



COUNCIL MINUTES

DATE: Thursday, January 28, 2021 **FROM:** 9:00 a.m. – 3:30 p.m.

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In Attendance:

MEMBERS

Jeannine Girard-Pearlman, *Chair*
Paola Azzuolo
Neelam Bal
Donna Barker
Evelyn Chau
Michael Dauncey
Mary Egan
Allan Freedman
Jennifer Henderson
Heather McFarlane
Carol Mieras
Aruna Mitra
Vincent Samuel
Stephanie Schurr
Teri Shackleton
Peter Shenfield
Michelle Stinson

REGRETS

Sophie Xu

GUESTS

Dr. Ruth Gallop

OBSERVERS

Christie Brenchley, *Ontario Society of Occupational Therapists*
Sarah Kibaalya, *Ministry of Health of Ontario*

STAFF

Elinor Larney, *Registrar*
Sandra Carter, *Practice Consultant*
Aoife Coghlan, *Manager, Investigations & Resolutions*
Aida da Silva, *Finance & Human Resources Coordinator*
Carli DiMinni, *Investigations & Resolutions Coordinator*
Julie Entwistle, *Deputy Registrar*
Sarah Karas, *Office administration/Junior Associate*
Stamatis Kefalianos, *Manager, Regulatory Affairs*
Lesley Krempulec, *Practice Consultant*
Clara Lau, *Manager, Registration*
Vanessa Lim, *OT Student*
Tim Mbugua, *Policy Analyst*
Nabila Mohammed, *Director of Finance and Corporate Service*
Nithusa Nithi, *Investigations & Resolutions Associate*
Miriam Price, *OT Student*
Olena Repekha, *Executive Assistant*
Adrita Shah Noor, *Case Manager, Investigations & Resolutions*
Nancy Stevenson, *Director of Communications*
Andjelina Stanier, *Executive Assistant, Scribe*

1.0 Call to Order

Chair Jeannine Girard-Pearlman welcomed everyone and called the meeting to order at 9:02 a.m.

2.0 Public Protection Mandate

The Chair reminded Council members that the purpose of their work is to protect the public and that all decisions are made in that light.

3.0 Land Acknowledgement

The Chair invited everyone to silently read and reflect on the Land Acknowledgement Statement. (Appendix 1).

4.0 Declaration of Conflict of Interest

The Chair asked for any declarations of conflict of interest. None were declared.

5.0 Approval of Agenda

The Chair asked for changes to the agenda. None were reported.

MOVED BY: Carol Mieras

SECONDED BY: Paola Azzuolo

THAT the agenda be approved as presented.

CARRIED

6.0 Approval of Consent Agenda

The Chair asked for edits or other changes to the consent agenda items as listed below:

- Registrar's Report of January 28, 2021
- Draft Council Minutes of October 29, 2020
- Approved Governance Committee Minutes of December 3, 2020

MOVED BY: Allan Freedman

SECONDED BY: Jennifer Henderson

THAT Council approves the consent agenda items as presented.

CARRIED

7.0 Registrar's Update

7.1 Registrar's Presentation – Operational Project Status Report

Elinor reported on operational areas of focus for Q2 FY20/21 related to strategic objectives for Year 1 of the 2020-2023 Strategic Plan.

7.2 FY20/21 Q1 Financial Report

Nabila Mohammed presented the financial report and responded to questions.

MOVED BY: Peter Shenfield

SECONDED BY: Stephanie Schurr

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

CARRIED

7.3 Proposed 2020-2023 Quarterly Performance Report

Julie introduced the College's proposed new reporting tool, *Quarterly Performance Report*, which would replace the *Priority Performance Report*. This new format aligns with the Ministry College Performance Management Framework (CPMF) reporting requirements and combines performance indicators and data, with information from quarterly committee reports. Committee Chairs would continue to review and provide feedback prior to distribution. A decision to include

this report as a separate agenda item or as part of the Consent Agenda will be made at a future date. Council was asked to approve this new reporting format for implementation.

MOVED BY: Stephanie Schurr

SECONDED BY: Carol Mieras

THAT Council approves for implementation, the proposed 2020-2023 Quarterly Performance Report.

THAT Council receives the Quarterly Report for Q1 and Q2 of the 2020-2021 fiscal year.

CARRIED

7.4 Risk Management Report

Elinor reported on risk issues and responded to questions. Overall, the level of risk remained the same with the exception of one new risk the College is monitoring related to Annual Renewal fees for 2021. The College continues to show great compassion for OTs experiencing financial hardship and will remain flexible by offering some payment installment opportunities for OTs who need this option.

MOVED BY: Jennifer Henderson

SECONDED BY: Donna Barker

THAT Council receives the Risk Management Report.

CARRIED

7.5 College Performance Management Framework (CPMF)

Julie provided an overview of the new CPMF reporting requirements and reported on ongoing measures the College has undertaken, including meeting with the Ministry, to ensure the report is completed by the March 2021 deadline. Council will be asked to approve the completed report at the March Council meeting. No additional related costs are anticipated at this time.

8.0 Governance

8.1 Elections Update – Districts 3, 5 & 6

Elinor informed Council that in 2021, the regular election will take place in districts 3, 5 & 6. The Call for Nominations is currently underway. Nominations have been received for each district. Nominations close tomorrow, January 29, 2021.

8.2 Appointment of Nominations Standing Committee

Elinor explained the Nominations Committee is appointed by Council annually to oversee the officer election process which takes place at the March Council meeting. The committee is comprised of a minimum of two Council members who are either retiring from Council or who do not wish to stand for a position, even if nominated. The appointment of a mix of public and professional members is preferred, however, College bylaws do allow for the appointment of only public or only professional members. The Chair called for volunteers.

MOVED BY: Stephanie Schurr

SECONDED BY: Teri Shackleton

***THAT** Council approves the appointment of Paola Azzuolo, Mary Egan, Michelle Stinson and Neelam Bal to the Nominations Committee.*

CARRIED

8.3 Proposed Bylaws Amendments

Stamatis reported that the bylaws consultation approved by Council in October 2020 is now complete and feedback was reviewed by the Governance Committee. Proposed changes were vetted by legal counsel and incorporated into the draft bylaws. A discussion was held regarding the new 3-year cooling off period which relates to the eligibility for election or appointment to Council for individuals who are/were directors or members of other professional boards or councils prior to seeking a seat on Council.

MOVED BY: Peter Shenfield

SECONDED BY: Carol Mieras

***THAT** Council approves the proposed amendments to the College bylaws as presented.*

UNANIMOUSLY CARRIED

8.4 Terms of Reference – Executive, Governance, and Finance, Audit and Risk Committees

Stamatis explained that as part of the governance modernization initiative, the terms of reference for 3 committees of Council are brought forward for approval.

MOVED BY: Peter Shenfield

SECONDED BY: Aruna Mitra

***THAT** Council approves the amended Terms of Reference for the Executive Committee, to commence in April 2021.*

***THAT** Council approves the amended Terms of Reference for the restructured Governance Committee, to commence in April 2021.*

***THAT** Council approves the new Terms of Reference for the Finance, Audit and Risk Committee, to commence in April 2021.*

CARRIED

8.5 Policy Review – Honoraria, Allowable Expenses

Elinor explained that the Honoraria and Allowable Expenses policies are reviewed annually by Council. No changes in rates are recommended at this time. Council requested several wording changes for clarity and changes to terminology in line with the governance modernization initiative.

MOVED BY: Stephanie Schurr

SECONDED BY: Neelam Bal

***THAT** Council maintains the same per diem rates and allowable expenses as approved in 2020, and that Council approves today's changes in language for clarity.*

CARRIED

9.0 Council Education

Presentation: *Prevention of Sexual Abuse in the Professional Relationship, by Dr. Ruth Gallop.*

10.0 New Business**10.1 Cross-Jurisdictional Telepractice**

Elinor explained there is an increasing demand for OTs to practice remotely and as such issues with managing registration have arisen if OTs practice in more than one province. The Association of Canadian Occupational Therapy Regulators (ACOTRO) is recommending that, for the purposes of registration, practice occurs where the OT is located. Registration would therefore only be required in the province from which the OT is physically practicing. This change would be implemented in June 2021.

MOVED BY: Vincent Samuel

SECONDED BY: Peter Shenfield

THAT Council approves the implementation of the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO) recommendation regarding cross-jurisdictional telepractice so that for the purposes of registration, practice occurs where the occupational therapist is located.

CARRIED

10.2 Retirement of Guide to the Code of Ethics

Tim Mbugua explained that following a full review and revision of the *Code of Ethics*, which Council approved for publication in October 2020, the Patient Relations Committee now recommends to Council the retirement of the *Guide to the Code of Ethics* document. The *Guide*, which is an accompanying document to the *Code of Ethics*, is outdated and inconsistent with other documents, repetitive and infrequently viewed online. The committee also recommends that the appendix, which summarizes legislative and College resources on the *Code of Ethics* principles, be retained and posted as a summarized resource online.

MOVED BY: Carol Mieras

SECONDED BY: Stephanie Schurr

THAT Council approves that the *Guide to the Code of Ethics* be retired.

CARRIED

10.3 Revised Guide to Discontinuation of Service

Lesley explained that in compliance with the 5-year regular review cycle of College documents, the *Guide to Discontinuation of Services* was last reviewed in 2014. The Practice Issues Subcommittee recommends changes, including title change, based on feedback gathered from an environmental scan and the Citizen Advisory Group. Council recommended several additional changes to wording.

MOVED BY: Jennifer Henderson

SECONDED BY: Neelam Bal

THAT Council approves the revised Discontinuing Services document for publication, including today's wording changes.

CARRIED

10.4 Revised College Document Framework

Julie explained that in compliance with the 5-year regular review cycle of College documents, the Framework for College Publications was last updated in 2012. Upon review, the Practice Issues Subcommittee identified opportunities to streamline for the public and OTs the groups and categories of documents such as *Guide* and *Guidelines*. An updated framework was presented.

MOVED BY: Jennifer Henderson
SECONDED BY: Heather McFarlane

THAT Council approves the revised Framework for College Publications.

CARRIED

10.5 Standard Revisions and Streamlining

Julie explained the Practice Issues Subcommittee has identified the need to improve and streamline the format of Standards of Practice documents so that information is easily referenced, without redundancies, across multiple documents. This project would encompass the work plan for the Practice Issues Subcommittee for 2021.

MOVED BY: Jennifer Henderson
SECONDED BY: Michelle Stinson

THAT Council approves a fulsome review of the Standards of Practice for the purposes of combining, streamlining and reducing redundancies to enhance ease of use.

CARRIED

11.0 Other Business

11.1 Council Meeting Evaluation

The Chair asked members to complete the electronic meeting evaluation and encouraged everyone to provide recommendations for future improvements.

11.2 Annual Council Evaluation

The Chair asked members to complete the electronic Annual Council Evaluation and encouraged everyone to provide recommendations for future improvements.

11.3 Annual Council Self-Evaluation

The Chair encouraged members to complete the Annual Council Self-Evaluation.

12.0 Next Meetings

- Council Meeting and Officer Elections, Thursday, March 25, 2021, 9:00 a.m. – 4:00 p.m. via video conference.
- Council Meeting, Thursday, June 24, 2021, 9:00 a.m. – 3:30 p.m. Location TBA

13.0 Adjournment

There being no further business, the meeting was adjourned at 2:35 p.m.

MOVED BY: Allan Freedman

***THAT** the meeting be adjourned.*

CARRIED

APPENDIX 1: Land Acknowledgement and Commitment to Stronger Engagement

As an important part of our commitment to reconciliation, the College of Occupational Therapists of Ontario recognizes the traditional territories on which we live and work (physically or remotely) every day, across what is now known as Ontario. This includes distinct groups of First Nations Peoples: Algonquin, Mississauga, Ojibway, Cree, Odawa, Potowatomi, Delaware, and the Haudenosaunee – Mohawk, Onondaga, Oneida, Cayuga, Tuscarora, and Seneca.

Other Indigenous Nations also have long standing relationships with the land in parts of this province including the Wendat, and the Métis Nation.

To meaningfully engage with this community, the College has reviewed the Truth and Reconciliation Commission's (TRC) report. Calls to Action 18-24 addresses the health disparities faced by Indigenous Peoples and how poor health outcomes are linked to the complex histories and ongoing realities of Indigenous peoples in Canada. In particular, we acknowledge how these disparities have been laid bare and magnified by the COVID-19 pandemic. The College and its registrants will work to reduce these health disparities by ensuring that OTs are competent to provide services that the community has a right to and is acceptable to them.

APPENDIX 2: Status of Implementation of Decisions of Council

Council Meeting Date	Decisions	Current Status
January 28, 2021	THAT Council approves the appointment of Paola Azzuolo, Mary Egan, Michelle Stinson and Neelam Bal to the Nominations Committee.	Complete
January 28, 2021	THAT Council approves a fulsome review of the Standards of Practice for the purposes of combining, streamlining and reducing redundancies to enhance ease of use.	Ongoing
January 28, 2021	THAT Council approves the revised Framework for College Publications.	Implementation Pending
January 28, 2021	THAT Council approves the revised Discontinuing Services document for publication, including today's wording changes.	Implementation Pending
January 28, 2021	THAT Council approves that the Guide to the Code of Ethics be retired.	Complete
January 28, 2021	THAT Council approves the implementation of the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO) recommendation regarding cross-jurisdictional telepractice so that for the purposes of registration, practice occurs where the occupational therapist is located.	Implementation pending
January 28, 2021	THAT Council maintains the same per diem rates and allowable expenses as approved in 2020, and that Council approves today's changes in language for clarity.	Complete
January 28, 2021	THAT Council approves the amended Terms of Reference for the Executive Committee, to commence in April 2021. THAT Council approves the amended Terms of Reference for the restructured Governance Committee, to commence in April 2021. THAT Council approves the new Terms of Reference for the Finance, Audit and Risk Committee, to commence in April 2021.	Complete Implementation in April 2021
January 28, 2021	THAT Council approves the proposed amendments to the College bylaws as presented.	Complete

Council Meeting Date	Decisions	Current Status
January 28, 2021	THAT Council approves for implementation, the proposed 2020-2023 Quarterly Performance Report.	Complete
October 29, 2020	THAT Council approves the creation of a Finance, Audit and Risk Committee to commence in April 2021.	Implement April 2021
October 29, 2020	THAT Council approves the areas of responsibility related to governance (elections, nominations, Council effectiveness, committee appointments and chairs, investigating complaints and conduct of Council and Committee members), previously held by the Executive Committee, be moved to the restructured Governance Committee to commence in April 2021.	Implement April 2021
October 29, 2020	THAT Council approves that the Executive Committee authority be limited to urgent matters in between Council meetings; evaluation of Registrar performance, overseeing the functioning of Council, including setting the Council agenda and planning meetings, to commence in April 2021.	Implement April 2021