



## APPROVED COUNCIL MINUTES

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**DATE:** Thursday, March 26, 2020 **FROM:** 9:00 a.m. – 3:00 p.m.

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Page 1 of 7

**PRESENT:**

Julie Entwistle, *Chair*  
Donna Barker  
Allan Freedman  
Jeannine Girard-Pearlman  
Jennifer Henderson  
Patrick Hurteau  
Heather McFarlane  
Aruna Mitra (5.1-5.5)  
Vincent Samuel  
Stephanie Schurr  
Teri Shackleton  
Peter Shenfield  
Michelle Stinson

**OBSERVERS:**

Sarah Kibaalya, Ministry of Health (MOH) (4.0-5.2)  
Carol Mieras (5.5-12.0)

**STAFF:**

Elinor Larney, Registrar  
Sandra Carter, Practice Consultant  
Stamatis Kefalianos, Manager, Regulatory Affairs  
Nabila Mohammed, Director, Finance and Corporate Services  
David Pham, Information and Resource Associate (1.0-6.1)  
Nancy Stevenson, Director, Communications (5.1-12.0)  
Andjelina Stanier, Executive Assistant, *Scribe*

**REGRETS:**

John-Paul Dowson  
Mary Egan

### 1.0 Call to Order and Traditional Land Acknowledgement

Chair Julie Entwistle welcomed everyone and called the meeting to order at 9:02 a.m. She started the meeting by paying tribute to the late Debbie Hebert, professional Council member from District 1. Debbie passed away on March 19, 2020 and is remembered by colleagues, students and friends as a kindhearted, warm and compassionate person who during her professional career, mentored and supported many OTs. Debbie was dedicated to protecting the public by supporting OTs through her work on the Practice Issues Subcommittee. She leaves behind a remarkable legacy as an occupational therapist and teacher. The Chair recognized the contributions of public member John-Paul Dowson and professional member Patrick Hurteau. John-Paul, unable to attend today due to increased work responsibilities related to the COVID-19 pandemic, will complete his term on Council on May 1, 2020. He has decided to not seek reappointment due to time constraints. John-Paul served on the Registration, Fitness to Practise and Inquiries Complaints and Reports Committees. The Chair invited public member, Jeannine Girard-Pearlman to speak about outgoing professional member, Patrick Hurteau. Jeannine expressed words of appreciation for his hard work and dedication to the College's mandate of protecting the public. Patrick thanked Jeannine, Council and staff for all the support he received over the past 3 years. Patrick will complete a 3-year term after the meeting today and he has decided to not seek re-election. In addition to serving on Council, Patrick also served as member and Chair of the Fitness to Practise and Nomination Committees and member of the Patient Relations Committee.

In the interest of truth and reconciliation, and in the hope to build faith and trust with our Indigenous community, the Chair reminded all present that we are gathered on the ancestral lands and waters of all Indigenous Peoples who have left their footprints on Mother Earth before us. We respectfully acknowledge those who have walked this land, who walk it now, and those future generations who have yet to walk upon it

## **2.0 Declaration of Conflict of Interest**

The Chair asked if members had a conflict of interest to declare. None was reported

## **3.0 Approval of Agenda**

The Chair asked if there were any additions or other changes to the agenda. None were reported.

MOVED BY: Allan Freedman

SECONDED BY: Heather McFarlane

***THAT** the agenda be approved as presented.*

**CARRIED**

## **4.0 Consent Agenda**

The Consent Agenda format was introduced today. Elinor explained that the purpose is to move routine items along quickly to allow more time for discussion on more important items. In the future, all items included on the Consent Agenda will be individually listed. Today's Consent Agenda items for approval include: Draft Council Minutes of January 28, 2020, Registrar's Written Report, Annual Council Evaluation Summary, Executive Committee Report, Practice Issues Committee Report, Quality Assurance Committee Report, Discipline Committee Report, Inquiries, Complaints and Reports Committee Report, Fitness to Practise Committee Report, Registration Committee Report, Patient Relations Committee Report, Nominations Committee Report

MOVED BY: Donna Barker

SECONDED BY: Teri Shackleton

***THAT** Council approves the consent agenda items as presented.*

**CARRIED**

## **5.0 Registrar's Report**

### **5.1 Registrar's Presentation**

The Registrar reported on the specific areas of focus for Q3 (December 1, 2019 – February 29, 2020) related to the 2019-2020 Strategic Plan.

### **5.2 Priority Performance Report**

Council reviewed and discussed performance data for Q3 2019-2020 related to the College's progress on objectives as outlined in the 2017-2020 Strategic Plan.

MOVED BY: Jeannine Girard-Pearlman

SECONDED BY: Jennifer Henderson

***THAT** Council receives the Priority Performance Report for the third quarter of 2019-2020.*

**CARRIED**

### **5.3 Risk Management Report**

Elinor reviewed the report and highlighted two risks, 1) As Public Member Jeannine Girard-Pearlman was reappointed for one more year, the possibility of Council not being properly constituted remains a possibility after May 1, 2020 when John-Paul Dowson's term will expire and if a new public member is not appointed by then. Elinor remains in regular contact with the Public Appointments Office on this issue; 2) The emergence of COVID-19 as a global pandemic and Ontario's declaration of a state of emergency. The College is participating on a daily teleconference with Ontario's Chief Medical Officer and sharing resources with other colleges

and the Health Profession Regulators of Ontario (HPRO). Staff is fully equipped to work remotely from home and College processes are being adjusted as needed.

MOVED BY: Donna Barker  
SECONDED BY: Stephanie Schurr

***THAT Council receives the Risk Management Report.***

**CARRIED**

**5.4 COVID-19 Update**

Elinor and Nancy provided an update on current Ministry information as well as an update on the impact the pandemic has had on daily College operations and priorities. The College's Pandemic Contingency Plan, developed in 2009, has provided valuable guidance. While all program areas of the College are affected, three key areas have redeployed resources in response: 1) Practice Program, by responding to a significant amount of calls from registrants, 2) Registration Program, by ensuring there are no delays for OTs to register as well as postponing registration renewal to August 31, and 3) Communications Program, by creating resources for OTs through regular eblasts and the College website.

**5.5 Enterprise Systems Project Update**

Nabila presented on the status of the Enterprise Systems Project and responded to questions.

MOVED BY: Peter Shenfield  
SECONDED BY: Heather McFarlane

***THAT Council approves the recommendation to move forward with the Enterprise Systems Project.***

**CARRIED**

**Welcome to Carol Mieras and Introductions**

The Chair welcomed new Council member from District 4, Carol Mieras, as an observer. Council members and staff introduced themselves. Carol will begin her term on Council at the Council Elections meeting immediately following this Council meeting.

**6.0 Finance**

**6.1 January (Q3) 2020 Financial Report**

Nabila Mohammed presented the financial report and responded to questions.

MOVED BY: Peter Shenfield  
SECONDED BY: Vincent Samuel

***THAT Council receives the January 2020 Financial Report, Statement of Financial Position and Statement of Operations, as presented.***

**CARRIED**

**6.2 Annual Investment Report**

Nabila presented the Annual Investment Report as of January 2020 and responded to questions.

**6.3 Reserve Fund for Year End 2019-2020**

Council reviewed the memo from the Registrar which directs the allocation of monies into the reserve funds. She reviewed the recommended amendments to policy, *Establishing and Maintaining Reserve Funds – Guidelines for Council Members*

MOVED BY: Jeannine Girard-Pearlman  
SECONDED BY: Patrick Hurteau

*THAT Council approves the amended policy, Establishing and Maintaining Reserve Funds – Guidelines for Council Members, as presented.*

**CARRIED**

## **7.0 Governance**

### **7.1 Governance Project Plan**

Council approved the new governance framework in January 2020. Since then, the Governance Working Group met and developed a 3-year project plan which incorporates the main elements of governance reform as outlined in the briefing note. Council reviewed the document and made several recommendations. It is understood that this is a live document which will be adjusted and revised through this process. This item was included for information purposes only.

### **7.2 Terms of Reference – Executive Committee, Governance Committee**

Stamatis explained that with Council's direction at the January Council meeting to formalize the Governance Committee as a new standing committee, a draft Terms of Reference was created and presented today for approval. As a result, revisions to the Executive Committee Terms of Reference were required to transfer the governance responsibilities to the new standing committee. Council recommended several minor changes to the draft Governance Terms of Reference.

MOVED BY: Donna Barker  
SECONDED BY: Heather McFarlane

*THAT Council approves the new Terms of Reference for the Governance Committee and the revised Terms of Reference for the Executive Committee including today's changes.*

**CARRIED**

### **7.3 Reappointment of Non-Council Members**

#### **7.3.1 Investigations, Complaints and Reports Committee**

Non-Council member Hricha Rakshit's first 3-year term will end on June 30, 2020 and she has agreed to stay on for a second term if approved by Council. Hricha is a valued and consistent member of the Inquiries, Complaints and Reports Committee and her reappointment is strongly recommended by the committee.

MOVED BY: Teri Shackleton  
SECONDED BY: Jeannine Girard-Pearlman

*THAT Council approves the reappointment of Hricha Rakshit as Non-Council Professional Member of the Inquiries, Complaints and Reports Committee for a second 3-year term commencing on July 1, 2020*

**CARRIED**

#### **7.3.2 Discipline Committee**

Non-Council member Zuher Ismail's first 3-year term will end on June 30, 2020 and he has agreed to stay on for a second term if approved by Council. Zuher is a valued and

consistent member of the Discipline Committee and his reappointment is strongly recommended by the committee.

MOVED BY: Donna Barker  
SECONDED BY: Jennifer Henderson

***THAT** Council approves the reappointment of Zuher Ismail as a Non-Council Professional Member of the Discipline Committee for a second 3-year term commencing on July 1, 2020.*

**CARRIED**

### **7.3.3 Fitness to Practise Committee**

Non-Council member Hunaida Abboud's first 3-year term will end on June 30, 2020 and she has agreed to stay on for a second term if approved by Council. Hunaida is a valued and consistent member of the Fitness to Practise Committee and her reappointment is strongly recommended by the committee.

MOVED BY: Patrick Hurteau  
SECONDED BY: Teri Shackleton

***THAT** Council approves the reappointment of Hunaida Abboud as a Non-Council Professional Member of the Fitness to Practise Committee for a second 3-year term commencing on July 1, 2020.*

**CARRIED**

### **7.4 Reappointment of Academic Member**

Donna Barker declared a conflict of interest in this decision. Donna Barker's 3-year term on Council will expire on March 29, 2020. The academic chairs notified the Registrar in February 2020 of their selection of Donna to be reappointed for a second 3-year term and Donna has agreed to stay on if approved by Council.

MOVED BY: Peter Shenfield  
SECONDED BY: Heather McFarlane

***THAT** Council approves the reappointment of Donna Barker as Academic Council Member for a second 3-year term commencing on March 30, 2020.*

**CARRIED**

**(Abstention: Donna Barker)**

## **8.0 Business**

### **8.1 Code of Ethics**

The Patient Relations Committee (PRC) brought before Council, a revised draft Code of Ethics. Originally issued in 2011 and reformatted with the new College branding and style in 2016, the Code was identified for review because it exceeded the five-year review cycle timeline in accordance with the College Document Management Framework. The purpose for the review is to ensure it is still up to date and meeting registrant and other stakeholder needs. This document requires Council's approval for stakeholder consultation.

MOVED BY: Jeannine Girard-Pearlman  
SECONDED BY: Allan Freedman

***THAT** Council approves the draft Code of Ethics for consultation to registrants and other stakeholders.*

**CARRIED**

## 8.2 Sexual Abuse Policy

The College is legally required to establish a therapy and counselling funding program for clients alleging sexual abuse by an occupational therapist. It's recommended that the College go beyond this requirement and support other expenses that may make it difficult for victims of sexual abuse to access therapy and counselling or to participate in College investigations related to the issue. Council is asked to increase the reserve fund for therapy and counselling to cover those related expenses. A correction was noted that the current fund is \$18,000 and not \$17,000 as stated in the briefing note.

MOVED BY: Jeannine Girard-Pearlman

SECONDED BY: Michelle Stinson

***THAT** Council approves the reserve fund for therapy and counselling be increased up to \$25,000 from \$18,000 to cover other possible related expenses as outlined in the proposed policy*

**CARRIED**

## 8.3 Position Statement: On the Interpretation of the Controlled Act of Communicating a Diagnosis / Guide to Controlled Acts and Delegation

In accordance with the College Document Management Framework 3-year cycle for the review of position statements, the Practice Issues Subcommittee (PISC) identified for review the *Position Statement: On the Interpretation of the Controlled Act of Communicating a Diagnosis*. Following a full review, the subcommittee recommended the position statement be retired, and relevant information be incorporated into the *Guide to Controlled Acts and Delegation*. Executive recommended several additional minor changes.

MOVED BY: Donna Barker

SECONDED BY: Jeannine Girard-Pearlman

***THAT** Council approves the retiring of the Position Statement: On the Interpretation of the Controlled Act of Communicating a Diagnosis and incorporating the relevant information into the Guide to Controlled Acts and delegation, as presented and including today's changes.*

**CARRIED**

## 8.4 Standards for Occupational Therapist Assessments

The Practice Issues Subcommittee (PISC) undertook the revision of this document as part of the College Document Management Framework 5-year review cycle. Significant re-drafting including title change and changes to policy content were incorporated following a thorough review process. This document requires Council's approval for stakeholder consultation.

MOVED BY: Donna Barker

SECONDED BY: Heather McFarlane

***THAT** Council approves the draft revised Standards for Occupational Therapist Assessments as presented, for public and stakeholder consultation.*

**CARRIED**

## 9.0 Environmental Scan

Council members provided various updates on changes in systems and information of interest that impact the practice of occupational therapy.

**10.0 Council Meeting Evaluation**

The Chair asked members to complete the meeting evaluation and encouraged all to provide recommendations for future improvements. An electronic evaluation form was sent by email.

**11.0 Next Meeting**

- Tuesday, June 23, 2020, 9:00 a.m. – 3:30 p.m., at the College.
- Meeting invitations will be sent for dates from October 2020 – June 2021.

**12.0 Adjournment**

There being no further business, the meeting was adjourned at 1:00 p.m.

MOVED BY: Teri Shackleton

*THAT the meeting be adjourned.*

**CARRIED**