

COUNCIL MEETING MINUTES
Monday December 2, 2019
9:30 PM to 4:30 PM
COO Boardroom

Attendees: Mr. Bryan Todd, RO, President, Elected Member
Mr. Omar Farouk, Vice-President, Public Member
Ms. Jacalyn Cop-Rasmussen, Public Member
Mr. Balbir Dhillon, RO, Elected Member (joined at 9:35)
Ms. Ingrid Koenig, RO, Elected Member
Ms. Neda Mohammadzadeh, RO, Elected Member
Ms. Dorina Reiz, RO, Elected Member
Mr. Rob Vezina, RO, Elected Member
Mr. Edward Viveiros, RO, Elected Member
Mr. Steven Kinsella, Public Member
Mr. Jack Zwicker, Public Member (joined by phone)
Ms. Diana Bristow, Public Member

Administration: Mr. Fazal Khan, RO, Registrar, CEO
Ms. Melanie Woodbeck, Deputy Registrar
Ms. Amy Stein, General Counsel
Ms. Carolyn Robertson, Manager, Communications and Executive Office
Ms. Gena Zheng, Program Assistant, Quality Assurance

Guests: Ms. Deborah Worrada, Independent Meeting Chair

1.0 Introduction

1.1 Introductions and Announcements

D. Worrada called the meeting to order at 9:30 with a roll call around the Council table and in the gallery.

F. Khan reminded everyone that the meeting will be recessed at the end of the day rather than adjourning, and that committee chair elections will take place at that time.

It was noted that B. Dhillon and R. Vezina will not be returning in 2020.

1.2 Conflict of Interest Declaration

No conflicts of interest were declared.

1.3 Adoption of the Agenda

F. Khan proposed an amendment to the agenda to add an item at 1:00pm for the purpose of receiving an update from Lisa Bannerman of the College of Opticians of British Columbia on the recently announced proposed changes to the British Columbia Health regulatory system.

MOTION: TO APPROVE THE AGENDA AS AMENDED

MOVED: N. MOHAMMEDZEDAH

SECONDED: I. KOENIG

VOTE: CARRIED

2.0 In Camera Session

MOTION: TO GO IN CAMERA

MOVED: S. KINSELLA

SECONDED: I. KOENIG

VOTE: CARRIED

3.1 Meeting minutes October 7th and 8th, 2019

MOTION: TO ADOPT THE OCTOBER 7TH AND 8TH, 2019 MEETING MINUTES AS PRESENTED.

MOVED: B. TODD

SECONDED: S. KINSELLA

VOTE: CARRIED

4.1 Year to date Financial Variance Report

M. Woodbeck reviewed the Financial Variance report with Council.

MOTION: TO APPROVE THE 2019 YEAR TO DATE FINANCIAL REPORT.

MOVED: O. FAROUK

SECONDED: E. VIVEIROS

VOTE: CARRIED

4.2 Approval of the Auditor

B. Todd briefed Council on background information pertaining to the appointment of the 2020 auditor. The College of Opticians of Ontario has worked with Sevitt and Associates since 2002. Sevitt and Associates has undergone a merger with Grewal Guyatt LLP, and will continue under the banner of Grewal Guyatt, offering the same level of service to the COO. P. Sevitt and Malcom Vaz will continue to work with the COO.

MOTION: TO APPROVE THE APPOINTMENT OF GREWAL GUYATT LLP AS THE AUDITOR FOR 2020

MOVED: I. KOENIG

SECONDED: S. KINSELLA

VOTE: CARRIED

MOTION: TO APPROVE J. ZWICKER'S PARTICIPATION IN THE COUNCIL MEETING BY PHONE

MOVED: I. KOENIG
SECONDED: B. TODD

VOTE: CARRIED

5.1 Approval of the Appointed Members

MOTION: THAT COUNCIL APPROVE THE NON-COUNCIL COMMITTEE MEMBER APPOINTMENTS

MOVED: O. FAROUK
SECONDED: E. VIVEIROS

VOTE: CARRIED

5.2 Appointing Non-Opticians to Committees

F. Khan briefed Council about the proposal, coming from the Executive Committee, to consider appointing non-opticians to committees. The selection process would be similar to the one currently used for optician appointed members.

Council agreed by a show of hands that it would like administration to investigate this option, including the by-law changes that would be required and the details of how the non-optician committee members would be compensated.

5.3 Clinical Practice Committee

F. Khan briefed the Council about creating a Clinical Practice Committee which would absorb the current Standards of Practice Committee.

MOTION: MOTION THAT COUNCIL APPROVE RE-NAMING STANDARDS OF PRACTICE COMMITTEE
THE CLINICAL PRACTICE COMMITTEE

MOVED: I. KOENIG
SECONDED: O. FAROUK

VOTE: CARRIED

5.4 Changes to the Professional Misconduct Regulation Committee

Council considered whether it would be appropriate to re-assign the work of the Professional Misconduct Regulation Committee to the Inquiries, Complaints and Reports Committee. The terms of reference of the ICRC indicate that they are responsible for recommending to Council proposals for changes to the legislation.

MOTION: TO APPROVE THE ELIMINATION OF THE PROFESSIONAL MISCONDUCT REGULATION AD-HOC COMMITTEE AND RE-ASSIGN REVIEW OF THE PROFESSIONAL MISCONDUCT REGULATION TO THE ICRC.

MOVED: O. FAROUK

SECONDED: R. VEZINA

VOTE: CARRIED

6.0 Changes to the Professional Portfolio

Derick Summers, Chair of the Quality Assurance Committee, addressed Council regarding proposed changes to the Professional Portfolio.

The proposed changes were circulated in draft form to members for feedback, and the College received 311 responses. The majority of the feedback was positive.

Under the new proposed program members will no longer be required to identify a learning goal with respect to their self-directed CE activities. Members will still be required submit a professional improvement plan where they will indicate how the activity improved their practice.

Council subsequently discussed whether members should be required to complete Chapter 1 of the Jurisprudence Tool more frequently than once every three years, and directed the Quality Assurance Committee to complete an environmental scan and propose revisions to the timeline based on the results.

Council acknowledged a recent CBC Marketplace investigation regarding the sale of prescription lenses with blue light filters, and discussed the College's responsibility to make sure opticians are only providing services that are appropriate to their patients and that they engage in ethical advertising practices. In addition, D. Summers reported that the Quality Assurance Committee would be reviewing its accreditation practices in the coming year.

MOTION: THAT COUNCIL APPROVE THE PROPOSED CHANGES TO THE PROFESSIONAL PORTFOLIO REQUIREMENTS FOR 2020 AS RECOMMENDED BY THE QUALITY ASSURANCE COMMITTEE.

MOVED: R. VEZINA

SECONDED: S. KINSELLA

VOTE: CARRIED

As the Council meeting was running a head of schedule it was determined that agenda item 9 and agenda item 10 would be addressed before lunch.

9.0 Draft 2020 Budget

M. Woodbeck presented the 2020 draft budget and reviewed the highlights with the Council. The floor was then opened to questions.

In light of Council's earlier decision to wind up the Professional Misconduct Regulation Committee, it was proposed that the draft budget be amended to re-allocate the funds from that committee to the ICRC, which will be taking over this work.

MOVED: R. VEZINA
SECONDED: B. TODD

MOTION: TO MOVE TO APPROVED THE 2020 BUDGET AS AMENDED.

VOTE: CARRIED

10.0 Strategic Agenda

MOTION: TO APPROVE THE 2020 COUNCIL STRATEGIC AGENDA/WORKPLAN

MOVED: R. VEZINA
SECONDED: O. FAROUK

VOTE: CARRIED

11.0 Patient bill of Rights

Dennis Tse, Chair of the Patient Relations Committee, briefed the committee about the draft Patient Bill of Rights. It was determined that an amendment should be made to item 12 and come back after lunch for final approval.

Lunch (11:30 to 1:00)

Presentation by Lisa Bannerman

L. Bannerman of the College of Opticians of British Columbia spoke to Council about the changes that are being proposed to the BC regulatory system. Stakeholders have been asked to provide feedback to the BC government by January 10, 2020, and the target date for implementation is 2021.

7.0 Committee Slate Approval

B. Todd reviewed the proposed 2020 committee slate with Council.

MOTION: TO APPROVE THE COMMITTEE SLATE AS PRESENTED

MOVED: N. MOHAMMEDZEDAH
SECONDED: E. VIVEIROS

VOTE: CARRIED

8.0 Governance

8.1 Council Information Monitoring System Policy

M. Osborne reviewed the highlights of the proposed policy with Council. The purpose of the policy is to permit Council to effectively monitor the College's operations.

It was noted that the policy includes a provision that is inconsistent with the current COO by-laws. Accordingly, a by-law amendment is necessary in order to implement the policy as drafted. A proposed by-law amendment that would give effect to the policy is before Council at this meeting.

MOTION: TO APPROVE THE COUNCIL INFORMATION AND MONITORING SYSTEM POLICY (4-85) AS OUTLINED IN FIGURE 1 AND THE 2020 MONITORING SCHEDULE IN APPENDIX 1, SUBJECT TO BY-LAW AMENDMENTS AS NECESSARY

MOVED: I. KOENIG
SECONDED: E. VIVEIROS

The vote was then delayed until after consideration of agenda item 8.2 because the two are related.

8.2 Vote Supermajority for Termination of a Registrar, CEO Policy (3-11)

M. Osborne reviewed the highlights of the proposed policy with Council. Under the proposed policy, 75% of Council Members present and voting would be required to vote in favour of a motion to terminate the employment of the Registrar, CEO.

It was noted that the policy includes a provision that is inconsistent with the current COO by-laws. Accordingly, a by-law amendment is necessary in order to implement the policy as drafted. A proposed by-law amendment that would give effect to the policy is before Council at this meeting.

It was proposed that the policy be amended to require a 2/3 majority vote rather than a 75% majority vote for a motion to terminate the Registrar, CEO.

MOTION: TO AMEND THE TERMINATION OF A REGISTRAR, CEO POLICY (3-11) TO REQUIRE A 2/3 MAJORITY VOTE INSTEAD OF A 75% MAJORITY VOTE.

MOVED: R. VEZINA
SECONDED: B. TODD

VOTE: MOTION DEFEATED

MOTION: TO APPROVE THE VOTE SUPER MAJORITY (75%) FOR TERMINATION OF A REGISTRAR, CEO POLICY (3-11), AS DRAFTED, SUBJECT TO BY-LAW AMENDMENTS AS NECESSARY

MOVED: R. VEZINA
SECONDED: B. TODD

VOTE: CARRIED

MOTION: TO APPROVE THE COUNCIL INFORMATION AND MONITORING SYSTEM POLICY (4-85) AS OUTLINED IN FIGURE 1 AND THE 2020 MONITORING SCHEDULE IN APPENDIX 1, SUBJECT TO BY-LAW AMENDMENTS AS NECESSARY.

MOVED: I. KOENIG
SECONDED: E. VIVEIROS

VOTE: CARRIED

8.3 New Strategic Agenda appended to policy 4-40

MOTION: TO APPROVE THE AMENDMENTS TO THE COUNCIL STRATEGIC AGENDA/WORKPLAN (4-40)

MOVED: B. TODD
SECONDED: S. KINSELLA

VOTE: CARRIED

8.5 By-law Amendments re Governance Reform

M. Osborne presented proposed by-law amendments relating to efforts at governance reform and modernization. Under the proposed amendments, the following changes will be made to the terminology used at the COO for people and groups:

Current Terminology	Proposed Terminology
Council of the College	Board of Directors of the College
Council Member(s)	Director(s)
President of Council	Chair of the Board of Directors
Vice-President of Council	Vice-Chair of the Board of Directors
Members	Registrants

A proposal has also been made to extend the cooling off period for individuals who held a leadership position with a professional association before they are eligible for election to Council or appointment to committees.

MOTION: TO APPROVE THE PROPOSED BY-LAW AMENDMENTS, ARTICLE 1, 6.3(H) AND 12.2(A)(VIII) FOR CIRCULATION TO STAKEHOLDER FOR 30 DAYS

MOVED: N. MOHAMMADZEDAH
SECONDED: O. FAROUK

VOTE: CARRIED

8.4 Proposed By-law Amendments to Schedule C and a Newly Proposed Schedule E

M. Osborne presented proposed by-law amendments relating to the Council's Rules of Order, as set out in Schedule C, as well as a proposed new Schedule E that would address votes that would require a 75% supermajority vote. The latter amendment relates to the two governance policies that were reviewed by Council under agenda items 8.1 and 8.2.

MOTION: TO ADOPT THE PROPOSED BY-LAW AMENDMENT, SCHEDULE C: RULES OF ORDER OF THE COUNCIL; DECISIONS MADE BY SUPERMAJORITY AS PRESENTED

MOVED: R. VEZINA
SECONDED: O. FAROUK

VOTE: CARRIED

MOTION: TO ADOPT THE PROPOSED BY-LAW AMENDMENT AND THE NEWLY PROPOSED SCHEDULE E; DECISIONS MADE BY SUPERMAJORITY AS PRESENTED

MOVED: B. TODD
SECONDED: O. FAROUK

VOTE: CARRIED

8.6 Council and Committee Effectiveness Self-evaluations

M. Osborne briefed the committee about the upcoming 2019 Council self-evaluation. All Council and committee members will be participated.

11.0 Patient Bill of Rights

The Council revisited the draft Patient Bill of Rights to review the amendments that were requested before lunch.

It was decided that a notice about the Patient Bill of Rights would be included in an eblast to members following the Council meeting.

MOTION: THAT COUNCIL APPROVE THE PROPOSED PATIENT BILL OF RIGHTS AS AMENDED

MOVED: N. MOHAMMADZEDAH
SECONDED: D. REIZ

VOTE: CARRIED

12.0 Approval of 2020 Meeting Dates

Council reviewed the proposed Council and Executive Committee meeting dates for 2020. A request was made to change the February Council meeting to February 25 and 26.

MOTION: TO APPROVE THE 2020 MEETING DATES AS AMENDED

MOVED: B. TODD
SECONDED: O. FAROUK

VOTE: CARRIED

MOTION: TO RECESS THE COUNCIL MEETING TO THE FOLLOWING DAY

MOVED: D. BRISTOW
SECONDED: J. COP-RASMUSSEN

VOTE: CARRIED

The Council meeting recessed at 3:12 until the following day.

DRAFT COUNCIL MEETING MINUTES
Tuesday December 3, 2019
10:00 AM to 2:30 PM
COO Boardroom

Attendees: Mr. Bryan Todd, President, RO, Elected Member
Mr. Omar Farouk, Vice-President, Public Member
Ms. Jacalyn Cop-Rasmussen, Public Member
Mr. Balbir Dhillon, RO, Elected Member
Ms. Ingrid Koenig, RO, Elected Member
Ms. Dorina Reiz, RO, Elected Member
Mr. Rob Vezina, RO, Elected Member
Mr. Edward Viveiros, RO, Elected Member
Mr. Steven Kinsella, Public Member
Mr. Jack Zwicker, Public Member
Ms. Diana Bristow, Public Member
Ms. Neda Mohammadzadeh RO, Elected Member (joined at 9:35)

Administration: Mr. Fazal Khan, RO, Registrar, CEO
Ms. Melanie Woodbeck, Deputy Registrar
Ms. Amy Stein, General Counsel
Ms. Carolyn Robertson, Manager, Communications and Executive Office
Ms. Gena Zheng, Program Assistant, Quality Assurance

The Council meeting resumed on December 3rd at 9:30 am.

15.1 Introduction

D. Worrad opened the meeting with roll call and asked that anyone not present the previous day introduce themselves. J. Zwicker introduced himself.

A Request was made to switch the order of agenda items 20 and 19, so that the executive elections could take place at the end of the day.

15.2 Conflict of Interest

No conflicts of Interest were declared.

16.0 Standards of Practice

John Battaglia, Chair of the Standards of Practice Committee, presented the results of the stakeholder feedback that was collected on the draft updates to the Standards of Practice. Feedback was sought from members, industry stakeholders, and the Citizens Advisory Group. It was noted that the majority of the feedback to the proposed updates was positive.

A request was made to add a reference in the Practice Guideline on consent to provide health care services (Standard 6: Patient Relations) that opticians are expected to provide clear information to

patients about warranties, billings and return policies. This amendment would make the guideline consistent with paragraph 11 of the Patient Bill of Rights.

MOTION: TO ADOPT THE STANDARDS OF PRACTICE AS AMENDED

MOVED: I. KOENIG

SECONDED: R. VEZINA

VOTE: CARRIED

17.0 Defining Council Roles

17.1 Role of the Chief Examiner

B. Todd reviewed the Executive Committee's recommendation to eliminate the position of the Chief Examiner. It was observed that it is no longer necessary for a Council Member to attend at examinations because the exams are administered by NACOR and a COO staff person is available to address any issues on behalf of the COO.

MOTION: TO ELIMINATE THE ROLE OF CHIEF EXAMINER

MOVED: R. VEZINA

SECONDED: B. TODD

VOTE: CARRIED

18.0 Registration Committee

18.1 Amendment to The Student / Intern Policy

Council reviewed proposed changes to the Student / Intern Supervision Policy.

Council requested a further amendment to divide paragraph 1 into two separate paragraphs, following the words "certificate of registration"

MOTION: TO APPROVE THE AMENDMENTS TO THE STUDENT/INTERN POLCY AS FURTHER AMENDED.

MOVED: R. VEZINA

SECONDED: B. TODD

VOTE: CARRIED

20.1 Registrar's Report

F. Khan briefed the Council regarding the highlights of the Registrars Report, including the results of questions that were posed to members at the recent AOE and OOA shows using the Menti platform.

20.2 External Meetings Report

B. Todd presented the report to Council. M. Woodbeck spoke about highlights of CNAR meetings, including presentations on disruptive technologies, and the need to be a proactive regulator in light of the increasing number of external and internal reviews of regulator performance.

20.3 Committee Reports

MOTION: TO ACCEPT THE COMMITTEE REPORTS AS PRESENTED

MOVED: R. VEZINA

SECONDED: E. VIVEIROS

VOTE: CARRIED

20.4 Communications Report

C. Robertson provided an update on communications which was for information only.

19.0 Executive Committee Election Procedure

19.1 Review of Election Procedure

The election procedure was reviewed with Council and the floor was opened for nominations for President.

19.2 Nominations for President.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
B. Todd	O. FAROUK	E. VIVEIROS

B. Todd accepted the nomination and was then acclaimed.

19.3 Nominations for Vice President.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
S. KINSELLA	I. KOENIG	N. MOHAMMEDZEDAH

S. Kinsella accepted the nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
O. FAROUK	B. TODD	E. VIVEIROS

O. Farouk accepted the nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded:</u>
N. MOHAMMEDZEDAH	B. DHILLON	E. VIVEIROS

N. Mohammadzedah accepted the nomination.

Nominations were then closed.

S. Kinsella, O. Farouk and N. Mohammadzadah each addressed Council.

S. Kinsella was elected Vice-Chair.

19.4 Nominations for the third position (Public Member) on the executive committee.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded</u>
J.COP-RASMUSSEN	I. KOENIG	S. KINSELLA

J. Cop-Rasmussen accepted the nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded</u>
O. FAROUK	B. DHILLON	E. VIVEIROS

O. Farouk accepted the nomination.

Nominations were then closed, and J. Cop-Rasmussen and O. Farouk addressed Council.

J. Cop-Rasmussen was elected to the Executive Committee.

19.4 Nominations for the fourth position (Elected Member) on the executive committee.

The floor was opened to nominations.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded</u>
D. REIZ	B.TODD	I. KOENIG

D. Reiz accepted the nomination accepted.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded</u>
N. MOHAMMEDZEDAH	B. DHILLON	E. VIVEIROS

N. Mohammadzadah accepted the nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded</u>
I. KOENIG	D. REIZ	B.TODD

I. Koenig accepted the nomination.

Nominations were closed, and D. Reiz, N. Mohammedzadah, and I. Koenig each addressed Council.

No candidate received a majority of the vote. D. Reiz removed from the ballot and a second round of voting was carried out. The second round resulted in a tie vote, so a third-round vote was carried out.

I. Koenig was elected to the fourth position on the executive committee.

19.4 Nominations for the fifth position (Elected Member) on the executive committee.

The floor was opened to nominations.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded</u>
D. REIZ	B.TODD	I. KOENIG

D. Reiz accepted the nomination.

<u>Nominee:</u>	<u>Moved:</u>	<u>Seconded</u>
N. MOHAMMEDZEDAH	B. DHILLON	E. VIVEIROS

N. Mohammadzedah accepted the nomination.

Nominations were then closed.

D. Reiz was elected to the fifth position on the executive.

MOTION: TO APPROVE THE APPOINTMENT OF THE 2020 EXECUTIVE COMMITTEE AS ELECTED.

MOVED: O. FAROUK

SECONDED: B. DHILLON

VOTE: CARRIED

Plaques were presented to those appointed members whose terms were ending: John Battaglia, Dennis Tse, and Robert Quinn.

Plaques were also presented for those elected members of council whose terms were ending: B. Dhillon, and R. Vezina.

MOTION: TO ADJOURN THE MEETING

MOVED: I. KOENIG

SECONDED: B. DHILLON

VOTE: CARRIED

The meeting ended at 11:35am.

½ day prep time for public and professional members (combined for both days).

Full day honorarium for each day for both public and professional members.