

MINUTES OF COUNCIL MEETING

Held on March 20, 2019 9:30 am to 5:00 pm
Boardroom (21 St. Clair Avenue East)

Chair: Tiffany Haidon, RM

Present: Tiffany Haidon, RM; Jennifer Lemon; Claire Ramlogan-Salanga, RM; Lilly Martin, RM; Lisa Nussey, RM; Wendy Murko, RM; Susan "Sally" Lewis; John Stasiw; Jan Teevan, RM; Edan Thomas, RM; Deirdre Brett; Maureen Silverman, RM; Marianna Kaminska

Regrets:

Staff: Kelly Dobbin; Carolyn Doornekamp; Marina Solakhyan; Zahra Grant; Ashleagh Coyne

Observers Sarah Kibaalya (Ministry of Health)

Recorder Zahra Grant

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

Tiffany Haidon, Chair, called the meeting to order at 9:31 am and welcomed all present.

2. Declaration of Conflict of Interests

No conflicts were declared

3. Proposed Agenda

It was proposed that item 14 – Budget & By-law be moved up on the agenda prior to item 11 but otherwise the agenda was approved as presented.

MOVED: Wendy Murko
SECONDED: Marianna Kaminska
CARRIED

4. Consent Agenda

MOTION: THAT THE CONSENT AGENDA CONSISTING OF:

- Draft Minutes of the December 12, 2019 Council Meeting
- Executive Committee Report
- Inquiries, Complaints and Reports Committee Report
- Registration Committee Report

- Discipline Committee Report
- Fitness to Practise Committee Report
- Client Relations Committee Report
- Quality Assurance Committee Report

Moved: Jan Teevan
 Seconded: Edan Thomas
 CARRIED

5. President's Report

Tiffany Haidon, Chair introduced her report and presented the highlights of current activities and projects. A summary of meetings attended with midwifery stakeholders and with committees in ex-officio role was also provided.

Ms. Haidon welcomed new public member Marianna Kaminska to Council, appointed on March 7, 2019 to serve for a for a one-year term. It was proposed that Ms. Kaminska be appointed to fill the vacancies on the Fitness to Practise Committee, the Discipline Committee and the Quality Assurance Committee.

MOTION: That the President's Report to Council be approved as presented and that Marianna Kaminska be appointed to the Fitness to Practise, Discipline and Quality Assurance Committees.

Moved: John Stasiw
 Seconded: Lisa Nussey
 CARRIED

6. Registrar's Report

The Registrar, Kelly Dobbin introduced her report and provided an important update regarding the College operational budget.

On March 5, 2019, the day before Council materials were due to be posted publicly, the College received verbal communication that the Ministry intends to cover projected shortfall of \$398,381 of the 2018/2019 fiscal year budget. At the time of Ms. Dobbin's reporting to Council, official written confirmation had not yet been received from the Ministry. Council will be reviewing the budget and proposed fee & remuneration by-law changes related to membership fees with the consideration that the fees promised from the Ministry will be received. Should the circumstances change, an emergency Council meeting will be called. Financial planning under the direction of the Executive Committee has been established for the conditions of both circumstances. It is neither anticipated based on the communications provided by the Ministry nor is it expected that the Ministry will be providing future operational funding after this fiscal year end.

Other highlights of Ms. Dobbin's report included a summary of presentations and meetings attended as well as human resource staff updates.

Ms. Dobbin then presented the Annual Operational Plan. A significant change highlighted for Council on the work plan was the planned activity concerning proposed changes to the Registration Regulation. During the December 2018 meeting, the Council approved a one-year extension to the strategic plan. With this in mind, the plan for the Registration Regulation now involves intensive background and policy research for the year 2019. The information gathered from this research will inform the changes to the regulation to be proposed in 2020.

The Registrar was pleased to announce that the strategic goal of implementing a risk-based approach to regulation is in its final stages and that Council will be discussing and reviewing under a separate agenda item the Performance Measurement Framework to measure the Colleges' effectiveness as a risk-based regulator.

**Sally Lewis arrived at 9:52 am*

MOTION: That the Registrar's report and 2019 Operational Plan be approved as presented.

Moved: Lilly Martin
Seconded: Edan Thomas
CARRIED

7. Executive Committee Report

Tiffany Haidon, Chair introduced the Executive Committee report and gave a summary of the highlights.

Two items were approved by the Committee and brought forward for Council's information. They include a new financial statement template for financial reporting and the Q3 statement of operations. Council will be reviewing the budget presented on the new template as separate agenda item.

Ms. Haidon provided the Council with additional details regarding the Committee's decision to provide a letter to the Ministry in support of the legislative changes being proposed by the College of Nurses as part of their Governance Vision 2020 initiative. It was agreed by the Council that the College of Midwives of Ontario (CMO) has similar goals and has already implemented many of the same strategies. However, some of the changes being proposed will be challenging for smaller Colleges, including the CMO, to meet some of the responsibilities. Particularly, the proposal that regulatory health colleges be responsible for bearing the cost of appointing and providing compensation for their own public appointments. The letter being drafted by the Registrar will include these considerations.

Carolyn Doornekamp, Director of Operation provided a summary of the Q3 Statement of Operations.

Ms. Doornekamp also presented the proposed revisions to the Governance Policy, Governance Process #6 Confidentiality and Disclosure of College Information.

The revisions incorporate details to align with the Information Security Policy that was approved by Council in December. There were some minor changes made to the policy based on feedback from Council members to provide additional clarity and definitions.

MOTION: That the Executive Committee report be approved as presented, and that the revisions to the Governance Policy, Governance Process # 6 Confidentiality and Information Security policy be approved as presented during the meeting.

Moved: Jan Teevan
Seconded: John Stasiw
CARRIED

8. Governance Education Modules

Council was ahead of time scheduled on agenda. In the interest of time, Council agreed to move item 13 - Governance Education Modules up for attention.

Zahra Grant, Governance Coordinator gave a descriptive overview of the Governance Education Modules, an online educational training program developed for individuals seeking appointment to Council or a committee. The modules will be publicly accessible through the College's website and required as an eligibility requirement in accordance to College by-laws. The Council had an opportunity to pilot the modules during the March 19, 2019 training day and provided feedback.

Ms. Grant provided summary of the feedback received and the proposed revisions that will be incorporated into the modules based on Council's feedback during the pilot. A timeline for planned implementation with this year's Professional election cycle was also provided. Completion of the modules will be required in order to be eligible for election to the Council or appointment to a committee. Public members appointed by the government will not be required to complete the modules but will be provided to these members as part of the orientation process.

MOTION: That the Governance Education Module training program be approved with the revisions discussed.

Moved: Wendy Murko
Seconded: John Stasiw
CARRIED

9. 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 12:17 pm.

Moved: Jan Teevan
Seconded: Sally Lewis
CARRIED

9b) MOTION: That the Council move out of in-camera at 12:30 pm.

Moved: Lisa Nussey
Seconded: Lilly Martin
CARRIED

10. Pre-Audit Presentation

Blair McKenzie, of Hilborn the College's External Financial Auditor, came to present pre-audit information regarding engagement with the College for the 2018/2019 fiscal year audit. The goal of the audit is to provide credibility to the College's financial statements developed by the management team as completely and accurately recorded, showing no material errors in excess of \$5,000.

Mr. McKenzie provided Council with a general overview of the audit process, how it is conducted and the phases of the audit cycle.

Council was notified that there is a new format to the report they would be receiving this year. The report this year will be longer in length with the opinion of the audit now clearly stated at the beginning of report.

11. Budget & Fee Remuneration By-law

Director of Operations, Carolyn Doornekamp provided a summary of the current financial position of the College. The budget presented to Council was developed with the assumption that an operational grant from the Ministry will be received to cover projected shortfall of \$398,381 in budget for the 2018/2019 fiscal year. The College does not expect or anticipate receiving any future operational funding from the Ministry.

The College had addressed the loss of operational funding at its Council meeting in December. It was decided then that a combination of increasing membership fees, using net assets, and finding additional efficiencies at the College would allow the College to continue its work and seamlessly deliver on its mandate.

In February and March 2019, the Executive Committee met to discuss the best course of action in regard to membership fees and the upcoming 2019-20 budget. The proposed budget is based on their discussions and decisions.

The Executive proposes operating on a deficit budget using net assets until the 2022/2023 fiscal year when projected finances are expected to break even. The funding anticipated for 2018-19 from the Ministry acts as a mitigating factor allowing the College to lower its initial projections regarding membership fee increases.

In the discussions around membership fees being raised and who it would be applicable to, the Council agreed on the recommendation by the Executive Committee that raising Inactive class fee from its current amount would disproportionality affect Inactive members as they are not earning a midwifery income.

Ms. Doornekamp, then guided Council through the proposed budget, highlighting key areas on the new template.

MOTION: That the proposed changes to the Fee & Remuneration By-law be approved for public circulation and consultation and that the proposed budget be approved as presented.

Moved: Lilly Martin
Seconded: Wendy Murko
CARRIED

12. Performance Measurement Framework

Marina Solakhyan, Director of Regulatory affairs introduced the Performance Measurement Framework to Council for discussion. Ms. Solakhyan provided an overview of the accountabilities of the College, explaining that there exists a robust framework for external scrutiny of its activities but that the overall performance evaluation of *RHPA* colleges is not legislatively mandated or regularly performed by any known regulators in Ontario. This type of framework does exist and is used by regulators in other jurisdictions.

The challenge for many health profession regulators is that many of the intended outcomes of regulatory management is delivered by people, the practitioners. Unlike the regulation of substances or material goods, the human element makes performance measurement unpredictable and hard to measure effectively.

The skeleton framework presented to Council was developed in consideration of all the regulatory powers of the College. Language was carefully chosen to make sure measurements avoid any reference to health outcomes as this is not within the College's mandate. The framework proposes using four domains: Regulatory Policy; Suitability to Practise; Openness and Accountability; and Good Governance. These four broadly named categories will be comprised of a number of performance standards to form the basis of the measurement framework.

Clarification on how the framework would differ from the oversight of the Ministry was asked by members of the Council. During the December 2018 meeting of the Council, representatives of the Regulatory Oversight and Performance Unit of the Ministry presented to Council on the Ministry's plan to implement a regulatory oversight and measurement framework. Ms. Solakhyan advised that the Ministry framework is broader than the framework being proposed for College purposes, although similar in the sense they are both based on principles of good regulation. There are still outstanding questions as to what

the Ministry will require, but hopeful that the performance measurement framework being proposed would will be helpful in meeting the requirements of the Ministry.

13. New Registrant Policy

Edan Thomas, Chair of the Registration Committee introduced the New Registrants Policy and the changes being proposed. The new policy adds clarifications and definitions to describe in greater detail the requirements set out in the regulation to help in its administration. Minor changes were also proposed to remove redundant language and to ensure to repetition of other College requirements (e.g quality assurance requirements)..

MOTION: that the proposed New Registrant's Policy be approved, as presented; and that the current New Registrants Policy and Guideline be rescinded.

Moved: Maureen Silverman
Seconded: Lisa Nussey
CARRIED

14. Transitional Certificate of Registration

Edan Thomas, Chair of Registration introduced the Transitional certificate of registration and its function as a registration class. In light of changes being made to other registration policies (e.g New Registrants Policy) the Committee reviewed the Transitional Certificate of Registration Policy and determined that it did not meet the College's definition of a policy and is not necessary as a regulatory tool. The proposed Transitional Certificate of Registration document instead describes the College's process in a detailed and meaningful way which can replace policy. The Committee is proposing that Council rescind the policy effective June 1, 2019.

MOTION: That the current Transitional Certificate of Registration Policy be rescinded effective June 1, 2019.

Moved: Lisa Nussey
Seconded: Lilly Martin
CARRIED

15. ADJOURNMENT

MOTION: THAT THE MEETING BE ADJOURNED AT 4:00 pm.

Moved: Jan Teevan
Seconded: Sally Lewis
CARRIED