

## COUNCIL MINUTES

September 18, 2014 at 1:00 p.m.

### Present

A. Verrier, Chair  
J. Attwood  
C. Balcom  
J. Balcom  
C. Beemer  
Y. Blackwood  
D. Burger  
S. Corkey  
R. Davidson  
C. Egerton

G. Fox  
D. Graystone  
M. Hogard  
J. Jamieson  
A. Jewell  
M. MacMillan-Gilkinson  
D. Mattina  
A. Patel  
A. Plumton

L. Sanderson  
N. Sears  
M. Sloan  
S. Steele  
M. Tuomi  
A. Vidovic  
K. Voycey  
D. Walia  
C. Williams

### Regrets

C. Barnet  
L. Duffield  
K. Jain

S. McGeachy  
D. Miles  
M. Seawright

C. Ward  
A. Wills

### Staff

J. Anderson  
A. Coghlan

J. Hofbauer, Recorder  
K. McGovern

P. Reinhart  
C. Stanford

## AGENDA

The agenda had been circulated.

### MOTION 1

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

That the agenda for the September 18, 2014 Council meeting be approved as circulated.

CARRIED

## **MINUTES**

Minutes of the meeting of March 6, 2014 had been circulated.

### **MOTION 2**

Moved by M. Hogard, seconded by C. Voycey,

That the minutes of the Council meeting of March 6, 2014 be approved as circulated.

CARRIED

Council received the notes of the June 4, 2014 meeting of Council members.

### **MOTION 3**

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

That the notes of the June 4, 2014 meeting of Council members be approved as circulated.

CARRIED

## **EXECUTIVE REPORT OF DECISIONS**

In June, due to a delay in appointment of public members, Council was not constituted. In accordance with Section 12 of the *Health Professions Procedural Code*, the Executive made urgent decisions. Council received a report of the Executive's actions.

### **DECISIONS DEFERRED IN JUNE**

A number of decisions were deferred in June because they were not urgent.

#### **Approval of auditors**

The Finance Committee had recommended auditors for the 2015 fiscal year.

#### **MOTION 4**

Moved by D. Mattina, seconded by M. Tuomi,

That Hilborn LLP be the College's auditors for the 2015 fiscal year.

CARRIED

#### **Terms of Reference – Finance Committee**

The Terms of Reference for the Finance Committee are reviewed biennially. The Executive recommended a few editorial changes, for clarification.

#### **MOTION 5**

Moved by K. Voycey, seconded by C. Egerton,

That the proposed revised Finance Committee Terms of Reference, as attached to the briefing note, be approved.

CARRIED

#### **Terms of Reference – Sub-Committee on Compensation**

The Terms of Reference of the Sub-Committee on Compensation are reviewed biennially. The Executive is recommending editorial amendments for clarification.

#### **MOTION 6**

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

That the proposed revised Sub-Committee on Compensation Terms of Reference, as attached to the briefing note, be approved.

CARRIED

#### **LEADING IN REGULATORY GOVERNANCE**

A. Verrier highlighted the Executive Committee's recommendation regarding a governance review. She noted that the recommendation is brought to Council at an early stage to allow for Council input to shape the review.

It was noted that there is no crisis that caused the Executive to recommend a review – rather the Executive believes that undertaking a review will provide a proactive opportunity to review best practices in regulatory governance.

Council members were asked for ideas about what should be included in the review. The following topics were raised:

- How to define the public interest
- How Council members come on board:
  - Election/appointment
  - Regional or other approaches (e.g. practice areas) – public interest rationale
- Size and mix of members on Council
  - Proportion of elected/public
  - How to make sure all designations are included
- Leadership roles
  - Parliamentarian to allow chair to participate
  - Structure of Executive – inclusion of Nurse Practitioner
- Requirements for participation
  - Formal commitment to meet accountabilities (e.g. oath of office)
  - Criminal checks to be eligible to serve

It was identified that it is important to start with an in-depth analysis of role and accountabilities of Council and committee members before exploring issues like structure and process.

A. Verrier noted that Council's input will be addressed in the Terms of Reference for the review that will be brought to Council in December.

## **MOTION 7**

Moved by R. Davidson, seconded by G. Fox,

That Council support in principle the implementation of a governance review beginning in 2015, and

That the Executive Committee develop a structure and terms of reference for the review for Council decision in December 2014.

CARRIED

## **TRANSPARENCY PROJECT**

A. Verrier reminded Council of the decisions that have been made to date to support the transparency project. She informed Council that she had attended a collaborative session in the summer addressing outcomes of the Inquiries, Complaints and Reports Committee (ICRC). The focus was to determine what currently confidential information might be made public.

K. McCarthy presented the work done to identify and define consistent ICRC outcomes and determine, using a risk-based framework, which outcomes should be made public. The framework was agreed to by all session participants. It is proposed that public information on the register be broadened from the current high risk options (e.g. referrals to Discipline/Fitness to Practise, undertakings) to include moderate risk options (caution, Specified Continuing Education and Remediation Program).

Council members expressed support for the public focus and objectivity of the new approach. Having a clear and consistent risk-based framework for decision making should support the Inquiries, Complaints and Reports Committee in meeting its mandate.

## **BY-LAW – PROFESSIONAL LIABILITY PROTECTION**

In June, the Executive approved an amendment to Article 44.4 regarding professional liability protection, for publication. The change addressed a gap in relation to federal government employees.

Council received a report of the feedback to the published amendment.

The Executive Committee is recommending approval of the amendment. Council was reminded that a 2/3 majority is required to approve a by-law.

## **MOTION 8**

Moved by R. Attwood, seconded by A. Plumpton,

That the following addition to article 44.4.02 of *By-Law No.1: General* be approved:

iv) Protection under the Treasury Board of Canada *Policy on Legal Assistance and Indemnification*.

CARRIED

## **FEES BY-LAW**

Changes to application processes require changes to the fees. In June, the Executive approved amendments to By-Law No. 2: Fees for publication. Council received a report of the feedback to the published amendment. A. Verrier pointed out the feedback that had been received from RNAO. The Executive Committee is recommending approval of the amendments.

In the discussion, it was noted that College fees are set based on cost recovery.

## **MOTION 9**

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

That the proposed amendments to By-Law No. 2: Fees as they appear in attachment 2 to the briefing note be approved.

CARRIED

## **NCLEX-RN EXAMINATION**

A. Verrier reminded Council that in March 2013, Council signalled its intent to approve the NCLEX-RN exam as an entry-to-practice examination from 1982 until the end of 2014. This same decision was made by RN regulators across Canada.

It was noted that the examination is one of a number of entry-to-practice requirements that together ensure that successful applicants are able to meet Ontario's entry-to-practice competencies.

It was identified that this decision will support access to registration for international applicants who have previously successfully completed the NCLEX-RN examination.

## **MOTION 10**

Moved by M. Tuomi, seconded by S. Corkey,

That the *National Council Licensure Examination for Registered Nurses* (NCLEX-RN) from 1982 to the end of 2014 be approved as an examination for the purpose of registration as a Registered Nurse (RN) in the General Class in accordance with sub-section 2.(1)2. of Part II (Registration) of Ontario Regulation 275/94 – General.

CARRIED

## **INTERNATIONAL APPLICATIONS**

J. Anderson highlighted the trends and challenges related to the processes of international applications. Volumes were highlighted and it was noted that they continue to pose challenges. Council was informed that 25% of RN international applicants and over 90% of international RPN applicants met the educational requirement without further evaluation.

It was noted that, despite increasing volumes, the median time from initial application to eligibility for registration has remained stable.

Since 2008, there has been a downward trend in the entry-to-practice exam pass rates for RN international applicants.

J. Anderson highlighted the continuous improvement initiatives that the College is undertaking to enhance the efficiency and effectiveness of the College's entry-to-practice processes for international applicants.

The presentation was received for information. There was discussion about the examination failures. It was noted that the College will be doing more work to determine whether the issue is an overall problem with foundational preparation or if there are specific challenges for international applicants.

Council members noted that practice, cultural and language differences can create issues for international applicants seeking registration.

## **EXECUTIVE DIRECTOR UPDATE**

C. Stanford highlighted several current initiatives that will transform how the College interacts with members and stakeholders:

- business process re-engineering and automation,
- communications strategy designed to align communications with specific audiences and goals, and
- the clear language initiative.

## **Social Media**

A. Coghlan informed Council that the College now has a Facebook page. It is another way to reach members with important information.

Council members had received the International Nurse Regulator Collaborative position on social media. It provides guidance on the appropriate use of social media and is on the College's website.

### **Office of the Fairness Commissioner report**

A. Coghlan highlighted several of the areas of praise and recommendations in the report of the Office of the Fairness Commissioner. She noted that the College is finalizing its action plan to address the recommendations.

The online applicant tool, which will be launched in the fall of 2015, will support the College in meeting the recommendations.

### **Controlled drugs and substances**

A. Coghlan noted that, despite changes to the federal legislation on controlled drugs and substances, Ontario Nurse Practitioners are not authorized to prescribe these high-risk medications.

The collaborative national work in this area was highlighted. Council was informed that the College will be meeting with the Ministry of Health and Long-Term Care next week to discuss the next steps in the process to authorize Ontario Nurse Practitioners to prescribe controlled drugs and substances.

### **Accessibility for Ontarians with Disabilities Act**

Council was informed that the legislation requires that Council and committee members complete specific education related to the requirements of the Act. There is a specific timeframe for meeting the requirements. On November 3, Council and committee members will receive the required on line training program with information on how to access and complete the program. For the College to be in compliance with the legislation, all Council and committee members must complete the program by the specified date.

### **Council chamber enhancement**

A. Coghlan highlighted the changes in the Council chambers.

There were comments from Council that there has been positive feedback on the frequency and functionality of the digital Standard. It was identified; however, that some nurses are not accessing the Standard. It was suggested the College explore strategies to encourage all nurses to read the Standard.

There was discussion about accessing social media and cell phones in the workplace. It was noted that the College's standards emphasize individual professional accountability and provide a framework to support professionalism.

### **Executive**

Minutes of the Executive Committee meetings of June 4, 2014 and August 28, 2014 had been circulated for information.

## **Finance Committee**

C. Beemer presented the report of the Finance meeting of August 28, 2014. She noted that the committee did not have a quorum due to unanticipated absences. For that reason, there are no recommendations.

Council received the financial statements ending July 31, 2014. It was noted that there is a surplus of \$3.1 million for the seven months. This is \$1.2 million more than anticipated in the budget.

## **MOTION 11**

Moved by K. Voycey, seconded by M. Tuomi,

That the unaudited financial statements for the seven months ended July 31, 2014 be accepted.

CARRIED

C. Beemer noted that the committee also reviewed the plan for developing the 2015 budget.

## **COUNCIL DATES**

To assist in planning, dates for Council meetings are approved in advance.

## **MOTION 12**

Moved by J. Balcom, seconded by L. Sanderson,

That the following be approved dates for Council meetings in 2015:

- Thursday, March 12, 2015
- Thursday, June 11, 2015
- Thursday, September 10, 2015
- Thursday, December 3, 2015

CARRIED

## **APPOINTMENTS**

Committee appointments were made by Council in March.

Five new public members were appointed in June and August. In accordance with the By-Laws, the Executive Committee had appointed public members to fill committee vacancies.

In addition, two committee member vacancies were filled.

## **MOTION 13**

Moved by N. Sears, seconded by M. Hogard.

That the following public member committee appointments be confirmed:

- Dalton Burger, Kanji Jain and Diana Miles to the 2014-2015 Inquiries, Complaints and Reports Committee;
- Devinder Walia and Cathy Ward to the 2014-2015 Discipline Committee;
- Mary MacMillan-Gilkinson to the 2014-2015 Fitness to Practise Committee;
- Kanji Jain to the 2014-2015 Quality Assurance Committee; and
- Dalton Burger and Cathy Ward to the 2014-2015 Registration Committee; and

That the following appointed committee member appointments be confirmed:

- Lina Kiskunas, RN, to the Discipline Committee until 2016; and
- Carrie Heer, NP to the Registration Committee until 2017.

CARRIED

## **CONCLUSION**

On completion of the agenda and with consent, the meeting concluded at 3:30 p.m.

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Chair