

# MINUTES OF COUNCIL MEETING

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Held on: October 10, 2018 3:00 pm to 5:00 pm  
& October 11, 2018 9:00 am to 5 pm

Location: Boardroom (21 St. Clair Avenue East)

Chair: Tiffany Haidon

Present: Tiffany Haidon, RM; Jennifer Lemon; Lilly Martin, RM; Isabelle Milot, RM; Lisa Nussey, RM; Claire Ramlogan-Salanga, RM; Susan "Sally" Lewis; John Stasiw; Jan Teevan, RM; Edan Thomas, RM; Deirdre Brett.

Regrets: Rochelle Ivri

Staff: Kelly Dobbin; Carolyn Doornekamp; Nadja Gale; Shivani Sharma; Victoria Marshall

Observers: Kassandra O'Brien

Recorder: Zahra Grant

Guests: Blair McKenzie, Hilborn LLP

1. Call to Order, Safety, Welcome and Land Acknowledgement

*\*Wendy Murko, RM was present by teleconference.*

Tiffany Haidon, Chair, called the meeting to order at 3:05 pm and welcomed all present.

2. Declaration of Conflict of Interests

No conflicts were declared.

3. Proposed Agenda

MOTION: THAT THE PROPOSED AGENDA OF OCTOBER 10-11 BE APPROVED AS PRESENTED NOTING THAT AGENDA ITEM #14 HAS BEEN DEFERRED TO THE NEXT MEETING OF THE COUNCIL.

Moved: Sally Lewis

Seconded: Jan Tevan

CARRIED

4. Consent Agenda

MOTION: THAT THE CONSENT AGENDA CONSISTING OF:

- Draft minutes of June 13, 2018 Council Meeting

- Investigations, Complaints and Reports Committee Report
- Registration Committee Report
- Quality Assurance Committee Report
- Discipline Committee
- Fitness to Practise Committee
- Client Relations Committee

Moved: Lilly Martin  
 Seconded: Claire Ramlogan-Salanga  
 CARRIED

## 5. IN CAMERA

MOTION: That the public be excluded from the meeting pursuant to clause 7.2(b) of the Health Professions Procedural Code of the Regulated Health Professions Act, 1991, in that financial or personal or other matters may be disclosed of such a nature that the harm created by the disclosure would outweigh the desirability of adhering to the principle that meetings be open to the public, at 5:15pm.

Moved: John Stasiw  
 Seconded: Jan Teevan  
 CARRIED

MOTION: Be it resolved that Council move out of in-camera at 5:15 pm and that the meeting recess.

MOVED: John Stasiw  
 SECONDED: Jan Teevan  
 CARRIED

**RECESS:** *At 5:15 pm, Council recessed to reconvene at 9:30am on October 11, 2018.*

## 6. President's Report

*\*Meeting was called out of recess by Chair at 9:30 am*

Tiffany Haidon, Chair presented the highlights of her report, including a welcome to newly elected Council member Maureen Silverman. A farewell and gratitude was expressed to outgoing Council member Isabelle Milot who has served the end of her term.

A summary of the Council evaluation results from the Peer Evaluation, Council Evaluation and Council Competency matrix performance reviews was provided to Council highlighting general themes. Results of the evaluations will be used to inform Council trainings throughout the year.

MOTION: THAT THE PRESIDENT'S REPORT TO COUNCIL BE APPROVED AS PRESENTED.

Moved: Wendy Murko  
Seconded: Claire Ramlogan-Salanga  
CARRIED

## 7. Registrar's Report

*\*Deirdre Brett arrived at 9:38 am*

Kelly Dobbin, Registrar, presented the highlights of her report and answered questions.

The results of Professional member election held in June was reported to Council. Confirmation that Notice of the Executive election was given and would occur at the end of the Council meeting.

The College's Annual Report is complete, and the Registrar also reported that the College has also been in touch with the new Provincial government post the spring election and staff introduced themselves to the new Minister of Health and Long-Term Care, Christine Elliot. It will be more common for a ministry observer to attend meetings of the Council. The registrar spoke with Sarah Kibaalya, Senior Policy Analyst, Ministry of Health and Long-Term Care who attended the last Council meeting. The conversation was encouraging the College will continue to communicate and liaise with the Ministry as it strives for regulatory excellence.

Work also continues between the College and the Ministry on Scope of Practice changes that would give authority to midwives to order tests and prescribe drugs in accordance with the principles and standards of quality midwifery care. An update on the Quality Assurance Regulation was provided, the program policies and guidelines need to be approved by the Committee before being brought to cabinet for final submission. Professional Misconduct regulation is also still being reviewed, but the College does not anticipate any challenges.

In accordance to the External Research policy approved by the Executive Committee in September, it will be reported to Council whenever the College supports, participates or partners in external research projects. The policy outlines criteria to be considered and the Registrar's accountability for decisions to participate in external research.

MOTION: THAT THE REGISTRAR'S REPORT BE APPROVED AS PRESENTED.

Moved: Deirdre Brett  
Seconded: Jan Teevan  
CARRIED

## 8. Executive Committee Report

Tiffany Haidon, Chair gave an overview of the Executive Committee Report.

The Second Birth Attendant (SBA) standard was approved and implemented October 1, 2018. Feedback was received from members regarding the requirement that all Second Birth Attendants be certified in the Neonatal Resuscitation Program (NRP). Currently, the Canadian Paediatric Society's (CPS) NRP is only eligible to regulated health professionals. This requirement particularly affects midwives from rural and remote communities where access to other regulated health professionals available to act as second attendants can be challenging. Midwives working under these circumstances would potentially have difficulty upholding the standards of Person-Centered Care which requires that midwifery care offer both choice of birthplace and uphold the SBA standard. An unintended consequence and concern is that that midwifery clients may choose to stay home unattended rather than have a hospital birth, creating a risk to public safety. The waiver policy which was intended for midwives to use in extreme and rare circumstances has seen more activity than initially anticipated because of this. Six applications for waiving of the standards has been received and issued, all related to SBA standard. Currently, waivers issued are conditional for a one-year period and the policy will be reassessed at the end of the term. CPS is also expected to issue a statement about certification being restricted to only regulated health professionals and the College will be monitoring any developments.

The audited financial statements for fiscal 2017/2018 were previously approved by the committee in September based on the endorsement of the Council to do so as long as the audit concluded with a clean opinion and no substantial changes, which was the case. The College's finance auditor Blair McKenzie of Hilborn, LLP was in attendance and presented a detailed overview of the audit process and the Colleges financial statements and answered any questions.

Director of Operations, Carolyn Doornekamp, presented an overview of the Q1 financial statements which were also previously approved by the Executive Committee.

MOTION: That the Executive Committee report be approved as presented.

Moved: Jan Teevan  
Seconded: Edan Thomas  
CARRIED

#### 9. General By-Laws

Registrar, Kelly Dobbin, gave an overview of the highlighted areas of the proposed changes to the General bylaws. The changes being proposed are with regard to: The appointment of non-Council public members to committees, eligibility criteria for election, appointment and disqualification. The changes were circulated for public consultation during which there were four responses. There were also a few minor non-substantive changes being recommended by staff that Council would have to consider if they were substantive enough to warrant recirculation.

The Council went through the revisions and feedback received and agreed the proposed changes were not substantive and with little to no impact on membership.

There were two additional revisions proposed regarding word arrangement for bylaws

16.01 (k) & 16.02(i) to change "application funding process" to "funding application process"

MOTION: THAT THE PROPOSED REVISIONS TO THE GENERAL BYLAWS BE APPROVED AS PRESENTED.

Moved: Wendy Murko  
Seconded: Lisa Nussey

VOTE: Tiffany Haidon, RM; Jennifer Lemon; Lilly Martin, RM; Isabelle Milot, RM; Lisa Nussey, RM; Claire Ramlogan-Salanga, RM; Susan "Sally" Lewis; John Stasiw; Jan Teevan, RM; Edan Thomas, RM; Deirdre Brett.

ALL IN FAVOUR - CARRIED

#### 10. Criminal Record Screening Policy

Kelly Dobbin, Registrar, provided clarification in response to an enquiry received regarding legal counsels recommendation for the use of Vulnerable Sector (VS) checks in the Police Record Screening process. In the reasons for recommended use of the check, it specifies fingerprinting as a key component of the check process, this was not accurate information. Fingerprints are mandatory only when an initial check reveals a sexual offense pardon and there is a match for gender and date of birth.

Nadja Gale, Manager Registration and Shivani Sharma, Policy Analyst were present to provide additional clarification and context on how the Policy would be enforced in the application process. Any information that is received during the check about the nature of offense or suspected offense it will be up to the panel tasked with reviewing the application to decide impact on applicant's suitability to practise competently and safely. To ensure transparency, objectivity, impartiality and fairness, the criteria that panels of the Registration Committee will consider on receipt of any report is detailed in the Good Character Guide. Nadja also spoke to the requirements outlined in the in regulation and gave the reminder that decisions by any panel to deny an application are appealable to the Health Professions Appeal Review Board.

The following amendments were recommended to the Policy:

- Removal of "fingerprint based check" from Vulnerable Sector Check definition
- Regarding provision of policy that refers to members, change "appoint an investigator to **determine** whether has committed an act of professional misconduct" will be changed to "appoint an investigator to **inquire** whether..." as investigators to not have the power to determine.

MOTION: THAT THE CRIMINAL RECORD SCREENING POLICY BE APPROVED AS AMENDED WITH IMPLEMENTATION DATE OF APRIL 1, 2019.

Moved: Isabelle Milot  
Seconded: Wendy Murko

Abstained: Sally Lewis  
CARRIED

#### 11. Supervised Practice

Nadja Gale presented a summary of the rationale for the recommendation to rescind the Policy on Criteria for the Approval of Supervisors. The Registration Committee has developed and established criteria for the approval of supervisors that enables them to administer their authority under the Registration Regulation. A policy is no longer required.

MOTION: That the Council approve the rescinding of the Policy on Criteria for the Approval of Supervisors.

Moved: Isabelle Milot  
Seconded: Claire Ramlogan-Salanga  
CARRIED

#### 12. Active Practice

Isabelle Milot, Chair of the Registration Committee provided an overview of the new process approved by the committee for dealing with Active Practice Requirement (APR) shortfalls. For all members with a shortfall to the birth requirements defined in the Registration regulation, a decision tree will be used to determine whether or not it requires of review by a Panel of the Registration Committee.

Two major changes:

- Members who are registered in the Inactive will have reporting timeframe adjusted.
- Births attended in the role of second can be considered as a demonstration of "active practise" and counted toward APR requirements

In light of the new process and approach, the Registration Committee is recommending that Council rescind the Policy on Active Practice Requirements. The Policy does not meet the College's policy definition and is not needed as a regulatory tool because APR is outlined as a condition of General registration in the Registration Regulation. The Active Practice Requirement and Procedures document establishes a process where the Registration Regulation is being administered effectively and can replace the policy. If approved, there is a communication plan for notifying members of the new process.

MOTION: THAT THE COUNCIL APPROVE THE RESCINDING OF THE POLICY ON ACTIVE PRACTICE REQUIREMENTS EFFECTIVE NOVEMBER 1, 2018.

Moved: Jan Teevan  
Seconded: Claire Ramlogan-Salanga  
CARRIED

#### 13. Unauthorized & Illegal Practice

Shivani Sharma provided an overview of the proposal for posting information about unauthorized and illegal practice to the College's website. The names and locations of individuals will only be posted if the College is in the process of seeking an injunction against or have had an injunction successfully brought against the individual.

A clear process has been established and is documented in a flowchart that was presented to Council that outlines how the College would address unauthorized and illegal practice in a fair and consistent manner.

MOTION: THAT COUNCIL APPROVE THE POSTING OF NAMES AND LOCATIONS OF THOSE INDIVIDUALS THAT THE COLLEGE WILL BE IN THE PROCESS OF OBTAINING AN INJUNCTION AGAINST OR THOSE AGAINST WHOM AN INJUNCTION HAS BEEN OBTAINED AND NOT THOSE TO WHOM CEASE AND DESIST LETTERS HAVE BEEN SENT BE APPROVED FOR IMMEDIATE IMPLEMENTATION.

Moved: Lisa Nussey  
Seconded: Jan Teevan  
CARRIED

#### 14. CARING FOR RELATED PERSONS STANDARD

*\*Item #14 was deferred to next Council meeting in previous motion under agenda item #3.*

#### 15. GOVERNANCE MANUAL

Zahra Grant, Council Coordinator presented the Governance Manual to Council. The manual serves as a comprehensive document and resources that provides an overview of the regulatory functions of the College and the duties and powers of the Council and its Committees. The manual was presented for feedback and comments only and does not require Council approval.

#### 16. PUBLIC NON-COUNCIL APPOINTMENT IMPLEMENTATION PLAN

Zahra Grant, Council Coordinator presented the implementation plan for the appointment of public non-Council committee members. Eligibility criteria, applicant competencies, recruitment strategies and application review process were shared in the plan. The proposed plan does not require Council approval but was shared for discussion and feedback.

#### 17. PRESIDENT'S JOB DESCRIPTION

The Council President's job description was presented to Council with a revision that removes the requirement that any nominee for the position be a Registered Midwife. Nowhere in the College's governing legislation or the College bylaws is there a requirement that the President be a professional member of the Council. Public participation and engagement is currently a strategic priority of the College and restricting candidacy to professional members was identified as potential barrier to this goal. Removing the

requirement supports this public participation and engagement by expanding eligibility to public members of the Council to stand for presidential candidacy.

MOTION: THAT THE REVISED PRESIDENT'S JOB DESCRIPTION BE APPROVED AS PRESENTED.

Moved: Jan Teevan  
Seconded: Sally Lewis  
CARRIED

#### 18. EXECUTIVE ELECTION

Lilly Martin withdrew her nomination, leaving a vacancy in the role of Professional member Vice-President.

From the floor, Jan Teevan nominated Claire Ramlogan-Salanga for VP (professional) and was acclaimed. Jan Teevan was acclaimed as Professional member at large. Jennifer Lemon nominated Sally Lewis for Public member at large and was acclaimed by Council.

MOTION: THAT THE COUNCIL ACCEPTS THE ACCLAMATION OF TIFFANY HAIDON AS PRESIDENT; THAT THE COUNCIL ACCEPTS THE ACCLAMATION OF CLAIRE RAMLOGAN-SALANGA AS VICE PRESIDENT (PROFESSIONAL); AND THAT THE COUNCIL ACCEPT THE ACCLAMATION OF JENNIFER LEMON AS VICE PRESIDENT (PUBLIC); JAN TEEVAN AS EXECUTIVE MEMBER AT LARGE (PROFESSIONAL), AND SALLY LEWIS AS EXECUTIVE MEMBER AT LARGE (PUBLIC).

MOVED: Wendy Murko  
SECONDED: Lisa Nussey  
CARRIED

#### 19. Approval of 2018-2019 Slate of Council

MOTION: That the following slate be approved as the 2018-2019 College of Midwives of Ontario's Council:

Professional Elected Members: Tiffany Haidon; Lilly Martin; Lisa Nussey; Wendy Murko; Claire Ramlogan-Salanga; Jan Teevan; Edan Thomas; Maureen Silverman.

Appointed Public Members: Deirdre Brett; Rochelle Ivri; Jennifer Lemon; Susan Lewis; John Stasiw.

MOVED: John Stasiw  
SECONDED: Sally Lewis  
CARRIED

#### 20. ADJOURNEMENT

MOTION: THAT THE MEETING BE ADJOURNED AT 2:15 pm



MOVED: Isabelle Milot  
SECONDED: Jan Teevan  
CARRIED