

Minutes of Council Meeting

Held on December 12, 2017 (3:00 PM – 5:30 PM)

& December 13, 2017 (9:30 AM – 5:30 PM)

Boardroom (21 St. Clair Ave. E., Toronto, Ontario)

Chair Tiffany Haidon, RM

Present Tiffany Haidon, RM; Deirdre Brett; Rochelle Dickenson; Jennifer Lemon; Lilly Martin, RM; Wendy Murko, RM; Gemma Salamat; Jan Teevan, RM; Edan Thomas, RM; John Stasiw; Lisa Nussey, RM; Claire Ramlogan-Salanga, RM; Isabelle Milot, RM; Susan (Sally) Lewis

Regrets None

Ex-Officio Kelly Dobbin

Staff Marina Solakhyan, Amy Fournier, Johanna Geraci, Victoria Marshall, Nadja Gale, Naakai Garnette, Zahra Grant

Observers Julie Toole

Recorder Amy Fournier

1. Call to Order, Safety and Welcome

Tiffany Haidon, President, called the meeting to order at 3:06 PM and welcomed all present.

2. Enquiries

Three enquiries from council members were received prior to the meeting and will be addressed.

3. Declaration of Conflict of Interests

None declared.

4. Proposed Agenda

Tiffany Haidon, Chair, presented the proposed agenda.

MOTION: THAT THE PROPOSED AGENDA OF DECEMBER 12 & 13, 2017, BE APPROVED AS PRESENTED.

Moved: Jan Teevan

Seconded: Rochelle Dickenson

CARRIED

5. Consent Agenda

MOTION: THAT THE CONSENT AGENDA CONSISTING OF:

- Draft Minutes of October 12, 2017, Council Meeting
- Inquiries, Complaints and Reports Committee Report
- Quality Assurance Committee Report
- Discipline Committee Report
- Fitness to Practise Committee Report

BE APPROVED AS PRESENTED

Moved: Rochelle Dickenson
Seconded: Isabelle Milot
CARRIED

6. President's Report

Tiffany Haidon, Chair, presented the highlights from the President's Report to Council. Ms. Haidon reported on attendance at stakeholder meetings, regular check-ins with the Registrar and attendance at statutory committee meetings. Ms. Haidon thanked Council members, particularly the Professional Standards Working Group, on their contributions to a successful Member Education Day, held on November 1, 2017.

MOTION: THAT THE PRESIDENT'S REPORT TO COUNCIL BE ACCEPTED AS PRESENTED

Moved: John Stasiw
Seconded: Sally Lewis
CARRIED

7. Registration Committee Report to Council

Isabelle Milot, Registration Committee Chair, presented highlights of the Registration Committee Report to Council. Ms. Milot informed Council that the committee is currently working on the Criminal Record Screening Policy. The policy has been drafted, but the committee determined that some research is still required before the document is presented to Council. The report also indicated that a sitting of the Canadian Midwifery Registration Examination (CMRE) was held at the College in October. The committee is also developing a decision-making tool for panels to support the College's ongoing efforts to streamline decision-making and consistency.

MOTION: THAT THE REGISTRATION COMMITTEE REPORT BE ACCEPTED AS PRESENTED.

Moved: Wendy Murko
Seconded: Tiffany Haidon
CARRIED

Nadja Gale, Manager of Registration, presented the Registration Streamlining Plan noting that the streamlining plan aligns with the College's implementation of risk-based regulation. The Registration Committee conducted a rigorous review of the current policies pertaining to registration using the College's new policy development process. This review determined that many registration policies do not meet the criteria for developing policies, and so the Registration Committee decided that those should be rescinded, while others simply needed to be revised. Ms. Gale noted that there will be an accompanying guide or information sheets created in the future to make the information in the rescinded policies more accessible to members and the public.

MOTION: THAT THE REGISTRATION STREAMLINING PLAN BE APPROVED AS PRESENTED, EFFECTIVE MARCH 1, 2018.

Moved: Jennifer Lemon
Seconded: Wendy Murko
CARRIED

Naakai Garnette, Director of Registration and Professional Conduct, introduced the proposed changes to the Registration Regulation, noting that in the interest of being current and responsive to change in

health regulation, the College sought to make changes to the Registration Regulation. The purpose of the proposed changes is to remove barriers to the delivery of safe, timely and quality midwifery care.

Ms. Garnette provided historical background on the previous revision that was made to the Registration Regulation in 2012, largely in response to meeting the government's priorities at the time. Ms. Garnette then summarized the proposed changes that are currently being brought forward to Council, indicating that the College sought feedback from the Ontario Midwifery Program, Office of the Fairness Commissioner, Ontario's Midwifery Education Programs, the International Midwifery Pre-Registration Program, and the Association of Ontario Midwives. The Registration Committee considered the feedback received and provided additional feedback on the proposed changes, and legal counsel reviewed the amendments that are being brought forward to Council.

Ms. Garnette continued that the current Registration Regulation is difficult to navigate and is not evidence-based, and including details on registration requirements within regulation prevents the College from being innovative and responsive to change. She went on to present the highlights of the proposed changes to the regulation and clarified statements in the proposed regulation as well as the intention of those statements.

MOTION: THAT THE PROPOSED AMENDMENTS TO O. REG. 168/11 REGISTRATION REGULATION UNDER THE MIDWIFERY ACT, 1991, BE APPROVED FOR 60-DAY PUBLIC CONSULTATION.

Moved: Jan Teevan
Seconded: Lisa Nussey

IN FAVOUR: Tiffany Haidon, RM; Deirdre Brett; Rochelle Dickenson; Jennifer Lemon; Lilly Martin, RM; Wendy Murko, RM; Gemma Salamat; Jan Teevan, RM; Edan Thomas, RM; John Stasiw; Lisa Nussey, RM; Claire Ramlogan-Salanga, RM; Isabelle Milot, RM; Sally Lewis

OPPOSED: None
ABSTAINED: None

8. Public Engagement Strategy

Tiffany Haidon, Chair, introduced the public engagement strategy and reminded Council that public engagement was identified as a strategic priority. Victoria Marshall, Communication & Events Coordinator, presented on the College's public engagement strategy plan, which will be implemented in 2018.

MOTION: THAT THE PUBLIC ENGAGEMENT STRATEGY BE APPROVED AS PRESENTED.

Moved: Rochelle Dickenson
Seconded: Jennifer Lemon
CARRIED

RECESS

At 5:30 p.m., Council recessed to reconvene at 9:30 a.m. on Wednesday, December 13, 2017.

9. Drug Regulation & Other Related Issues

Tiffany Haidon, Chair, introduced the topic and Kelly Dobbin, Registrar, summarized the College's proposed changes to the Drug Regulation, including authorizing broad prescribing and administering authority to midwives, appropriate to client care and within the scope of midwifery, including

controlled substances. The College is also recommending scope changes to the Midwifery Act, 1991, to include sexual and reproductive health and treatment of sexual partners for sexually transmitted infections where treatment would otherwise be delayed. The proposed changes to the Act would also include authorizing midwives to dispense and sell substances in accordance with the regulation. Ms. Dobbin informed Council that the College met with the Ministry in early November to better understand their current process regarding scope of practice changes and the next phases of this project going forward. It is expected that legislative and regulatory changes be approved by June 2018. Given that the timeline is quite brief, Ms. Dobbin presented the College's Proposed Changes to the Drug Regulation and Midwifery Act report to Council.

MOTION: THAT THE COLLEGE'S REPORT ON PROPOSED SCOPE OF PRACTICE CHANGES RELATED TO DRUGS AND SUBSTANCES BE APPROVED AS PRESENTED.

MOVED: John Stasiw

SECONDED: Jan Teevan

CARRIED

10. Executive Committee Report to Council

Tiffany Haidon, Chair, introduced the Executive Committee's report to Council, beginning with the financial statements. Carolyn Doornekamp, Director of Operations, presented the summarized Q2 Statement of Operations. The statements were approved by the Executive at their November meeting, and were presented to Council for information.

Lilly Martin, Vice-Chair, introduced the proposed committee composition, indicating that the Executive made their decisions based on the Expression of Interest form, the competency matrix and capacity building. Ms. Martin also recommended that Council approve the Executive's recommendation to appoint six non-council committee members for one-year terms: Heather Brechin; Christi Johnston; Claudette Leduc; Amy McGee; Ali McCallum; and Alexandra Nikitakis-Candea.

Tiffany Haidon, Chair, presented on the Registrar's Performance Evaluation process and informed the Council that the Executive Committee has decided to work with a consultant in early 2018 to develop more tools and surveys to effectively review the registrar's performance.

Lilly Martin, Vice-Chair, presented on the council competency matrix and learning plan. At their November meeting, the Executive reviewed the results of the council competency matrixes and used this information to guide the council's learning plan for 2018. Ms. Martin summarized the professional development needs that were identified through the council evaluation surveys and competency matrixes noting that training sessions will occur throughout 2018 as scheduled. Committee-specific training will take place in early 2018 and a Council "boot camp" will take place in March.

MOTION: 1. THAT ALI MCCALLUM, AMY MCGEE AND CLAUDETTE LEDUC BE APPOINTED AS NON-COUNCIL COMMITTEE MEMBERS FOR ONE-YEAR TERMS; 2. THAT CHRISTI JOHNSTON, ALEXANDRA NIKITAKIS-CANDEA AND HEATHER BRECHIN BE REAPPOINTED AS NON-COUNCIL COMMITTEE MEMBERS FOR ONE-YEAR TERMS; 3. THAT THE COMMITTEE COMPOSITION 2017-2018 BE APPROVED AS PRESENTED.

Moved: Edan Thomas

Seconded: Wendy Murko

CARRIED

Rochelle Dickenson, Public Member, presented on Council and Committee Member Duties: Monitoring Compliance. In accordance with section 9.01. of the College's By-laws, the Executive Committee discussed how to best monitor compliance with this by-law regarding the responsibilities of council and committee members. The Executive agreed that it is best to first raise concerns with a committee member with the chair of the committee. If the behavior persists, the concerns can be brought to the President. Formal complaints are brought to the Registrar, as noted in the by-laws.

Isabelle Milot, Professional Member, introduced the HIROC Risk Assessment Checklist Program item, which has become a standing item on the Executive Committee's agenda while the program is being completed.

Jennifer Lemon, Vice-Chair, presented the Council with the completed Auditor Assessment Tool. Ms. Lemon noted that three members of the Executive met with the Hillborn audit team in May 2017, and the process was a great learning opportunity for committee members. The tool noted that the Executive Committee had no concerns with the audit team or the outcomes of the 2017 audit, and recommended going forward with an annual auditor assessment. Ms. Lemon encouraged Council members to review the tool and bring forward any comments that they have throughout the year.

MOTION: THAT AN ANNUAL ASSESSMENT OF EXTERNAL AUDITOR BE PERFORMED IN 2018.
Moved: Jan Teevan
Seconded: Sally Lewis
CARRIED

MOTION: THAT THE EXECUTIVE COMMITTEE'S REPORT TO COUNCIL, INCLUDING Q2 STATEMENT OF OPERATIONS, BE ACCEPTED AS PRESENTED.
Moved: John Stasiw
Seconded: Edan Thomas
CARRIED

11. Proposed Changes to the General By-laws

Marina Solakhyan, Director of Policy, introduced the proposed changes to the General By-laws and clarified what is expected of council regarding the possibility of including non-council public members on statutory committees.

Council discussed that under Bill 87 the Minister was granted the power to make regulations controlling all aspects of the structure of the statutory committees, including establishing their composition, panel quorum, eligibility requirements and grounds for disqualification. For example, the Minister could require a majority of public members (appointed and non-Council) on committees or panels. If the College were to revise the by-laws to permit non-council public member appointments, it would demonstrate that the College is being proactive.

Naakai Garnette, Director of Registration and Professional Conduct, introduced further suggested by-law changes, including the need to include the minimum required liability insurance for midwives. Many of the upcoming proposed changes to the by-laws are meant to align with Bill 87, Protecting Patients Act, 2016. Also, the College is no longer issuing written cautions as a disposition, as decided by the Inquiries, Complaints and Reports Committee (ICRC) at their September 8, 2017, meeting.

MOTION: THAT THE COUNCIL AGREE, IN PRINCIPLE, TO MAKE BY-LAWS TO APPOINT INDIVIDUALS WHO ARE NEITHER MEMBERS OF THE COLLEGE NOR PUBLIC MEMBERS APPOINTED BY THE GOVERNMENT TO ITS STATUTORY COMMITTEES.

Moved: Jan Teevan
Seconded: Wendy Murko
CARRIED

12. In-Camera Session

MOTION: THAT THE PUBLIC BE EXCLUDED FROM THE MEETING PURSUANT TO CLAUSE 7.2(B) OF THE HEALTH PROFESSIONS PROCEDURAL CODE OF THE REGULATED HEALTH PROFESSIONS ACT, 1991, IN THAT FINANCIAL OR PERSONAL OR OTHER MATTERS MAY BE DISCLOSED OF SUCH A NATURE THAT THE HARM CREATED BY THE DISCLOSURE WOULD OUTWEIGH THE DESIRABILITY OF ADHERING TO THE PRINCIPLE THAT MEETINGS BE OPEN TO THE PUBLIC, AT 1:31 PM.

Moved: Gemma Salamat
Seconded: Jan Teevan
CARRIED

MOTION: THAT THE MEETING RESUME TO OPEN SESSION AT 14:50 PM

Moved: Jan Teevan
Seconded: Deirdre Brett
CARRIED

13. Registrar's Report & Operational Plan

Kelly Dobbin, Registrar, introduced the operational plan progress report to Council. Each Director reported on the accomplishments of their departments in relation to the College's strategic priorities.

Highlights of the operational plan include staff finalizing their work on the data strategy, which outlines how the College will capture, share and use data to help transition the College into a more data-driven organization.

Staff is also working to finalize the College's regulatory performance framework, including key performance indicators (KPIs). This work is guided by the College's strategic plan and is an important step in helping to ensure that the College is achieving its statutory objectives.

The Policy Department is working to finalize the comprehensive review and analysis of past professional conduct matters. The work will be finished by the end of this calendar year; the final report, including relevant findings, will be shared with Council in March.

The Quality Assurance Department conducted a comprehensive review of its panel processes to identify areas for improvement and to establish benchmarks for matters of non-compliance. The QAC decided to adopt the proposed benchmarks, effective immediately, and implement the recommendations for process improvement.

The Policy and Registration departments collaborated to develop a Criminal Record Screening Policy and a Good Character Guide. The Registration Committee reviewed and approved the Guide, however, further research is needed to finalize the policy. This research will be conducted and relevant

information will be brought back to the Registration Committee for consideration in early 2018. The Registration Committee will then finalize the Policy and bring it forward to Council for approval.

The Registration department developed an implementation plan for the College's jurisprudence course for members applying to switch from the Inactive to General class. The Registration committee decided that as of April 1, 2018, members switching from the Inactive class back to the General class must complete the jurisprudence course only once, unless it is required as part of a requalification program. A communication plan will be developed and implemented to inform the membership and stakeholder.

The Registration department developed the "Registration Panel and Decision Tool" to facilitate consistent and fair decisions, as well as ensure appropriate and relevant considerations have been made with each panel referral. The tool also helps ensure that referrals to the Registration Committee and decisions made by the Registration Committee remain within legislative powers. The Registration Committee approved the adoption of the tool, effective immediately.

As a follow-up to a commitment made during the Professional Misconduct Regulation consultation, staff created a Professional Misconduct Regulation Guide based on the current provisions of the Regulation. The ICRC had an opportunity to review the Guide and provide input. During their next meeting, the Discipline Committee will also have an opportunity to review the guide and provide their input. Once finalized, the Guide will be posted to the College's website.

The Professional Conduct department has made further strides in implementing changes related to Bill 87, the Protecting Patients Act. To align with Bill 87, proposed updates to the Discipline Procedures Manual, including the Rules of Procedure, as well as the Fitness to Practise Procedures Manual will be considered by the committees during their next meeting.

MOTION: THAT THE REGISTRAR'S REPORT TO COUNCIL, INCLUDING PROGRESS REPORT ON THE ANNUAL OPERATIONAL PLAN BE ACCEPTED AS PRESENTED.

Moved: Wendy Murko

Seconded: Isabelle Milot

CARRIED

14. Housekeeping

15. Adjournment

MOTION: THAT THE MEETING BE ADJOURNED AT 16:22 PM

Moved: Wendy Murko

Seconded: Rochelle Dickenson

CARRIED