

## COUNCIL MINUTES

March 6, 2014

Present:

E. Kerr, Chair	G. Fox	A. Plumton
J. Balcom	S. Handley (afternoon)	N. Sears
C. Barnet	M. Hogard	M. Seawright
C. Beemer	D. Kimberley	M. Sloan
D. Bockman	S. Leduc	S. Steele
L. Bracken	J. Leznoff	M. Tuomi
S. Corkey	M. Lim-Serrano	A. Verrier
R. Davidson	M. Marques	C. Williams
L. Duffield	M. MacMillan-Gilkinson	A. Wills
C. Egerton		

Regrets:

J. Attwood	O. Farouk	A. Patel
J. Bald	J. MacKnight	A. Vidovic
Y. Blackwood	D. Mattina	K. Voycey

Staff:

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

**AGENDA**                      The agenda had been distributed. Agenda 2 will be used for the meeting.

**MOTION 1**                      Moved by C. Egerton, seconded by A. Plumton,  
  
That the agenda for the Council meeting of March 6, 2014 be approved.  
**CARRIED**

**MINUTES**                      Minutes of the Council meeting of December 5, 2013 had been circulated.

**MOTION 2**                      Moved by M. Hogard, seconded by J. Balcom,  
  
That the minutes of the Council meeting of December 5, 2013 be approved as circulated.  
**CARRIED**

**ANNUAL REPORT UPDATE**                      E. Kerr reminded Council that monitoring of the Strategic Plan is a joint Council staff accountability. Each March Council receives an update report for information and discussion.

A. Coghlan highlighted the activities in the 4<sup>th</sup> year of the plan. She noted that Council received updates throughout the year. Many of the initiatives that are reported are multi-year projects.

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This year, the College began a major project that will transform how it does its work and will enhance its capacity to collect and analyze data.

The College is continually enhancing all its regulatory functions but in 2013, there was a focus on entry to practice – for example preparation for implementation of the National Nursing Assessment Service in September 2014 and the move to the NCLEX-RN as the entry-to-practice examination in 2015.

It was noted that 2013 was a year of significant collaboration – provincially, nationally and internationally. The College has taken a leadership role in the collaborative transparency project to identify the information to be shared with the public to enhance confidence in nursing regulation.

The Strategic Plan update report was received for information and discussion.

**CONTROLLED  
SUBSTANCES**

In anticipation of nurse practitioner prescribing of controlled substances, Council is being asked to consider what regulatory mechanism is required to support safe and ethical prescribing. E. Tilley, Policy Analyst, provided context and background for the discussion.

It was clarified that the mandatory education will only be required for Nurse Practitioners where the prescribing of controlled substances is relevant to their practice. The requirement will be in place until the competencies to support safe prescribing of controlled substances are incorporated into Nurse Practitioner entry level education programs.

It was identified that Council's decision in principle will guide ongoing work related to nurse practitioner prescribing of controlled substances.

It was noted that the College will be exploring how it will monitor this high risk aspect of practice once it becomes legal in Ontario.

**MOTION 3**

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

That Council approve in principle that it be mandatory for Nurse Practitioners to complete College approved education before prescribing controlled substances until this new area of practice is incorporated into entry requirements.

**CARRIED**

**PSYCHOTHERAPY**

In anticipation of proclamation of psychotherapy as a controlled act, Council was asked to consider the mechanisms to ensure its safe performance by RNs and RPNs.

The difference between counseling and the controlled act of psychotherapy was highlighted. It was noted that the controlled act of psychotherapy addresses serious conditions which may result in serious impairment of a patient.

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The theoretical and clinical components required to safely perform the controlled act of psychotherapy are not included in basic nursing programs at this time.

There was discussion about whether requiring an order is the appropriate regulatory mechanism or whether it would be in the public interest to allow nurse performing of psychotherapy with College prescribed education.

It was clarified that there are some controlled acts that nurses can perform without an order and some that require an order – for example dispensing a drug.

It was noted that this is a high risk activity and a new controlled act. The College will monitor practice to determine if this is the right regulatory mechanism or if other options should be explored.

There was discussion about the subjectivity and lack of clarity of the definition of the controlled act of psychotherapy. The definition is in the Regulated Health Professions Act. It is a complex act to define and it was recognized that the definition poses challenges.

It was noted that the College of Psychotherapy is being formed. One option for nurses with the appropriate education who are performing psychotherapy is to seek registration in that College as well as the College of Nurses. Once the College of Psychotherapy is operational there may be more data and information about the performance of psychotherapy to inform future Council decisions.

MOTION 4

Moved by D. Bockman, seconded by S. Steele,

That Council support that Registered Nurses (RNs) and Registered Practical Nurses (RPNs) require an order to perform the controlled act of psychotherapy.

CARRIED

PN PROGRAM  
APPROVAL

The President asked that any members who are on the faculty or the advisory committee of a Practice Nurse Program under consideration declare a conflict of interest. M. Seawright declared a conflict of interest and left the meeting.

Council had received a briefing note with specifics about the full and annual program reviews. E. Kerr noted that the annual review of programs is effective, it is proposed that:

- three programs move from Category 2 (conditional) to Category 1 (full) approval; and
- two programs move from Category 1 to Category 2. As Category 2, these programs will need to address identified deficiencies and provide a report to the College on how the deficiencies were addressed.

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**MOTION 5**

Moved by L. Duffield, seconded by G. Fox,

That the following practical nurse programs be granted Category 1 Approval until December 2019:

- Algonquin College
- Cambrian College
- Canadore College
- Durham College
- Georgian College
- Lambton College
- Loyalist College
- Northern College

That the following practical nurse programs be granted Category 1 Approval until December 2018:

- Boreal College
- Sault College
- St Clair College

That the following practical nurse programs be granted Category 2 Approval with Conditions until Council issue a new approval or December 2015, whichever is sooner:

- Centennial College
- Centennial College (IEN to Practical Nurse Diploma)
- George Brown College
- Humber College
- La Cite College
- Mohawk College
- Niagara College
- Seneca College
- Sheridan College

CARRIED

M. Seawright rejoined the meeting.

**NURSE  
PRACTITIONER  
EXAMS**

E. Kerr noted that it is Council's accountability to approve Nurse Practitioner examinations. R. Jabbour highlighted the rationale for approval of the proposed examinations and noted the national collaborative work that is being undertaken to support future practice and entry to practice decisions regarding Nurse Practitioners.

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**MOTION 6**

Moved by A. Wills, seconded by C. Barnett,

That Council approve the following entry-to-practice exams for NP registration:

- the American Academy of Nurse Practitioners' Adult-Gerontology Primary Care Certification Exam for registration as an NP-Adult from January 2013 onward; and
- the American Academy of Nurse Practitioners' Family Nurse Practitioner Certification Exam for registration as an NP-Primary Health Care from January 2013 onward.

CARRIED

**STATUTORY  
COMMITTEE 2013  
ANNUAL  
REPORTS**

E. Kerr noted that the work of statutory committees is critical to the College meeting its commitments related to the regulatory functions. Each year, the committees present reports to Council in accordance with Section 11 of the Health Professions Procedural Code. The reports were sent to members in advance and the Chairs highlighted key issues or trends from the reports.

**Inquiries, Complaints and Reports Committee:**

E. Kerr highlighted the report of the Inquires, Complaints and Reports Committee. She noted that in 2013 the committee reviewed the highest number of complaints over 5 years and also experienced the highest number of appeals. This was due to a number of complaints involving more than one nurse. It was noted that the number of Executive Director investigations and health inquiries remain relatively stable.

**Patient Relations Committee:**

E. Kerr highlighted the report of the Patient Relations Committee on patient abuse. She noted that the report is different from the other committee reports because it addresses the work of several committees. She noted that the goal of the legislation is the eradication of sexual abuse of patients. Unless there is insufficient information to pursue a matter, all complaints and reports of sexual abuse are investigated.

**Discipline Committee:**

N. Sears presented the report of the Discipline Committee. She noted that despite a reduction in the number of cases, there was an increase in the number of hearing days due to several complex cases.

She reported that the committee was not meeting its guideline for release of decisions and reasons. Beginning this year, the Committee has implemented a process change to reduce the time for decision writing and enhance the quality of decisions.

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**Fitness to Practise Committee:**

M. Tuomi presented the report of the Fitness to Practise Committee. She noted that there were 18 fewer cases referred to the Committee in 2013 than in 2012. 86% of matters were addressed through consent orders. Nine breaches were addressed.

**Quality Assurance Committee:**

M. Seawright highlighted the report of the Quality Assurance Committee. She shared the success rates for practice assessment for the focused selection groups (nurses working in long-term care and nurses who had been reported to the College) and those from the General Class selection.

**Registration Committee:**

L. Bracken highlighted the report of the Registration Committee. She focused on language proficiency and the examination.

She noted that the ability to communicate in English or French is critical to safe patient care. She highlighted the mechanisms used by the committee to determine fluency. She reported that of 236 applicants reviewed for fluency, 234 were determined to meet the requirement.

There were 504 submissions from nurses who failed the examination three times. While the College cannot provide a fourth opportunity, if there is a valid reason and corroborating evidence, the Registration Committee can annul an examination. An annulment was granted in 69 cases.

Council was informed that there were two divisional court challenges of Committee decisions regarding examinations. In both instances, the Committee's decision was upheld.

EXECUTIVE  
DIRECTOR  
UPDATE

P. Reinhart provided Council with an overview of the College's renewal process. He reviewed the cycle of the renewal process and specific data from the 2014 renewal.

A. Coghlan shared information about the increase in participation in the College's first e-election.

Council was informed that all RPN regulators are collaborating with Assessment Strategies Inc. to provide the national Practical Nurse examination as a computerized examination effective 2016.

In December, Council had reviewed a presentation on the College's entry to practice processes. A similar presentation was shared with the Fairness Commissioner. The Commissioner was pleased with the College's efforts to address the concerns of international applicants.

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On March 31<sup>st</sup>, all members other than those in the non-practising class will be required to hold professional liability protection. Council was updated on the College's communications regarding this new accountability.

Council was updated on the collaborative transparency project. It was identified that the principles that Council had supported in December have been used to develop preliminary recommendations for future changes to how and what information is provided to the public. A public consultation will be undertaken to inform the recommendations.

The first stage recommendations will be discussed by the councils of all six participating regulators in the spring and a meeting of the regulators will take place over the summer to identify areas of agreement.

Council was informed that the principles were presented to all health regulators at the Federation of Health Regulatory Colleges of Ontario meeting. They were well received and a number of regulators were presenting the principles to their Councils.

Council previewed three videos on practice reflection and guided reflection. They are designed to support members in understanding the value of practice reflection and what to expect in a guided reflection meeting at the College.

**EXECUTIVE  
COMMITTEE**

Council members received the draft minutes of the Executive Committee meetings of February 12 and February 24. E. Kerr highlighted the minutes.

She noted that a lot of work has been put into making briefing notes for Council clearer.

She highlighted the discussion following up on two issues that had been raised at Council:

Following the defeat of the proposed motion that the Executive approve financial statements, staff reviewed options. An alternative approach will be used that does not require any change in committee or Council roles.

In relation to the role of committees in addressing policy issues before Council, she noted that the Executive confirmed that the current approach is congruent with the College's current governance model.

E. Kerr noted that the Executive has begun discussing the possibility of a comprehensive governance review. The review would address the role of Council and committees in decision making.

A question was raised about the correspondence from ONA and RNAO about the non-practising class. It was identified that members are concerned about loss of identity and it was clarified that members of the non-practising class can use the titles RN, non-practising and RPN, non-practising.

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A. Coghlan noted that the College is planning a review of the implementation and impact of the new Registration regulation. This kind of feedback will be considered in the review.

The Executive also held an electronic meeting to address a vacancy that would have resulted in the Election and Appointments Committee lacking a quorum.

**MOTION 7**

Moved by C. Williams, seconded by C. Egerton,

That Council confirm the appointment of N. Sears to the 2013-2014 Election and Appointments Committee.

CARRIED

**FINANCE  
COMMITTEE**

A. Verrier highlighted the report of the Finance Committee meeting of February 12, 2014. Council had received the unaudited financial statements for the year ended December 31, 2013. It was noted that the year-end surplus was less than budget due to lower than budgeted revenues.

**MOTION 8**

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

That the unaudited financial statements for the year ended December 31, 2013 be accepted.

CARRIED

**ELECTION  
RESULTS**

Council members received a report of the election, for information. This was the first time there was a tie. The College's by-law was used to break the tie.

**RULES OF ORDER**

The College's current rules of order are out of print. A recommendation was presented to Council by the Executive. E. Kerr noted that she had the opportunity to review the proposed rules and found them clear and easy to use.

**MOTION 9**

Moved by C. Barnet, seconded by C. Williams,

That Council approve the following By-Law amendment related to rules of order:

That article 7.22 of By-Law No. 1: General be

**7.22** Except where inconsistent with the RHPA, the Act, the regulations or the by-laws of the College, the rules of order as contained in *Wainberg's Society Meetings Including Rules of Order* the ***current version of the American Institute of Parliamentarians' Standard Code of Parliamentary Procedure*** shall be the rules of order for meetings of Council.

***7.22.1 Despite the provisions of 7.22, at the discretion of the President, the Council will allow discussion of a topic without a motion needing to be made first.***

CARRIED



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She reminded Council that the scrutineers for the election are L. Duffield, M. MacMillan-Gilkinson and S. Steele.

Candidates for election for Vice-President, RN made brief statements.

On instruction of the Chair, the scrutineers delivered ballots to each eligible voter. Members marked their ballots. On instruction from the Chair ballots were collected by the scrutineers for counting. The scrutineers left the meeting.

**ELECTION  
RESULTS**

On return of the scrutineers with the results, M. Tuomi announced the elected candidates:

President	A. Verrier
Vice-President, RN	C. Beemer
Vice-President, RPN	M. Sloan

Candidates for election as Vice-President, RN were informed that the numerical results of the election would be available from M. Tuomi until the end of March 2014.

**MOTION 12**

Moved by N. Sears, seconded by S. Leduc,

That the ballots for the election of 2014-2015 Council officers be destroyed.

**CARRIED**

**STATUTORY  
COMMITTEE  
CHAIRS**

E. Kerr resumed the Chair. Council members had received the Executive Committee's recommendation for committee Chairs.

**MOTION 13**

Moved by G. Fox, seconded by L. Duffield,

That, effective June 4, 2014, the following be the 2014-2015 Statutory Committee Chairs:

Discipline	Nancy Sears
Fitness to Practise	Michael Hogard
Quality Assurance	Alaine Wills
Registration	Cathy Egerton

**CARRIED**

**COMMITTEE  
APPOINTMENTS**

Council had received a report on the process of developing the slates of committee members. The lists of committee members were reviewed.

**MOTION 14**

Moved by S. Leduc, seconded by C. Williams,

That the Council and committee members be appointed to statutory committees and the Finance Committee, effective June 4, 2014, in accordance with the list of committee appointments presented by the Election and Appointments Committee (attachment 1 to the minutes).

**CARRIED**

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ELECTION AND  
APPOINTMENTS  
COMMITTEE

The Executive appointed the members of the 2014-2015 Election and Appointments Committee and recommended the chair.

MOTION 15

Moved by D. Bockman, seconded by M. Sloan,

That, effective June 4, 2014, J. Attwood, C. Egerton, S. Handley, A. Plumton, S. Steele and M. Tuomi be the members of the 2014-2015 Election and Appointments Committee; and

That, effective June 4, 2014, A. Plumton be the Chair of the 2014-2015 Election and Appointments Committee.

CARRIED

COMPENSATION  
SUB-COMMITTEE

The role of the Sub-Committee on Compensation was highlighted. The members were recommended by the Finance Committee and the Chair by the Executive Committee.

MOTION 16

Moved by C. Egerton, seconded by A. Plumton,

That, effective June 4, 2014, Ella Ferris, Dennis Stapinski and Susan VandeVelde-Coke be the members of the 2014-2015 Sub-Committee on Compensation be: and

That, effective June 4, 2014, Ella Ferris be appointed as the Chair of the 2014-2015 Sub-Committee on Compensation.

CARRIED

NEXT MEETING

The first meeting of the 2014-2015 Council will be June 4, 2014.

CONCLUSION

At 2:45 p.m., it was

MOTION

Moved by M. Hogard, seconded by L. Duffield,

That Council conclude.

CARRIED

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Chair

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**APPENDIX 1  
2014-2015 COMMITTEE MEMBERS**

**Executive Committee**

Angela Verrier, RPN, President  
Cheryl Beemer, Vice-President, RN  
Megan Sloan, Vice-President, RPN  
Yvonne Blackwood, Public Member  
Debra Mattina, Public Member

**Inquiries, Complaints and Reports  
Committee:**

Angela Verrier, RPN, Chair  
Carl Balcom, RN  
John Bald, Public Member  
Cheryl Beemer, RN  
Linda Bishop, RPN\*  
Laura Black, RPN\*  
Yvonne Blackwood, Public Member  
David Bockman, Public Member  
Omar Farouk, Public Member  
Gabiella Golea, RN\*  
Joel Kuper, RN\*  
Debra Mattina, Public Member  
Megan Sloan, RPN  
Kris Voycey, RN  
Alaine Wills, Public Member  
Shannon Wright, RN\*

**Fitness to Practise Committee**

Michael Hogard, RPN, Chair  
Candace Bretzer, RPN\*  
Renate Davidson, Public member  
Cathy Egerton, Public Member  
Barbara Frayne, RN\*  
Fotyne Georgopoulos, RPN\*  
Deborah Graystone, NP  
Kristine Lorbergs, NP\*  
Christine Noels, RN\*  
Darren Pace, RN\*  
Archna Patel, RN\*  
Sheelagh Rutherford, RN\*  
Sandra Steele, RPN  
Beverley Spencer, RPN\*  
Margaret Tuomi, Public Member  
Chuck Williams, Public Member  
1 Public member vacancy

**Discipline Committee:**

Nancy Sears, RN, Chair  
Jim Attwood, RN  
Lorenza Barron, RN\*  
Pak Cheong Patrick Chiu, RN\*  
Sarah Corkey, RN  
Renate Davidson, Public Member  
Samantha Diceman, RPN\*  
Spencer Dickson, RN\*  
Catherine Egerton, Public Member  
Jenifer Figueiredo, RN\*  
Grace Fox, NP  
Ashley Friest, RPN\*  
Susannah Handley, RN  
Tammy Hedge, RPN\*  
Zahir Hirji, RN\*  
Michael Hogard, RPN  
Lindsay Hyslop, NP\*  
Shiraz Irani, RN\*  
Karen LaForet, RN\*  
Mary MacMillan-Gilkinson, Public Member  
Abdul Patel, Public Member  
April Plumton, RPN  
Susan Roger, RN\*  
Laura Sanderson, RPN  
Barbara Titley, RPN\*  
Margaret Tuomi, Public Member  
Andrea Vidovic, RN  
Chuck Williams, Public member  
3 public member vacancies

\* Appointed committee member

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**Quality Assurance Committee**

Alaine Wills, Public Member, Chair  
Cheryl Barnet, NP  
Kevin Boake, RPN\*  
Joe Jamieson, Public Member  
Andrea Jewell, RN  
Judith Leznoff, Public Member  
Debra Mattina, Public Member  
Janice McCallum, RN\*  
Debbie Rickeard, RN\*  
Monica Seawright, RPN

**Registration Committee**

Cathy Egerton, Public Member, Chair  
Chantal Backman, RN\*  
John Balcom, RN  
David Bockman, Public Member  
Sabrina Cestola, RPN\*  
Laurie Duffield, RN  
Sharon Hoosein, NP\*  
Monina Lim-Serrano, Public Member  
Debra Mattina, Public Member  
April Plumton, RPN

**Finance Committee**

Cheryl Beemer, RN Vice President, Co-Chair  
Megan Sloan, RPN Vice-President, Co-Chair  
Angela Verrier, RPN, President  
John Balcom, RN  
Catherine Egerton, Public Member  
Ella Ferris, RN\*  
Monica Seawright, RPN  
Margaret Tuomi, Public Member