



**MEETING OF THE BOARD OF THE
COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO**

MINUTES

Monday, June 24 and Tuesday, June 25, 2024

The College Boardroom & Virtually via Zoom

Public Director Attendees:

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

Professional Director Attendees:

Katie Schulz (Vice-Chair)
Frank DePalma
Sinead Dufour
Kate Moffett
Dennis Ng
Kirsten Pavelich
Gary Rehan
Theresa Stevens
Maureen Vanwart

Guests

Amy Block, Partner, WeirFoulds LLP
Courtney Bean, President, Ontario
Physiotherapy Association
Sarah Hutchison, CEO, Ontario
Physiotherapy Association
Brandi Park, National Director, Evaluation
Services, Canadian Alliance of
Physiotherapy Regulators
John Wickett, Wickett Measurement
Systems

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
Amanda Sandhu, Examinations Manager

Recorder:

Caitlin O'Kelly, Governance Specialist

Professional Director Regrets

Trisha Lawson



Monday, June 24, 2024

Welcome and Call to Order

N. Madhvani, Chair, called the meeting to order at 9:01 a.m. The Chair welcomed Directors and staff to the Board of Directors meeting. Meeting regrets were noted. S. Dufour, Professional Director, provided the Territory Acknowledgement.

N. Madhvani confirmed the College's ongoing commitment to the Public Interest mandate. Directors were reminded to declare any conflicts of interest for any of the items to be discussed during the meeting.

1.0 Review and Approval of the Agenda

Motion 1.0

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

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

CARRIED.

2.0 Approval of the Consent Agenda

N. Madhvani provided an overview of the items listed on the Consent Agenda for Approval.

Motion 2.0

It was moved by G. Rehan and seconded by M. Vanwart that:

The following items be approved by the Board:

- March 25-26, 2024 Board Meeting Minutes
- March 26, 2024 In-Camera Board Meeting Minutes

CARRIED.

3.0 Chair's Report

N. Madhvani provided an overview of the Chair's activities since the March Board meeting, which included a summary of the post Board meeting survey results and associated action items.



4.0 By-law and Governance Policy Updates

M. Berger, Director Policy, Governance & General Counsel, provided an overview of proposed amendments to the College By-laws and Governance Policies.

There was a suggestion to amend By-law 7.8(3) to remove the word "personal" from the section on reasons for a committee member's absence. This change would accommodate non-personal reasons and ensure that business can continue smoothly.

Concerns were raised about Policy 7.10 Specialty Designations, specifically about ensuring that recognized programs align with the scope of practice in Ontario. It was suggested to clarify this by specifying that specialty designations must align with scope of practice as defined for Ontario in the policy. There was general agreement on adding a footnote to address these concerns.

Motion 4.0

It was moved by C. Warren and seconded by D. Ng that:

The Board approves amendments to:

- By-law s.7.8(3)
 - As amended to remove the word "personal".
- Policy 7.10: Specialty Designation
 - As amended to add the following footnote: "Only those specialties that align with the scope of practice as defined for Ontario are recognized."

CARRIED.

5.0 Signing Officers Policy

C. O'Kelly, Governance Specialist, provided an overview of proposed amendments to Policy 4.2: Signing Officers.

The discussion highlighted the need for clarification on whether the proposed changes should address global obligations rather than just annual amounts. The Board instructed staff to revise the policy accordingly. This item was tabled and will be reconsidered on the following day.

D. Ng declared a conflict of interest with item 6.0 Election Review and exited the meeting.



6.0 Election Review

M. Berger provided background information on the 2024 Board elections and the request to the Registrar to review the validity of the voting and counting process. The Board was joined by Amy Block from WeirFoulds LLP, who provided legal counsel for this item.

The Board reviewed the 2024 election process and a disputed candidate statement to determine if it followed College policy and affected the election's integrity. The Board discussed whether the statement had any impact on the voting and counting process.

It was noted that the statement had been reviewed and was consistent with past practices. The Board was asked to decide if the statement raised enough doubt to challenge the election's validity.

Motion 6.0

It was moved by C. Warren and seconded by F. Massey that:

The Board moves in-camera.

CARRIED.

The Board entered an in-camera session, pursuant to section 7.2(e) of the Health Professions Procedural Code, at 10:05 a.m. and returned to the open session of the meeting at 10:23 a.m.

The Board considered whether the statement compromised the election and decided that, while it could have been improved, it did not appear to have undermined the voting and counting process.

Motion 6.2

It was moved by G. Rehan and seconded by M. Vanwart that:

The Board is satisfied with the 2024 election results for District 3 (Central Eastern) and will take no further action.

CARRIED.

Action Item Staff:

Examine the election process, including the By-laws, and the election campaign policy. Consult with independent legal counsel to assist with this review and provide recommendations for improvements.

D. Ng returned to the meeting at 11:00 a.m.



7.0 Registrar's Report (with Dashboard)

C. Roxborough, Registrar & CEO, provided an overview of key operational activities and initiatives over the last quarter, including an overview of the dashboard metrics. The Board noted improvements in ICRC numbers but requested more detailed data, such as the number of extension requests and delays. There is an internal effort to automate and refine data collection for better granularity.

8.0 Q4 & Year-End Financial Report

Z. Robinson, VP, Finance & Reporting, provided the Board with an update on the College's year-end financial reports. The Board will review the audited financial statements in September.

9.0 In-Camera Meetings Policy

C. O'Kelly presented amendments to Policy 7.11 In-Camera Meetings. The discussion highlighted the need for clarification on access to in-camera meeting minutes and the role of the Chair and Vice-Chair in managing that access. The Board instructed staff to revise the policy to include the Vice-Chair and clarify access management. This item was tabled and will be reconsidered on the following day.

10.0 Update from the Ontario Physiotherapy Association (OPA)

The Chair welcomed Courtney Bean, President, and Sarah Hutchison, CEO, of the Ontario Physiotherapy Association (OPA), who provided an update detailing OPA's priorities and how the College and OPA can work together.

11.0 Update from the Canadian Alliance of Physiotherapy Regulators (CAPR)

The Chair welcomed Brandi Park, National Director, Evaluation Services, of the Canadian Alliance of Physiotherapy Regulators (CAPR). CAPR provided updates on their initiatives. They discussed plans to launch a new unified exam by 2026, focusing on making it pandemic-proof and efficiently administered.

The Board raised concerns about past failures in the clinical component and were assured that safeguards would be integrated into the new exam.

12.0 Strategic Plan – Education Session

C. Roxborough presented the current Strategic Plan to the Board, aiming to familiarize all Directors. The session also invited reflections from the Board to inform upcoming preparations for a new Strategic Planning process in 2025.



Progress was highlighted in enhancing accountability and transparency. There was a request to clarify critical assumptions underlying the plan. A suggestion was made to develop a comprehensive summary report at the conclusion of the plan, detailing achievements, identifying gaps, and providing budget explanations.

13.0 Committee Slate 2024-2025

C. O'Kelly, Governance Specialist, presented the Board with the proposed 2024-2025 committee slate as recommended by the Executive Committee.

Motion 13.0

It was moved by C. Warren and seconded by C. Baxter that:

The Board approves the 2024-2025 Committee Slate as amended with the following changes:

- Gary Rehan, Chair of Inquiries, Complaints and Reports Committee
- Frank Massey, Chair of Risk, Audit and Finance Committee
- Gary Rehan, Vice-Chair of Risk, Audit and Finance Committee

CARRIED.

Executive Committee

Nitin Madhvani, Chair
Katie Schulz, Vice-Chair
Carole Baxter
Gary Rehan
Theresa Stevens

Inquiries, Complaints and Reports Committee

Gary Rehan, Chair
Greg Heikoop, Vice-Chair
Carole Baxter
Diana Hatzoglou
Christine Morris-Bolton
Tammy Morrisey
Kristin Mosser
Katie Schulz
Theresa Stevens
Christopher Warren

Discipline and Fitness to Practise Committees

James Wernham, Chair
Angelo Karalekas, Vice-Chair
Carole Baxter
Frank DePalma



Sinéad Dufour
Jesse Finn
Nicole Graham
Sue Grebe
Mark Heller
Theresa Kay
Trisha Lawson
Frank Massey
Kate Moffett
Daniel Negro
Dennis Ng
Richard O'Brien
Kirsten Pavelich
Gary Rehan
Richa Rehan
Katie Schulz
Theresa Stevens
Felix Umana
Maureen Vanwart
Christopher Warren

Quality Assurance Committee

Antoinette Megens, Chair
Richard O'Brien, Vice-Chair
Dennis Ng
Halak Patel
Maureen Vanwart

Registration Committee

Juliana De Castro, Chair
Sinéad Dufour, Vice-Chair
Jesse Finn
Frank Massey
Einat Mei-Dan
Yee Mei Mavis Fung

Patient Relations Committee

Anna Grunin, Chair
Kim Westfall-Conner, Vice-Chair
Einat Mei-Dan

Risk, Audit, and Finance Committee

Frank Massey, Chair
Gary Rehan, Vice-Chair
Nitin Madhvani
Kate Moffett
Katie Schulz



Examinations Committee

Hari Gopalakrishnan Nair, Chair
Alireza Mazaheri, Vice Chair
Lea Damata
Enoch Ho
Sameera Merchant
Greg Pope

The Board recessed at 4:07 p.m. to reconvene at 9:00 a.m. on Tuesday, June 25, 2024.

Tuesday, June 25, 2024

K. Schulz, Vice-Chair, reconvened the meeting at 9:00 a.m. on June 25, 2024.

14.0 Annual Committee Reports 2023-2024

A. Ashton, Deputy Registrar and Chief Operating Officer presented highlights from the 2023-2024 Annual Committee Reports.

N. Madhvani joined the meeting at 9:32 a.m. and assumed the role of Chair.

15.0 Approval and Review of Revised Standards for Consultation (3rd batch)

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 third group of the national standards.

Motion 15.0

It was moved by M. Heller and seconded by C. Warren that:

The Board approves the following draft Standards for 60-day consultation:

- Infection Control
- Collaborative Care
- Conflict of Interest
- Dual Practice

CARRIED.

F. Massey joined the meeting at 10:34 a.m.



16.0 Final Approval and Review of Revised Standards (1st batch)

E. Ermakova presented an overview of the revised standards from the first group, based on the consultation, and summarized the feedback received.

Concerns were raised regarding the Communication standard, which requires physiotherapists to select a secure method of communication to maintain confidentiality. It was noted that no method is entirely secure and that strict adherence to the most secure method could, in some cases, act as a barrier to care. For instance, in emergency situations or in remote Indigenous communities where secure systems or platforms may not be available, physiotherapists should use the most secure method feasible in the context of the situation. A suggestion was made to address this concern in a companion document rather than modifying the standard itself.

The Board discussed the engagement level with the consultation and was reminded that the national group had previously circulated these standards, including an outreach to physiotherapists in Ontario.

Motion 16.0

It was moved by K. Pavelich and seconded by D. Ng that:

The Board approves the adoption of the following Standards, to be effective August 1, 2024:

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

And rescinds the following Standards, effective August 1, 2024:

- Providing or Refusing Care Standard

CARRIED.

T. Stevens left the meeting at 10:50 a.m.

17.0 Signing Officers Policy – Revisited

This item was returned for additional discussion. On the previous day, the Board reviewed proposed changes to Policy 4.2: Signing Officers, raising concerns about whether the policy should focus on global commitments rather than annual amounts. The Board reviewed the revised amendments, which now clarify that the policy covers global obligations instead of just annual amounts and includes adjustments for multi-year commitments.



Motion 17.0

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

The Board approves amendments to Policy 4.2: Signing Officers and to the definition of Signing Officers in the College By-laws with the following amendment:

“Signing Officers may approve purchases or leasing of goods and acquisition of services (purchases) either for one time, single or multi-year commitments, in accordance with the following:”

CARRIED.

18.0 In-Camera Meetings Policy – Revisited

This item was returned for additional discussion. On the previous day, the Board reviewed the proposed amendments to Policy 7.11 In-Camera Meetings. The Board was presented with the revised amendments to the In-Camera Meetings Policy, which addressed the feedback and incorporated the suggested changes.

Motion 18.0

It was moved by M. Heller and seconded by M. Vanwart that:

The Board approves amendments to Policy 7.11 Board In-Camera Meetings with the following amendments:

“6. Approved staff drafted in-camera minutes will be securely stored in a confidential location on the College’s computer network. Access and/or retention of the minutes will be restricted to designated staff.

7. For meetings without staff, access and/or for retention to the minutes will be limited to the Chair and will be stored offsite with a designated law firm.

8. In-camera minutes will be made available to all Board Directors upon request. Access to them will be through the Chair or Vice-Chair, if the Vice-Chair is assuming the responsibilities of the Chair.”

CARRIED.

T. Stevens returned to the meeting at 11:31 a.m.



19.0 Code of Ethical Conduct

E. Ermakova presented the revised Code of Ethical Conduct (“the Code”), which has been approved at the national level. The revised Code is now being brought back to the Board for approval, following the consultation period. The Board was asked to consider adopting this Code as Ontario’s Code of Ethics for physiotherapists.

Motion 19.0

It was moved by D. Ng and seconded by R. O’Brien that:

The Board approves the adoption of the Code of Ethical Conduct and rescinds the College's previous Code of Ethics, effective August 1, 2024.

CARRIED.

20.0 Risk Registry

The Board discussed the new Risk Registry presented by Z. Robinson, including its development timeline and identified risks.

21.0 Annual EDI Report

C. Roxborough presented the Colleges first annual Equity, Diversity and Inclusion Report.

T. Stevens left the meeting at 1:00 p.m.

22.0 Conflict of Interest Primer

M. Berger presented an overview of conflict-of-interest provisions and how to manage potential conflicts.

23.0 Ontario Clinical Exam Update

The Board received an update on the Ontario Clinical Exam (OCE) from Amanda Sandhu, Examinations Manager at the College, and John Wickett, a psychometrician who conducted an independent review of the OCE to assess the health of the exam, review it against industry standards and determine possible areas of improvement.

T. Stevens returned to the meeting at 2:04 p.m.



24.0 Motion to go in camera pursuant to section 7.2(b) of the Health Professions Procedural Code

Motion 24.0

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

The Board moves in-camera pursuant to section 7.2(b) of the Health Professions Procedural Code.

CARRIED.

The Board entered an in-camera session at 2:22 p.m. and returned to the open session at 3:05 p.m. to close the meeting.

25.0 Adjournment of Meeting

G. Rehan motioned that the meeting be adjourned. The meeting adjourned at 3:06 p.m.

Nitin Madhvani, Chair