



**MEETING OF THE COUNCIL OF THE  
COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO**

**MINUTES**

**Thursday, December 14 and Friday, December 15, 2023**  
The College Boardroom & Virtually via Zoom

**Public Member Attendees:**

Nitin Madhvani (Chair)  
Carole Baxter  
Jesse Finn  
Mark Heller  
Frank Massey  
Richard O'Brien

**Professional Member Attendees:**

Theresa Stevens (Vice Chair)  
Anna Grunin  
Janet Law  
Dennis Ng  
Pulak Parikh  
Gary Rehan  
Katie Schulz  
Maureen Vanwart

**Guests:**

Deanna Williams, The Regulators Practice  
Harry Cayton, The Regulators Practice  
Bradley Chisholm, The Regulators Practice  
Kirsten Pavelich, Physiotherapist  
Margaret Kakepetum  
Maxine Rae  
Bill Quinn, RBC  
Cameron Clark, RBC

**Staff Attendees:**

Craig Roxborough, Registrar & CEO  
Anita Ashton, Deputy Registrar & COO  
Zoe Robinson, VP, Finance & Reporting  
Lisa Pretty, VP, Organizational Effectiveness  
Mara Berger, Director Policy, Governance &  
General Counsel  
Joyce Huang, Manger, Strategy  
Evguenia Ermakova, Policy Analyst  
Barbara Hou, Registration Administrator

**Recorder:**

Joyce Huang, Manger, Strategy

**Public Member Regrets:**

Laina Smith  
Jesse Finn (December 14)

**Professional Member Regrets:**

Pulak Parikh (December 15)

**Thursday, December 14, 2023**

**9:00 a.m. Welcome and Call to Order**

N. Madhvani, Chair, welcomed all members of Council and invited P. Parikh, Professional Member of Council to provide the Territory Acknowledgement.



N. Madhvani confirmed the College's ongoing commitment to the Public Interest mandate. Members were asked to declare any conflicts of interest for any of the items to be discussed during the meeting; none were declared.

### **1.0 Review and Approval of the Agenda**

The order of some agenda items has been amended to accommodate availability of external speakers.

#### **Motion 1.0**

It was moved by A. Grunin and seconded by K. Schulz that:

The agenda, as amended, be accepted with the possibility for changes to the order of items to address time constraints.

**CARRIED.**

### **2.0 Approval of the Consent Agenda**

#### **Motion 2.0**

It was moved by R. O'Brien and seconded by M. Vanwart that:

The following items be approved and/or received for information by Council:

- Approval of the September 28-29, 2023, Council minutes, with a minor correction.
- Acceptance of the July – September 2023 Executive Committee Report.

**CARRIED.**

### **3.0 Governance Practices Review Debrief**

D. Williams, H. Cayton, and B. Chisholm of The Regulator's Practice provided Council with an overview of their findings and recommendations from the governance practices review that they conducted for the College.

After the presentation of their findings and recommendations, Council members engaged in discussions in break-out groups to identify areas of improvement that they believe the College should prioritize.

Based on the discussions, the following themes were identified:



- Clarifying the roles of Committees, particularly the Executive Committee
- Public interest focus and stakeholder outreach: outreach and engagement with registrants and public; greater focus on public interest during meetings
- Meetings and processes: simplifying rules of order; board composition to ensure better diversity, competency; separating board from committees; changing/enforcing term limits
- Are we ready for change? Are we being proactive?
- Learning and education: full Council and individualized
- Evaluation of Board and committees as whole and individuals
- Diversity, Equity and Inclusion (DEI): how to best approach DEI and getting other perspectives into Council (tied to term limits)

#### **4.0 President's Report**

N. Madhvani provided an overview of the President activities since the September Council meeting, which included a summary of the post Council meeting survey results and associated action items. He also noted the recent resignation of Council member A. Wang which will result in a by-election; ongoing efforts to establish collaborative partnerships with the Registrar; recent Chairs facilitation training; proposal to use meeting norms for Council meetings; and ongoing engagement with the Ontario Physiotherapy Association.

#### **5.0 Strategic Initiatives for 2024-2025**

C. Roxborough, Registrar & CEO, provided an update on activities underway to develop the 2024-2025 Operational Plan with a focus on potential strategic priorities for the year ahead. Council was asked to provide feedback on whether the strategic priorities identified align with Council's vision for the organization.

Council was generally in support of the list of priorities identified by staff and noted the need to include action items resulting from the governance practices review. It was also noted that Council will need to consider the resources required to support these priorities.



## **6.0 Revised Standards – First Group**

M. Berger, Director Policy, Governance & General Counsel and E. Ermakova, Policy Analyst provided an overview of the work underway to adopt national standards for use in Ontario, and the specific work completed to adopt the first group of four national standards.

Council noted that certain provisions in the Duty to Care and Assessment, Diagnosis, Treatment Standards require closer consideration following the consultation period.

### **Motion 6.0**

It was moved by J. Law and D. Ng that:

Council approve the following draft Standards for 60-day consultation:

- Assessment, Diagnosis, Treatment
- Communication
- Duty of Care
- Risk Management and Safety

**CARRIED.**

*N. Madhvani left the meeting at 2:30 p.m. T. Stevens chaired the remainder of the meeting on December 14.*

## **7.0 Registrar's Report**

C. Roxborough, Registrar & CEO, provided an overview of key operational activities and initiatives over the last quarter, including an overview of the dashboard metrics. There was some discussion around the College's performance against the 150-day benchmark for resolving complaints.

## **8.0 Emergency Class Policy: Opening, Monitoring, and Resolution**

M. Berger and E. Ermakova provided background about the emergency class of registration and an overview of the draft Emergency Class Policy: Opening, Monitoring, and Resolution.

Council asked questions to clarify how applicants in the emergency class will be screened and what terms and restrictions will apply once they are registered, which staff



responded to. It was also noted that Council may want to consider whether to charge a fee for the emergency class certificate before a situation arises that requires the class to be opened.

**Motion 8.0**

It was moved by M. Heller and R. O'Brien that:

Council approve the Emergency Class Policy: Opening, Monitoring, and Resolution.

**CARRIED.**

### Adjournment of Day One

The meeting was adjourned at 3:50 p.m.

### Friday, December 15, 2023

N. Madhvani, Chair, called the meeting to order at 9:00 a.m.

**9.0 Committee Slate Amendment**

The recent addition of risk management to the responsibilities of the Risk, Audit, and Finance Committee, provides an opportunity to appoint Frank Massey to the Committee to capitalize on his experience in risk management.

A call for interest was sent to all Public Members of Council to sit on the Examinations Committee. At this time, none of the Public Members have the availability to sit on the committee.

**Motion 9.0**

It was moved by G. Rehan and seconded by R. O'Brien that:

Council approves the following amendment to the committee slate:

- Appoint Frank Massey to the Risk, Audit, and Finance Committee.

**CARRIED.**

**10.0 Code of Ethical Conduct: Circulation for Consultation**

M. Berger and E. Ermakova provided background on the development of the draft national Code of Ethical Conduct,



and why it is being proposed that this College considers adopting the national Code.

It was noted that the use of the term “client” in the draft Code should be changed to “patient” to better fit the Ontario context.

**Motion 10.0**

It was moved by M. Vanwart and seconded by K. Schulz that:

Council approve the draft Code of Ethical Conduct for a 60-day consultation.

**CARRIED.**

**11.0 Final Approval: Proposed By-law Additions for Collecting Practice and/or Demographic Information**

M. Berger and E. Ermakova provided background regarding the proposed By-law provisions allowing the College to collect additional (1) practice information and/or (2) demographic information, as deemed necessary by the Registrar and subject to approval by the Executive Committee, and offered an overview of the feedback received through the consultation process.

Council asked clarifying questions regarding the College’s information sharing obligations to our system partners and had some discussion about the role of the Executive Committee in making decisions about collecting additional information in the future.

**Motion 11.0**

It was moved by G. Rehan and A. Grunin that:

Council approve the By-law addition to s.8.2.(1) to collect practice information considered necessary by the Registrar, subject to approval by the Executive Committee.

**CARRIED.**

**Motion 11.1**

The motion read: “Council approve the By-law addition to s.8.2.(1) to collect demographic information considered necessary by the Registrar, subject to approval by the

**FAILED.**



Executive Committee.” This motion did not have a mover or seconder.

## **12.0 Q2 Financial Report**

Z. Robinson, VP, Finance & Reporting provided a summary of the College’s financial performance and health for period April 1, 2023, to September 30, 2023, of Fiscal Year 2024 (i.e., Q1 and Q2), and the financial forecast to March 31, 2024.

## **13.0 Providing PT Services in Northern Ontario**

Kirsten Pavelich, Physiotherapist, Margaret Kakepetum, and Maxine Rae, two Community Rehabilitation Worker Program participants, presented to Council to share their experiences with the Community Rehabilitation Worker Program, and reflected on the realities and challenges of providing rehabilitation care in remote Indigenous communities in northern Ontario.

At the end of their presentation, Council was encouraged to reflect on and consider the issues highlighted in their presentation in future decision-making and to engage with these communities.

Following the presentation, Council had reflections about the importance of incorporating perspectives from remote communities in decision-making, and the need to consider whether the College’s Standards may pose challenges for accessing care in some contexts.

## **14.0 Final Approval: Proposed Fee Increase**

At their September 2023 meeting, Council approved in principle a 4% increase to registration and administrative fees for Fiscal Year 2025. The associated by-law changes were circulated for a 60-day consultation period.

C. Roxborough and Z. Robinson provided an overview of feedback that was received during the consultation period and shared updated financial analysis and projections.



It was also noted that the consultation materials did not include sections of the By-laws dealing with Professional Health Corporation fees, therefore any increases would not apply to those fees.

Council considered alternatives including not increasing fees, increasing fees by the proposed 4%, or increasing fees by an amount lower than 4%, and how each of those alternatives may impact the College's future financial sustainability.

**Motion 14.0**

It was moved by G. Rehan and seconded by K. Schulz that:

Council approves the By-law changes to sections 8.4, 8.5, and 8.6 to increase registration and administrative fees by 4% on April 1, 2024. The annual registration fee will be in place for the 2024/2025 renewal period.

After further debate, a motion was made to amend the original motion.

**Motion to Amend**

It was moved by G. Rehan and seconded by K. Schulz that the original motion be amended to:

Council approves the By-law changes to sections 8.4, 8.5, and 8.6 to increase registration and administrative fees by 2% on April 1, 2024. The annual registration fee will be in place for the 2024/2025 renewal period.

**CARRIED.**

**Motion 14.0**

It was moved by G. Rehan and seconded by K. Schulz that:

Council approves the By-law changes to sections 8.4, 8.5, and 8.6 to increase registration and administrative fees by 2% on April 1, 2024. The annual registration fee will be in place for the 2024/2025 renewal period.

**CARRIED.**

D. Ng opposed the Motion and requested his vote be recorded in the minutes.





## **15.0 Review of College Investments**

B. Quinn and C. Clark of RBC Dominion Securities provided Council with a review of the College's investments, which included a market overview, an overview of the College's investment principles, and an overview of the College's current investment portfolio.

## **16.0 Provisional Practice Certificate and Ontario Clinical Exam Fees**

C. Roxborough and Z. Robinson provided information and analysis of (a) registration fees for the Provisional Practice Certificate (PPC) and (b) fees associated with the Ontario Clinical Exam (OCE) in response to a Member's Motion passed at the September 2023 Council meeting.

Council was asked to provide direction in response to recommendations from the Risk, Audit, and Finance Committee (RAFC) to (a) raise the PPC fee by an amount to be determined by Council and (b) to maintain the OCE fee at its current level and to review it annually.

### **Motion 16.0**

It was moved by G. Rehan and seconded by C. Baxter that:

Council approves, in principle, an increase to the fee for the Certificate of Registration Authorizing Provisional Practice to an annualized fee of \$648, subject to proration, and authorizes the circulation of the necessary By-law amendments for feedback.

Staff noted that there may be challenges related to operationalizing the proration of the fee that need to be considered.

Council had discussions around the impact of the proposed fee increase on the College's revenue, how the fee would apply in different scenarios, the operational challenges related to proration, and alternative fee structures. As a result of this discussion, it was recognized that more information is required to understand the operational impact of prorating the PPC fee to assess the impact before Council would be able to make the



decision. Staff was directed to bring this matter back to Council at a future meeting.

**WITHDRAWN**

G. Rehan, requested to withdraw the motion, C. Baxter agrees with the withdrawal.

**17.0 Motion to go in-camera pursuant to section 7.2(d) of the Health Professions Procedural Code**

**Motion 17.0**

It was moved by M. Heller and A. Grunin that:

Council moves in-camera pursuant to section 7.2(d) of the Health Professions Procedural Code.

**CARRIED.**

**18.0 Member's Motion(s)**

G. Rehan, Council member, made a member's motion that the College establish a formal position as it relates to support for public member compensation.

Staff noted that the College is already working with other regulators through Health Profession Regulators of Ontario (HPRO) to consider issues related to public members, including compensation.

In response, G. Rehan withdrew the motion.

**Adjournment of Meeting**

M. Vanwart motioned that the meeting be adjourned. The meeting adjourned at 2:50 p.m.

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Nitin Madhvani, Chair