



**COUNCIL**

Wednesday March 7, at 9:00 a.m.

**MINUTES**

Present:

K. Voycey, Chair	M. Fletcher	M. Marques
J. Bald	N. Florent	A. Patel
C. Beemer	M. Hogard	A. Plumton
Y. Blackwood	E. Kerr	N. Sears
L. Bracken	D. Kimberley	M. Seawright
G. Cucchi	J. King	M. Sloan
L. Duffield	J. Leznoff	S. Steele
C. Egerton	M. Lim-Serrano	M. Tuomi
O. Farouk	J. Macknight	A. Verrier
		A. Vidovic

Regrets:

D. Bockman	J. Gajasan	D. Mattina
D. Curry	S. Leduc	A. Wills

Staff:

J. Anderson	J. Hofbauer, Recorder	P. Reinhart
A. Coghlan	K. McGovern	C. Stanford

AGENDA                      The agenda had been circulated

MOTION 1                      Moved by N. Sears, seconded by N. Florent,  
  
That the agenda be approved as circulated.

CARRIED

MINUTES                      Minutes of December 2012 Council meeting had been circulated. A clarifying amendment related to the Quality Assurance Committee was suggested (p. 15).

MOTION 2                      Moved by L. Bracken, seconded by J. Leznoff,  
  
That the minutes of the Council meeting of December 5, 2012 be approved as amended.

CARRIED

EVALUATION                      Council members had received summaries of the evaluation of the September Council meeting. K. Voycey noted that there was positive feedback about the NCLEX-RN workshop.

STRATEGIC PLAN UPDATE                      Council members had received a report of 2012 highlights and achievements related to the Strategic Plan.

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K. Voycey reminded Council that the development and monitoring of the College's Strategic Plan is a joint Council/staff accountability.

A. Coghlan noted that the report includes data from surveys of the public, members and employers. In addition to data from the surveys, there are qualitative examples of achievements related to the strategic objectives.

A member asked what strategies the College has in place to ensure employer commitment. The member's particular concern was in relation to the nurse administrator role and the impact of changing patient care models on patient care.

The member noted that in the current fiscal environment, administrators are faced with difficult decisions which affect direct care providers and patients. The member suggested that the College needs to engage with these administrators and clarify their accountability. Concern was expressed that in some cases the changes impact on nurses' ability to meet the College's standards or may require members to practice outside of their scope.

It was pointed out that many of the issues raised relate to the mandates of professional associations and unions who are actively involved in addressing these issues. From the regulatory perspective, the College has ongoing engagement with nurse and other health care leaders who are in a position to support nurses to meet standards. These leaders are receptive to the College's interest in collaborating and in exploring strategies to support nurses to apply standards in the workplace.

Council was reminded of the importance of the College focusing on its regulatory mandate and on optimizing performance within its mandate to affect safe patient care.

Council was referred to the Report on Highlights and Achievements related to the Strategic Plan. One of the College's key goals is to use CNO knowledge and expertise to assist stakeholders in decision making.

The College's capacity to analyze and share data is becoming more sophisticated and informs our development of standards. It is important when the College takes a position that it is based on evidence, the College's regulatory expertise and regulatory mandate. Others bring expertise from different perspectives.

Data from the public survey provides early evidence that the public has confidence in the competence and professionalism of nurses. Information from the member survey provides evidence of members' confidence in regulation and ability to apply the College's standards in practice. Council members expressed interest in the questions asked on the surveys. More information on the surveys will be brought to Council in the future.

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In approving the strategic objectives, Council confirmed the importance of the College addressing issues within its regulatory role and working with other stakeholders to address systemic issues.

**ENTRY TO  
PRACTICE EXAM**

E. Zbieranowski presented a review of the NCLEX-RN examination. The examination:

- meets the standards of validity, reliability, and fairness for a legally defensible entry to practice examination;
- has mechanisms for oversight by Canadian RN regulators; and
- leverages advancements in technology to enhance efficiency.

The security provisions at examination centres and the proposed fees for the examination were clarified.

**MOTION 3**

Moved by J. King, seconded by L. Duffield

That the National Council Licensure Examination for Registered Nurses (NCLEX-RN) be approved as the examination for registration as a Registered Nurse (RN) in the General class as of January 1, 2015.

**CARRIED**

**GOVERNANCE BY-  
LAWS**

In December, Council had supported a number of governance changes to enhance Council and committee leadership. Changes to come into place immediately included:

- shifting the officer election from plurality to majority;
- delegating the removal of appointed committee members to the Executive Committee; and
- removing references to elected committee members.

Council received proposed amendments to the College's By-Laws to implement these changes. The President reminded Council that a 2/3 majority is needed to pass by-law amendments.

**MOTION 4**

Moved by N. Sears, seconded by M. Lim-Serrano,

That the proposed amendments to By-Law No. 1: General and By-Law No. 3: Conduct of Councillors and Committee Members, as shown in Column 2 of attachment 1, be approved.

**CARRIED**

**PN PROGRAM  
APPROVAL**

L. Duffield, N. Sears, M. Seawright, and A. Vidovic declared conflict of interest and left the meeting.

H. Siu highlighted the Practical Nurse Program approval process. The primary purpose of the process is to support Council in making informed decisions about the approval of Practical Nurse programs.

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There was discussion about the impact of a category 2 program approval on students. It was identified category 2 status provides programs ongoing approval and an opportunity to address identified deficiencies. The approval status of programs will be posted on the College's web site.

**MOTION 5**

Moved by M. Hogard, seconded by A. Plumton,

1. That the following PN Programs be granted Category 1 Approval until December 2018:
  - Conestoga College
  - Confederation College
  - Fanshawe College
  - Fleming College
  - George Brown College
  - Sheridan College
  - St. Lawrence College
  
2. That the following PN Programs be granted Category 2 Approval with Conditions until Council issues a new approval or December 2014, whichever is sooner:
  - Collège Boréal
  - Humber College
  - Mohawk College
  - Sault College
  - St. Clair College
  
3. That the approval for the following PN Programs due to expire on December 31, 2013, be extended until Council issues a new approval or December 2014, whichever is sooner:
  - Algonquin College
  - Georgian College
  - La Cité College
  - Lambton College
  - Loyalist College
  - Seneca College

CARRIED

L. Duffield, N. Sears, M. Seawright, and A. Vidovic returned to the meeting.

**QUALITY  
ASSURANCE**

Council discussed the public interest rationale for the College seeking a legislative amendment to empower the Quality Assurance Committee to suspend a member who refuses to comply with the Quality Assurance program. This initiative is proposed to mitigate the risk to the public posed by nurses who refuse to comply with the Quality Assurance Program and continue in practice.

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Council was informed that about 20% of members are initially non-compliant with the Quality Assurance Program. Ultimately approximately 20 a year (3.3%) are referred to the Inquiries, Complaints and Reports Committee (ICRC) for non-compliance. The steps taken to encourage non-compliant members to participate in the program were highlighted. It was recognized that Quality Assurance matters referred to the ICRC take valuable resources from other matters.

It was clarified that the interim suspension would end when the member completed the program. This is similar to the ICRC's power to suspend a member for failure to comply with a required health assessment. Interim suspension provisions include procedural fairness requirements, such as providing notice and the ability to respond.

This is an opportunity for the College to provide leadership in promoting a change to enhance the efficiency and effectiveness of key regulatory functions.

**MOTION 6**

Moved by C. Egerton, seconded by N. Florent,

That Council support the pursuit of a legislative change that would give the Quality Assurance Committee the power to impose interim suspensions when a member fails to comply with the Quality Assurance Program.

**CARRIED**

**INFORMATION  
FROM MEMBERS**

K. Voycey introduced a proposal recommended by the Executive that requires members to provide the College with an e-mail address. Council was reminded that it is CNO's statutory obligation under the objects to foster members' ability to respond to changes in technology.

There was some discussion about the timing of this proposal and whether e-mail is sufficiently available for members to meet this requirement.

It was confirmed that, as with changing addresses, it would be the members' accountability to inform the College about changes in e-mail addresses.

At this time, Council is deciding whether to approve the by-law amendment for publication. A final decision will be made in June.

**COUNCIL MINUTES – March 7, 2013****MOTION 7**

Moved by M. Seawright, seconded by A. Vidovic,

That the following amendment to Article 44.2.02 of By-Law No.1: General be approved for notice and circulation:

44.2.02 Each member shall accurately complete and return such form providing such information as may be requested, including but not limited to

i. ~~the member's his or her home address and home telephone number~~ being the address ~~and telephone number~~ of the principal Ontario residence of the member or if the member does not have a residence in Ontario, the member's principal residence ~~and, where available, the member's e-mail address and facsimile number;~~

i.1) *the member's primary telephone number and the member's primary e-mail address that is checked personally by the member on a regular basis;*

i.2) *where available, the member's facsimile number;*

CARRIED

STATUTORY  
COMMITTEE  
REPORTS

K. Voycey noted that statutory committees play a vital role in nursing regulation. Under Section 11(1) of the *Health Professions Procedural Code*, statutory committees must provide a report to Council annually.

**Inquiries, Complaints and Reports Committee (ICRC)**

K. Voycey noted that the number of resolutions and incapacity matters addressed by ICRC have been consistent over the past few years.

**Patient Relations Committee**

The Executive acts as the College's Patient Relations Committee. K. Voycey highlighted the committee's annual report on abuse. He noted that the report reflects the College's commitment to addressing sexual abuse.

**Discipline Committee**

N. Sears reported a 26% increase in contested matters and 20% increase in non-contested matters. She noted that some matters begin as contested but an agreement is reached.

Legal counsel has been asked to provide a pre-hearing memoranda to enhance the efficiency of the pre-hearing process.

Council was informed that the Ontario College of Social Workers and Social Service Workers observed a number of College Discipline hearings and found it helpful.

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### Fitness to Practise Committee

M. Tuomi reported that the Fitness to Practise Committee is experiencing continuing increases in the number of matters being addressed. She reported that the committee has adopted a new practice direction that has resulted in more efficient scheduling.

### Quality Assurance Committee

M. Seawright reported that the Quality Assurance Committee has begun scheduling panels monthly to address member assessments more efficiently.

The Committee has approved a deferral policy that ensures fair and equitable treatment of requests and has resulted in a significant reduction in deferrals.

### Registration Committee

L. Duffield reported that the Committee is experiencing increased number of files and that the files are growing in complexity.

#### ENTRY-TO- PRACTICE

It is part of Council's governance accountability to approve entry-to-practice examinations.

#### EXAMINATION

The OIIQ Professional Examination was used to assess applicants' eligibility for registration prior to the implementation of the College's new Registration Regulation. Approval of the OIIQ examination would be consistent with the principles of labour mobility

#### MOTION 8

Moved by L. Duffield, seconded by N. Sears,

That, as of January 2000 onward, the *Professional Examination for Ordre des infirmières et infirmiers du Québec* (or the *OIIQ Professional Examination*) be approved as another examination for the purpose of registration as a Registered Nurse (RN) in the General class.

CARRIED

#### EXECUTIVE DIRECTORS UPDATE

##### Operational Metrics

A. Coghlan highlighted the operational metrics information for Council. The operational metrics present selected data designed to support Council's understanding of operational activities, for example the length of time needed to complete regulatory processes.

##### Professional Liability Protection

A. Coghlan reviewed the history of this issue. The College recently received a letter from the Minister of Health and Long-Term Care, requiring that all Colleges put into place a requirement that practising health professionals hold professional liability protection.

The College will have discretion to determine the specifics, including whether to accept employer coverage. Council will review a draft by-law in June for circulation.

**COUNCIL MINUTES – March 7, 2013**Regulation in Spotlight

A. Coghlan highlighted a new collaborative project to address transparency.

National Nursing Assessment Service

Council was updated on the work being undertaken to establish the National Nursing Assessment Service. A pilot project involving about 800 applicants is tentatively scheduled for June 2014.

50<sup>th</sup> Anniversary

A. Coghlan highlighted the activities for the College's 50<sup>th</sup> anniversary. She reminded Council members about the June 5<sup>th</sup> reception.

EXECUTIVE  
MEETING

Council members had received minutes of the Executive Committee's meeting of February 11, 2013. K. Voycey noted that planning for Council was a focus of the meeting.

FINANCE  
MEETING

A. Verrier highlighted the report of the Finance Committee's meeting of February 11, 2013. She pointed out that, because of the fee increase which took effect in 2012, the College went from a deficit of almost \$3.6 million to a surplus of almost \$3.8 million. The surplus is \$791,756 more than budgeted.

MOTION 9

Moved by A. Verrier, seconded by M. Marques,

That the unaudited financial statements for the year ended December 31, 2012 be accepted.

CARRIED

ELECTION AND  
APPOINTMENTS  
COMMITTEE

A. Edwardson's resignation resulted in a vacancy on the Election and Appointments Committee. In accordance with the College's By-Laws, the Executive appointed a replacement.

MOTION 10

Moved by M. Tuomi, seconded by C. Egerton,

That the appointment of S. Leduc to the Election and Appointments Committee until June of 2013 be confirmed.

CARRIED

## NEXT MEETING

The next meeting of the Council will be on Thursday, June 6, 2013.

## CONCLUSION

At 3:05 p.m., it was

MOTION 11

Moved by M. Lim-Serrano, seconded by M. Hogard,

That Council conclude.

CARRIED