

COUNCIL MINUTES

September 19, 2013

Present:

E. Kerr, Chair	C. Egerton	D. Mattina
J. Attwood	O. Farouk	A. Patel
J. Balcom	G. Fox	N. Sears
J. Bald	S. Handley	M. Seawright
C. Barnet	M. Hogard	M. Sloan
C. Beemer	J. Jamieson	S. Steele
Y. Blackwood	S. Leduc	M. Tuomi
D. Bockman	J. Leznoff	A. Verrier
L. Bracken	M. Lim-Serrano	A. Vidovic
S. Corkey	J. MacKnight	K. Voycey
R. Davidson	M. MacMillan-Gilkinson	C. Williams
L. Duffield	M. Marques	

Regrets:

D. Kimberley	A. Plumton	A. Wills
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Staff:

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

INTRODUCTION E. Kerr welcomed newly appointed public members: R. Davidson, J. Jamieson and C. Williams. She informed Council that G. Cucchi has resigned.

AGENDA The agenda had been circulated

MOTION 1 Moved by D. Bockman, seconded by L. Bracken,

That the agenda for the Council meeting of September 19, 2013 be approved as circulated.

CARRIED

MINUTES Minutes of the last meeting of the 2012-2013 Council, held on June 6, 2013, had been circulated. An editorial correction was made to the time that the meeting concluded.

MOTION 2 Moved by D. Mattina, seconded by M. Hogard,

That the minutes of the last meeting of the 2012-2013 Council, held on June 6, 2013 be approved as corrected.

CARRIED

Minutes of the first meeting of the 2013-2014 Council, held on June 6, 2013, had been circulated.

COUNCIL – SEPTEMBER 19, 2013

MOTION 3

Moved by J. Bald, seconded by A. Patel,

That the minutes of the first meeting of the 2013-2014 Council, held on June 6, 2013 be approved as circulated.

CARRIED

TRANSPARENCY

E. Kerr reminded Council that the Advisory Group for Regulatory Excellence's (AGRE's) first collaborative project is to address transparency from the regulatory perspective. She noted that the College's strategic plan includes commitments to build public trust and to collaborate with other health regulatory colleges and that this initiative supports both commitments.

The draft transparency principles are the first product of a collaborative regulatory policy development project undertaken by AGRE.

A. Boddy, Manager of Strategy highlighted the process for development of the principles and reviewed each of the draft principles.

It was identified that the principles are public interest focused, and can therefore be supported by Council.

MOTION 4

Moved by L. Duffield, seconded by S. Leduc,

That Council support in principle the *Transparency Principles* as outlined in attachment 1 to the briefing note.

CARRIED

E. Kerr informed Council that further collaborative work based on the principles will identify what additional information could be shared with the public.

**PROFESSIONAL
LIABILITY
PROTECTION**

E. Kerr reminded Council that the draft by-law related to professional liability protection had been approved by Council in June for circulation. The College received wording suggestions from two stakeholder organizations. Following review with legal counsel, some editorial amendments were incorporated into the by-law.

The Executive noted that inclusion of some of the recommended amendments reflects the effectiveness of the by-law circulation process. The Executive believes that the by-law, with the editorial changes, is in the public interest.

E. Kerr noted that Council considers the feedback to by-laws through the lens of the public interest. The key question is whether anything in the feedback changes the College's perspective that the by-law is in the public interest.

There was a question about whether a member's liability coverage would be listed on Find a Nurse. Once the by-law is in effect, the public can expect that members of any class other than the non-practising class will hold the specified professional liability protection.

COUNCIL – SEPTEMBER 19, 2013

There were a number of questions raised related to nurses understanding and meeting their accountability for holding professional liability protection. The College will be implementing a communications plan to support nurses in understanding and meeting this accountability. The College will also work with employers so that they can help nurses to assess if the employer's coverage meets the College's requirements.

There was discussion about the College's plans for monitoring whether members are meeting their accountability for liability protection. The College's immediate priority will be educating members. In the 2015 renewal, members will be required to declare that they understand their accountability to hold professional liability protection. The College has the authority to audit whether members are meeting that accountability and will consider approaches in the future, focusing on risk and linking with other regulatory processes.

E. Kerr noted that a 2/3 majority is required to pass a by-law.

MOTION 5

Moved by J. Attwood, seconded by J. MacKnight,

That Article 44.4 Professional Liability Protection of By-Law No. 1: General as it appears in column 2 of Attachment 2 to the briefing note, be approved to come into effect on March 31, 2014.

CARRIED

**APPLICATION
FEES**

In June, Council had circulated proposed changes to the Fees By-Law related to application fees. The changes addressed a gap that arose with the implementation of the registration regulation. Council had received a report of the feedback to the proposed revisions.

E. Kerr noted that a 2/3 majority is required to pass a by-law amendment.

MOTION 6

Moved by D. Bockman, seconded by D. Mattina,

That the following amendment to By-Law No. 2: Fees be approved:

2.02 A person who submits an application for a certificate of registration in the general or extended class shall pay an application fee of

- i) \$50.00 for an application for a general class certificate of registration as a registered nurse if the applicant is a graduate of a nursing program required for registration as a registered nurse which was taken in Canada or if the applicant, at the time of application, holds an out-of-province certificate that is equivalent to a general class certificate of registration as a registered nurse *or if the applicant previously held a general or extended class certificate of registration as a registered nurse issued by the College;*

COUNCIL – SEPTEMBER 19, 2013

- ii) \$50.00 for an application for a general class certificate of registration as a registered practical nurse if the applicant is a graduate of a nursing program required for registration as a registered practical nurse which was taken in Canada or if the applicant, at the time of application, holds an out-of-province certificate that is equivalent to a general class certificate of registration as a registered practical nurse ***or if the applicant previously held a general class certificate of registration as a registered practical nurse issued by the College;***
- iii) \$50.00 for an application for an extended class certificate of registration if the applicant is a graduate of a program required for registration in the extended class which was taken in Canada or if the applicant, at the time of application, holds an out-of-province certificate that is equivalent to an extended class certificate of registration as a nurse practitioner ***or if the applicant previously held an extended class certificate of registration as a nurse practitioner issued by the College;***

CARRIED

**BY-LAW RE.
ELECTRONIC
VOTING**

E. Kerr highlighted the reasons that the College is moving forward with electronic voting. The Executive hopes that electronic voting will result in increased voter participation.

Members identified that the new approach is fiscally responsible and that the ability to send a reminder may encourage more members to vote.

Articles 53.13.1, 53.16 and 53.16.1 specify a 5:00 p.m. deadline. A Council member flagged that there are two time zones in Northwestern Ontario. To ensure a workable deadline, it was agreed to amend the proposed articles to specify a time zone.

Prior to voting on the by-law amendments, the President reminded Council that a 2/3 majority is required to approve by-laws.

MOTION 7

Moved by J. Leznoff, seconded by M. Tuomi,

That the proposed amendments to By-Law No. 1: General as they appear in Column 2 of attachment 1, with the amendment re. time zones, be approved to support the implementation of electronic voting.

CARRIED

**MEDICATION
PRACTICE
STANDARD**

The government is planning to proclaim legislative changes to the *Nursing Act* to give RNs and RPNs the authority to dispense medications. E. Kerr outlined the difference between having the authority to dispense medications and dispensing under delegation.

COUNCIL – SEPTEMBER 19, 2013

To provide the guidance members require for safe dispensing, the College is proposing amendments to the Medication Practice Standard. The government is awaiting the amendments in order to move forward with proclamation of the changes to the *Nursing Act*.

Council received a briefing note outlining the proposed changes and rationale.

MOTION 8

Moved by R. Davidson, seconded by L. Duffield,

That the proposed changes to the *Medication Practice Standard*, as they appear in attachment 1 to the briefing note, be approved to come into effect when the government proclaims section 4, paragraph 5, of the *Nursing Act, 1991* regarding dispensing a drug.

CARRIED

**NP PROGRAM
APPROVAL**

S. Handley declared a conflict of interest and left the meeting.

E. Kerr noted that Council is accountable for the approval of Nurse Practitioner programs. The College is planning an overall review of the Nurse Practitioner program approval process. In order to focus resources on the review, the College needs to suspend the process of program review.

Council is being asked to extend the existing program approvals from December 2014 to December 2015. This will allow the College to take the needed break from program review and ensure that students graduate from approved programs.

The Executive is recommending the extension. It is confident that students graduating from the programs will meet the entry-to-practice competencies and believes that it is in the public interest that the College have strong, consistent, standards and principle based approaches to program evaluation.

MOTION 9

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

That review of the following Nurse Practitioner Programs scheduled for 2014 be deferred, and that the expiry date of the approval for these programs be extended until Council issues a new approval status, or December 2015, whichever comes first:

The University of Toronto

- Nurse-Practitioner Field Program (Adult Stream)
- Nurse Practitioner Field Program (Paediatric Stream)
- Nurse Practitioner Field Program (Primary Health Care – Global Health Stream)

McMaster University

- Advanced Neonatal Nursing Program

Council of Ontario University Programs in Nursing (COUPN)

- Ontario Primary Health Care Nurse Practitioner Program

CARRIED

COUNCIL – SEPTEMBER 19, 2013

S. Handley rejoined the meeting.

**EXECUTIVE
DIRECTORS
UPDATE –
WHAT’S HOT**

C. Stanford highlighted the membership survey. She noted that the survey helps the College to gauge its performance against the strategic plan. The survey is carried out every three years to give time for initiatives to take effect. Samples of the results were highlighted.

A. Coghlan highlighted examples of the College’s leadership role in influencing legislation, including our input on:

- the potential regulation of additional professions - dental assistants and paramedics, and
- proposed changes to the regulations under the Long Term Care Homes Act to allow nursing students to administer medication.

Council was informed that the work needed to implement the shift to the NCLEX – RN examination for entry to practice as of January 1, 2015 is on track. Each jurisdiction will be hosting a regional seminar to assist educators in understanding how to best to prepare students for a computer adaptive exam.

Council was informed that the Nursing and Midwifery Council (NMC) of the United Kingdom is implementing a revalidation process in 2015. Nurses and midwives will be required to regularly demonstrate that they remain fit to practice. NMC will randomly monitor revalidation submissions.

The College is exploring approaches to ensure that there is appropriate security to support the College in its regulatory role. As part of this process, the College is evaluating the effectiveness of having a security guard in the lobby.

**EXECUTIVE
COMMITTEE**

Council members received draft minutes of the Executive Committee meeting of September 4, 2013, for information. E. Kerr noted that as a result of feedback from the evaluation of the June Council meeting, the Executive will bring forward proposed revised terms of reference addressing approval of audited financial statements.

The purpose of the evaluation of Council meetings is to assist the Executive in meeting its accountability for supporting effective Council meetings. Council was informed that the College will implement a new Council meeting evaluation form in the future. A shorter form, focused on enhancing governance, will be used in the interim.

**FINANCE
COMMITTEE**

A. Verrier highlighted the report of the Finance Committee meeting of September 4, 2013. Council members had received a copy of the unaudited financial statements for the seven months ended July 31, 2013.

A. Verrier noted that there is a positive variance from budget of \$526,790 with an operating surplus of approximately \$3.1 million.

COUNCIL – SEPTEMBER 19, 2013

MOTION 10

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

That the unaudited financial statements for the seven months ended July 31, 2013 be accepted.

CARRIED

The Finance Committee also reviewed the budget development process.

COUNCIL DATES

To facilitate planning, Council dates are approved in advance. The Executive recommended Council dates for 2014.

MOTION 11

Moved by L. Bracken, seconded by M. Seawright,

That the following be approved dates for Council meetings in 2014:

- Thursday, March 6, 2014
- Wednesday, June 4, 2014
- Thursday, September 18, 2014
- Thursday, December 4, 2014

CARRIED

**COMMITTEE
APPOINTMENTS**

The Executive appointed the new public members to committees and, in accordance with the College's by-laws, Council is being asked to confirm the appointments.

MOTION 12

Moved by M. Lim-Serrano, seconded by M. MacMillan-Gilkinson,

That the following statutory committee appointments be confirmed:

- Renate Davidson to the Discipline Committee;
- Joe Jamieson to the Quality Assurance Committee; and
- Chuck Williams to the Fitness to Practise Committee.

CARRIED

CONCLUSION

The meeting concluded at 3:30 p.m.