2017 Audited Financial Statements**Mr. Blair MacKenzie, auditor, presented the audited financial statements for Council approval.Mr. Blair referred a clean opinion on the College’s audit and noted the College has no significant risk.**17.0**It is moved by Mr. Tyrone Skanes and seconded by Mr. Ron Bourret that:Council approve the 2016-2017 Audited Financial Statements ending March 31, 2017. |  |
|  | **CARRIED.** |
| **18.0****Motion** | **Appointment of Academic Representative from Queen’s University 18.0**It is moved by Mr. Darryn Mandel and seconded by Mr. Tyrone Skanes that: |  |
|  | Council amend section 3.2 (2)(j) and (m) of the College By-Law as follows (underlined section reflect the changes):j) the Member is not and has not been in the twelve months before the selection a director, officer, committee member, employee or holder of any position of decision-making influence of any organization of physiotherapists that has as its primary mandate the promotion of the physiotherapy profession;(m) the Member does not hold and has not held in the twelve months before the selection a responsible position with any organization or group whose mandate or interests conflict with the mandate of the College; | **DEFEATED.** |
| **Motion** | **18.1**It is moved by Ms. Nadine Graham and seconded by Ms. Jennifer Dolling that: |  |
|  | The appointment of Kathleen Norman to Council be ratified. | **CARRIED.** |
|  | **18.1.1**It was moved by Mr. Darryn Mandel and seconded Ms. Catherine Hecimovich that: |  |
|  | Mr. Mandel’s vote on motion 18.1 be recorded. | **CARRIED.** |

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|  | Mr. Mandel opposed motion 18.1. |  |
| **19.0****Motion** | **Request for Recorded Votes – Rules of Order**There was a discussion on the risks versus the benefits of recording a dissenting vote. It was noted that the fiduciary duty owed to Council generally requires that Council members ‘speak in one voice’ once a final decision has been made about an item which mitigates against recording dissenting votes. However, it was also noted that in the event that a member of Council believes that the decision made is not in the best interests of the College, it would be appropriate to note dissension in the minutes.**19.0**It is moved by Ms. Catherine Hecimovich and seconded by Mr. Tyrone Skanes that:The College change its rules of order to permit councillors to have their individual votes on decisions before Council `be recorded upon request. |  |
|  | **CARRIED.** |
| **20.0****Motion** | **For Approval: Boundaries and Sexual Abuse Standard 20.0**It is moved by Ms. Catherine Hecimovich and seconded by Mr. Tyrone Skanes that: |  |
|  | Council approve the proposed Boundaries and Sexual Abuse Standard effective August 1, 2017. | **CARRIED.** |
| **Motion** | **20.1**It is moved by Mr. Tyrone Skanes and seconded by Ms. Theresa Stevens that: |  |
|  | Council rescind the current Therapeutic Relationships and Professional Boundaries Standard effective August 1, 2017. | **CARRIED.** |
| **21.0****Motion** | **For Approval: Supervision Standard 21.0**It is moved by Ms. Theresa Stevens and seconded by Ms. Sharee Mandel that: |  |
|  | Council approve the proposed Supervision Standard (with any necessary amendments) effective September 1, 2017. | **CARRIED.** |
| **Motion** | **21.1**It is moved by Ms. Catherine Hecimovich and seconded by Ms. Sharee Mandel that: |  |

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| **Motion** | Council rescind the current Supervision of Student Learners Standard effectivedate September 1, 2017.**21.2**It is moved by Ms. Sharee Mandel and seconded by Ms. Catherine Hecimovich that:The Physiotherapist Assistants Standard be updated to include the prohibition against supervision of relatives. | **CARRIED.****CARRIED.** |
| **22.0** | **Update on the Audit of Compliance with the Advertising Standard**As of June 12, 2017, 3100 of 4500 clinic websites have been reviewed by the Advertising Audit team. The following update was provided:* 42% of the reviews had some kind of breach i.e. Facebook reviews, claims of superiority, testimonials etc.
* The most common issue related to multidisciplinary clinics and meeting the expectations of the Advertising Standard.
* Round two of the audit begins on June 22 – the Audit Team will begin rechecking the non-compliant websites.
* Overall, they have received positive feedback from members.
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| **23.0****Motion** | **For Approval: Conflict of Interest Standard 23.0**It is moved by Mr. Tyrone Skanes and seconded by Mr. James Lee that:Council approve the proposed Conflict of Interest Standard effective August 1, 2017. |  |
|  | **CARRIED.** |
| **24.0****Motion****Motion** | **For Approval: Restricted Titles, Credentials and Specialty Designations Standard****24.0**It is moved by Ms. Sharee Mandel and seconded by Ms. Catherine Hecimovich that:Council approve the proposed Restricted Titles, Credentials and Specialty Designations Standard effective July 1, 2017.**24.1**It is moved by Ms. Zita Devan and seconded by Ms. Jennifer Dolling that:The College discontinues the publication of the following documents:* Information Bulletin—Use of Title: Acupuncturist
 | **CARRIED.** |

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|  | * Information Bulletin—Non Physiotherapists Use of Restricted Titles and Holding Out
* Position Statement—Animal Rehabilitation
* Position Statement—Specialty Designations.
 | **CARRIED.** |
| **25.0** | **President’s Report**The Q4 Committee Activity Summary and Executive Committee Report were received with no comments.Mr. Rehan noted staff will be performing a review of the College’s choice of corporate hotel and will provide Council with an update electronically upon its completion. |  |
| **26.0****Motion** | **Members Motions 26.0**It was moved by Ms. Sharee Mandel and seconded by Mr. Tyrone Skanes that:Council review the rules for compensation for preparation time for all committees. |  |
|  | **CARRIED.** |
|  | **Adjournment** |  |
|  | It was moved by Mr. James Lee and seconded by Mr. Tyrone Skanes that: The meeting be adjourned.Mr. Rehan adjourned the meeting at 4:00 p.m. | **CARRIED**. |

Gary Rehan, President