

# COUNCIL MINUTES

Friday, September 13, 2019  
9:30 a.m. to 3:30 p.m.  
375 University Avenue, Suite 803

## **Council Members:**

Heidi Ahonen, RP  
Andrew Benedetto, RP (President & Chair)  
Shelley Briscoe-Dimock, RP  
Gary Cockman  
Sheldon Kawarsky  
David Keast  
Barbara Locke Billingsley  
Kenneth Lomp, RP  
Michael Machan, RP  
Malcolm MacFarlane, RP (Vice-President)  
Miranda Monastero, RP  
Jane Snyder

## **Regrets:**

Steven Boychyn

## **Staff Members:**

Deborah Adams, Registrar  
Jo Anne Falkenburger, Director of Operations & HR  
Amy Fournier, Executive Coordinator (Recorder)  
Mark Pioro, Director, Professional Conduct & General Counsel

### **1. Welcome and Opening Remarks**

A. Benedetto, President & Chair, called the meeting to order at 9:30 a.m. and welcomed all present.

### **2. Approval of Draft Agenda**

The Chair introduced the draft agenda.

#### **MOTION C-13SEP2019 – M01**

That the agenda of the September 13, 2019 meeting of Council be approved as presented.

Moved: K. Lomp

Seconded: B. Locke Billingsley

CARRIED

### **3. Approval of Draft Minutes**

The Chair introduced the draft minutes from the June 20, 2019 Council meeting.

#### **MOTION C-13SEP2019 – M02**

That the draft minutes from the June 20, 2019 meeting of Council be approved as presented.

Moved: S. Kawarsky

Seconded: M. Monastero

CARRIED

#### **4. Conflict of Interest Declarations**

None declared.

#### **5. President's Remarks**

A. Benedetto welcomed all new Council members and gave thanks to outgoing Council members for their contributions to Council over the years. A. Benedetto noted that this would be his last meeting acting in his capacity and President and Chair of Council, remarking that it has been a pleasure to work with Council members and staff over the years. He thanked Council for the opportunity to continue to work with Council and staff as we move forward with the governance review and strategic planning.

#### **6. Registrar's Report**

D. Adams, Registrar, presented highlights from her report including statistics on the Practice Advisory Service. The service is averaging 25 inquiries per week. There has been no significant change since the last report to Council in June but a review of numbers compared to this time last year, shows a three-fold increase in the volume of inquiries with 98 received between April 1 and June 30 2018, and 325 received in the same quarter of 2019. Inquires are often related to: Billing practices, liability insurance coverage, electronic practice, and consent of minors in context of divorce/separation. Updates were also provided on social media numbers, staffing changes and stakeholder engagement.

#### **7. Committee Reports to Council**

##### **7.1. Client Relations**

D. Adams, Registrar, presented the Client Relations report to Council and noted that she has been working with the new interim chair of the committee, Sue Lymburner, on sexual abuse education tools. The committee will meet October 3.

##### **7.2. Examination**

K. Lomp, Examination Committee Chair, provided statistics on the results of the most recent examination sitting.

##### **7.3. Executive**

A. Benedetto, Executive Committee Chair, thanked the committee for their work over the summer relating to the governance review and preparation for strategic planning.

##### **7.4. Inquiries, Complaints and Reports**

S. Briscoe-Dimock, interim Inquiries, Complaints and Reports Committee Chair, thanked the committee members for their hard work and diligence this last quarter.

##### **7.5. Quality Assurance**

K. Lomp, interim Quality Assurance Committee Chair, thanked committee members and staff.

##### **7.6. Registration**

M. MacFarlane, Registration Committee Chair, noted that he would be resigning from Council effective September 14, 2019. He thanked all committee members and staff for their commitment and hard work on registration panels. It was noted that A. Benedetto was appointed as the new chair of Registration.

## 8. Registration History on Public Register

M. Piore, Director, Professional Conduct & General Counsel, presented the item and provided a brief presentation to Council with statistics and staff procedures that are adhered to when addressing registrants who have not paid their renewal fees.

It should be noted that the proposed by-law amendments were originally presented to Council at their March meeting. The Council approved the proposed changes for 60-day public consultation. The proposed changes would have posted a registrant's registration history, including status changes and suspensions for non-payment of fees to the public register. The consultation closed in May and the results of the consultation were reviewed by Council at their June meeting. At the June meeting, Council decided to defer the item to the September meeting for further discussion, as consensus could not be reached.

M. Piore brought forward an alternate approach to the proposed by-law amendments to the Executive Committee at their August 22 meeting. The alternate approach aims to address stakeholder perception that posting past suspensions indefinitely is punitive of registrants suspended for reasons beyond their control. He described the option of keeping the registration history regarding non-payment of fees on the public register for a period of twelve months. After this period has passed and the registrant has remained in good standing, the registrant could file a request with CRPO to remove the past suspension notation from the public register. Council agreed with this approach and the proposed amendment was approved by Council for 60-day public consultation.

### **MOTION C-13SEP2019 – M03**

That Council approve for 60-day public consultation the following proposed by-law amendments:

Enacting as article 21.08(xxiii), "any past classes of registration held by the member and the date on which each certificate was issued;"

Amending article 21.08(vi) after the words "non-payment of fees" by adding "and reinstatement occurred on or before [by-law enactment date]"; and

Enacting as article 21.12 – Removal of Suspension Notation, "Notwithstanding article 21.08(vi), the Registrar shall remove from the register notation of termination of membership if all of the following conditions are met: a. the suspension or revocation was only for non-provision of information required for annual registration renewal or for non-payment of fees, b. the Member submits a request in the form provided by the Registrar, and c. as of the date of the request, the Member has held continuous College membership for the immediate past 12 months."

Moved: S. Briscoe-Dimock

Seconded: S. Kawarsky

CARRIED

## 9. **Tariff Rate Increase**

M. Piro, Director, Professional Conduct & General Counsel, provided a brief presentation to Council and provided context regarding the discipline hearing process and the cost of professional misconduct from an operational perspective. Council was informed that in the regulatory context, costs of misconduct are borne by the registrant, not the profession. The current costs for discipline hearings (\$4,460) were adopted by the CRPO prior to any actual hearings being held; since then, five hearings have been conducted. M. Piro provided Council with a breakdown of costs involved in a discipline hearing, including estimated costs for professional Council members to sit on the panel, their lodging and transportation, independent legal counsel, College prosecutors and the hearing facility. Based on these estimates, the proposed discipline hearing tariff rate totaled \$6,827.

### **MOTION C-13SEP2019 – M04**

That Council approve the tariff rate increase for discipline hearings, to \$6,827 per hearing day, effective immediately.

Moved: G. Cockman

Seconded: K. Lomp

CARRIED

## 10. **Governance Review**

D. Adams, Registrar, introduced the topic and highlighted 'next steps' resulting from Darrel Pink's Situational Analysis on the State of Governance report. D. Adams noted that many of the highlights of D. Pink's report were thoughtfully considered at the strategic planning session on September 12. It was noted that the Executive Committee is in the process of developing a Governance Review Task Group terms of reference, with the hope of striking the task group in early 2020.

D. Adams also informed Council that she is a member of a Federation of Health Regulatory Colleges of Ontario (FHRCO) competencies working group whose focus is to develop a set of college-wide council member competencies.

## 11. **Strategic Planning Debrief**

D. Adams, Registrar, introduced the topic and thanked Council for their contributions to strategic planning day. Council was informed that the facilitator, Cate Creede of The Potential Group, will provide staff with a preliminary report as we move forward with the defined strategic objectives. Committee work plans will then be determined based on the strategic objectives. CRPO will also make use of the key performance indicators (KPIs) that were presented at the June Council meeting by the Ministry of Health to further define the work plans.

## 12. **Audited Financial Statements**

J. Falkenburger, Director, Operations and Human Resources, presented Council with slides relating to the CRPO's audited financial statements. The statements were approved by the Executive Committee on June 20, 2019, following a presentation by Welch LLP. The CRPO saw a significant increase in net assets for the 2018-2019 fiscal period, including an excess of revenue over expenses totaling

\$889,907. J. Falkenburger noted that these funds are required to increase the CRPO's reserves to cover:

- A minimum of 6 months of operating costs
- Increases in the number of complaints & reports received by the College
- Sexual Abuse Therapy Fund
- Improvements to our Member Management System
- Projects discussed during Strategic Planning day

### **13. Annual Report**

D. Adams, Registrar, introduced the Annual Report noting that she was pleased with the final report and progress the CRPO has made over the last fiscal year. The report will be presented to the Minister of Health and Long-Term Care and posted to the CRPO website.

### **14. Controlled Act Standard**

D. Adams, Registrar, introduced the item and provided background information on the controlled act of psychotherapy and the work of the Controlled Act Task Group to further define the controlled act. The CATG resources have been posted to the CRPO website and the proposed regulation was submitted to the Ministry of Health in July 2018.

The current controlled act standard was written prior to the proclamation of the controlled act and is therefore out of date and requires revisions. In addition, a two-year transition period was provided with the proclamation in December 2017 to allow providers to register with one of the colleges whose members are authorized to perform the controlled act, or to amend their practices to ensure they are not performing it.

Revisions to the standard will be made by staff and will be presented at a future Council meeting.

### **15. Update: Public Consultation by-law**

M. Piore informed Council that the deadline to provide feedback for the public consultation regarding by-law redundancies and police record checks for applicants has been extended and will close on October 3.

### **16. Draft Council Agenda Template**

D. Adams, Registrar, introduced the agenda template noting that D. Pink's situational analysis suggested streamlining the Council agenda template to foster Council productivity and focus on Council's decision-making role.

The agenda template changes will allow for greater efficiency and more focused and useful discussion.

### **17. Election of officers**

D. Adams, Registrar, provided background information, citing the CRPO by-laws regarding the election of officers to inform Council of the election procedures. It was noted that when only one nominee for a position is received, that person shall be elected by acclamation. As such, Shelley Briscoe-Dimock was acclaimed as President.

**MOTION C-13SEP2019 – M05**

That Council accepts the acclamation of Shelley Briscoe-Dimock as President

Moved: H. Ahonen  
Seconded: B. Locke Billingsley  
CARRIED

D. Adams noted that two candidates put their name forward for the office of Vice-President, therefore an election is required to fill this position. Council was informed that each candidate is provided with the opportunity to speak to Council, with the order being determined by lot. K. Lomp spoke first, followed by Gary Cockman. Council members were provided with ballots, which were then collected and tabulated by D. Adams and A. Fournier.

D. Adams informed Council of the results of the election.

**MOTION C-13SEP2019 – M06**

That Council accepts the election of Kenneth Lomp as Vice-President.

Moved: M. Machan  
Seconded: M. Monastero  
CARRIED

**MOTION C-13SEP2019 – M07**

That Council accepts the acclamation of Gary Cockman as member at large (public).

Moved: M. Monastero  
Seconded: S. Kawarsky  
CARRIED

**MOTION C-13SEP2019 – M08**

That Council accepts the acclamation of Andrew Benedetto as member at large (professional).

Moved: M. Machan  
Seconded: M. Monastero  
CARRIED

**MOTION C-13SEP2019 – M09**

That Council accepts the acclamation of Sheldon Kawarsky as member at large (public).

Moved: H. Ahonen  
Seconded: D. Keast  
CARRIED

**MOTION C-13SEP2019 – M10**

That Council directs the Registrar to destroy the voter ballots.

Moved: B. Locke Billingsley  
Seconded: M. Machan

CARRIED

Each member of the Executive Committee was provided with the opportunity to speak. D. Adams thanked the outgoing Executive Committee for their hard work over the last year and welcomed the incoming Executive.

## 18. Update: Council by-election

D. Adams introduced the topic and noted the recent resignation of District 7 – Central Council member, P. Rayman, has left the Council with a vacancy. As there remains more than 12 months on the term of office, a by-election is required to fill the vacancy in accordance with the CRPO by-laws.

### **MOTION C-13SEP2019 – M11**

That Council directs the Registrar to hold a by-election to fill the vacancy in District 7.

Moved: B. Locke Billingsley

Seconded: G. Cockman

CARRIED

D. Adams noted that M. MacFarlane, elected member of Council in District 2 – North, will be resigning from Council effective September 14. There remains less than twelve months on > MacFarlane's term of office. D. Adams noted that the following options are available as per the CRPO by-laws:

- (i) leave the seat vacant;
- (ii) appoint as an elected Council member a member who meets the criteria for eligibility for election set out in article 10.04; or
- (iii) direct the Registrar to hold a by-election in accordance with this by-law.

Council discussed the options and felt that appointing a registrant would provide the College with the opportunity to conduct important outreach with registrants located in northern Ontario and find a registrant with the appropriate competencies to fulfil the role. As trends in governance are moving toward competency-based appointments, this would be an ideal opportunity to begin exploring the process.

### **MOTION C-13SEP2019 – M11**

That Council directs the Registrar to appoint as an elected Council member a member who meets the criteria for eligibility for election.

Moved: S. Briscoe-Dimock

Seconded: M. Machan

CARRIED

## 19. Proposed Council Meeting Dates

The Council meeting dates for 2020 were scheduled. Council meetings occur in person at the CRPO Office and typically run from 9:30 a.m. to 3:30 p.m.

- Friday, January 24
- Friday, March 27

- Thursday, May 28
- Thursday, August 20
- Thursday, October 1
- Friday, November 20

**20. Council Question Period**

No new questions were raised.

**21. Adjournment**

**MOTION C-13SEP2019 – M12**

That the meeting be adjourned at 1:15 p.m.

Moved: G. Cockman

Seconded: H. Ahonen

CARRIED

Andrew Benedetto  
President & Chair