



# COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO

## MINUTES OF ANNUAL GENERAL MEETING June 23, 2008

**Present:** A. Bujold  
F. Gielen  
K. Lee  
D. Mandel  
L. Neill  
D. Ng  
P. Ruttan  
J. Spirou  
D. Lucy  
K. Berg

M. Catre  
M. Irshad  
W. Kanagaratnam  
B.S. Mahal  
S. Muthulingam

**Staff:** J. Robinson  
R. Hamilton  
S. Hughes  
A. Ashton  
F. Campbell  
B. Lam  
S. Tooze  
B. D'Angelo

**Recorder** M. Leung

Regrets: J. Fitch

K. Lee, President, called the Annual General Meeting of Council to order at 2:00 p.m.

The President welcomed the College auditors, Donna Mehta from Cowperthewaite Mehta. J. Robinson, Registrar, distributed a draft College annual report 2007/08 to the audience for reference.

### 1.0 ADOPTION OF AGENDA MOTION 01:08

It was moved by J. Spirou and seconded by K. Berg  
THAT  
the agenda be adopted as presented.

**CARRIED**

### 2.0 MINUTES OF THE ANNUAL GENERAL MEETING JUNE 2007

#### MOTION 02:08

It was moved by F. Gielen and seconded by K. Berg  
THAT  
the minutes of the Annual General Meeting June 2007 as presented be approved.

**CARRIED**

### 3.0 **PRESIDENT'S MESSAGE**

K. Lee, President, reported that this past year 2007-2008 has been yet another tremendous year for the College with many accomplishments for which Council can take credit:

- ◆ The Quality Management program was rebranded to “*Partners in Quality Care*” to better reflecting the program philosophy.
- ◆ The completion of year one (2007) of the Strategic Framework 2007-2010. One particular strategy that requires acknowledgement was the hosting of the May 1 forum on “Interprofessional Collaboration - Physiotherapy Style”. This forum assisted in initiating the dialogue amongst the profession and will encourage broader discussions with other disciplines.
- ◆ The College is to be recognized for its participation in many partnerships and networking groups. One of the more recent groups to be mentioned is the International Network of Physiotherapy Regulatory Authorities (INPTRA)
- ◆ The College continued throughout 2007-2008 to present its work, showcasing its outcomes and seeking new knowledge with presentations both locally, nationally and internationally.
- ◆ New communication strategies continue to evolve with a focus on increasing the partnership with the profession on self regulation and public confidence.
- ◆ The College has worked diligently in responding to new/revised legislation as well as HPRAC’s exciting request for submission on the scope of practice for physiotherapists in Ontario.

She noted that none of this work could have been accomplished without the leadership and dedication of Jan Robinson, Registrar, and the entire College staff.

In closing, as she leaves this office today, she wished to thank her colleagues for allowing her the opportunity to serve in this capacity and to participate on Council for numerous years. She has received much in professional growth and the many collegial friendships that have evolved. This College has accomplished much and new opportunities lie ahead. Councillors are encouraged to embrace the revised objects in Bill 171 with enthusiasm, creativity and courage. The College is well positioned to forge new frontiers for the betterment of the health care of Ontarians and the evolution of the practise of physiotherapy. In doing so, she urged Councillors to proceed thoughtfully as in the words of the Dali Lama:

“Open your arms to change, but don’t let go of your values”

#### **4.0 ACCEPTANCE OF STATUTORY COMMITTEE REPORTS**

**MOTION 03:08**

It was moved by A. Bujold and seconded by W. Kanagaratnam

THAT

Council accept the Statutory Committee Reports as presented by Committee Chairs

**CARRIED**

Committee Chairs spoke to their respective Committee Reports

#### **4.1 Executive Committee**

K. Lee, Chair, presented the report:

The Executive Committee has both statutory and non-statutory duties. Its statutory duties include investigating mandatory reports and other issues of professional misconduct, incompetence or incapacity of registrants of the College; and providing instruction for the prosecution of discipline cases.

##### Statutory Activities

This past year (2007/08) the Committee undertook 13 new cases:

- ◆ 6 were Mandatory Reports (5 for employment termination, 1 for sexual abuse)
- ◆ 10 formal investigations were approved by the Executive Committee under the RHPA
- ◆ One Board of Inquiry into Incapacity was appointed by the Executive Committee

By primary category, these new cases can be classified as:

- ◆ Standards of Practice
- ◆ Business practices & billing
- ◆ Conduct
- ◆ Sexual abuse
- ◆ Incapacity
- ◆ Use of title
- ◆ Supervision of support personnel

Non Statutory Activities included the review of many documents such as the Interprofessional Collaboration among Colleges submission to HPRAC and the pending submission on scope of practice. Other matters included addressing vacancies of committees, initiation of the Bill 171 work plan, and the preparation of various policy matters for Council's consideration.

## 4.2 **Complaints Committee**

B. S. Mahal, Chair, presented the report:

The Complaints Committee disposed of 45 cases during the fiscal year 2007-2008. 58% of the cases identified professional conduct as the primary concern; 28% identified concerns related to the quality of care.

A major criterion for measuring the Committee's performance is established by the RHPA which prescribes timelines for a timely disposal of complaints. While the RHPA requires that complaints be disposed of within 120 days, this College measures Committee effectiveness in this regard at 120 and 150 days.

Although 50% of the cases exceeded the target of 150 days with the average being disposed of at around 192 days, such delay does not reflect inefficient case management. All of the delays have a rational explanation: launching of further investigations to obtain additional relevant information, parties requesting extension, obtaining complainant's consent to access patient records or the registrant notifying the College of their retaining legal counsel.

As both the complainant and the registrant can appeal the decision of the Committee to HPARB, this too is a gauge of Committee's performance. During the past year one case was successfully appealed by a registrant. HPARB referred the case back to the Committee for additional review. This case alone consumed 440 days.

Both the Committee and the Director of Professional Conduct are exploring ways and means of staying within the target dates.

The Director of Professional Conduct is in the midst of evaluating the intake process that includes streamlining administrative procedures.

He thanked Committee members and staff, especially A. Ashton, Director of Professional Conduct for her cooperation, understanding and good counsel. He was appreciative to Executive and Council for placing their trust and faith in his chairmanship.

Complaints outstanding from previous years on April 1	20
Complaints received during 2007/08 fiscal year	43
Complaints disposed of by March 31	45
Complaints still in process on March 31	18

### **NATURE OF COMPLAINTS**

Professional Conduct	11
Standards of Practice	29
Billing	5
Sexual Impropriety	0

**DISPOSITION**

No Action	40
Caution and Acknowledgement & Undertaking	0
Acknowledgement & Undertaking	1
Caution delivered	2
Referral to the Registrar	2
Referral to Discipline	0
Referral to Quality Management	0
Referral to Quality Management & caution	0
Case abandoned by complainant	0
Case withdrawn by complainant	2

**HEALTH PROFESSIONS APPEAL AND REVIEW BOARD (HPARB)**

Complaint Reviews by HPARB	4
Decisions Upheld by HPARB	1
Decision pending	3
Returned to Committee for reconsideration	0

**4.3 Hearing Core Group -  
Discipline & Fitness to Practice**

F. Gielen, Chair, presented the report and thanked fellow Committee members and staff for their contribution and support.

The Hearings Core Group is the business and policy core of the Discipline and Fitness to Practice Committees and reports to Council on the activities of the hearings committees.

During the 2007/08 fiscal year, the College held four discipline hearings. Three cases concluded in findings of guilt related to professional misconduct. One case was adjourned indefinitely. A summary of all of these matters can be found on the College's website in the Complaints section.

**4.4 Patient Relations Committee**

K. Berg, Chair, presented the report:

The Committee held four meetings in the past year. The Committee focus has been on the review of its policies and procedures, and updating information and forms related to funding for therapy and counselling. It also received and approved one application for funding for therapy and counselling.

With respect to the Code of Ethics review, the Committee has researched and developed a principle based code of ethics using the acronym R.E.A.C.H.

- Respect
- Excellence
- Autonomy and Well being
- Communication, Collaboration and Advocacy
- Honesty and Integrity

The Committee has launched consultation with registrants and other stakeholders on the proposed principles and proceeded with the hiring of a consultant. It is expected to have a decision-making framework and other supportive application tools for presentation to Council this fall.

In regard to sexual abuse prevention, the Committee has reviewed the sexual abuse prevention programs of other regulators and in other jurisdictions, completed a cross comparison of the College current program and its available resources. It is anticipated that an updated sexual abuse prevention program will be brought to Council for consideration later in 2008.

#### 4.5 **Quality Management Committee**

L. Neill, Chair, presented the report:

For the past fiscal year, the Committee has met the target for onsite assessments - 5% of eligible registrants who are randomly selected annually. 96% of assessments were successful with no recommendations made; 3% were successful but with some recommendation about practice provided; and less than 1% of registrants participated in the Practice Enhancement component of the Program. The resume became an optional component of the professional portfolio. The Professional Issues Self Assessment (PISA) 2007 version was completed and posted on the college website.

A QM communication strategy was launched including an education campaign to all registrants via video web casts and circulation of a booklet detailing the shift in emphasis of the QM program to "*Partners in Quality Care*". This direction was received with much enthusiasm by registrants. An Assessor training day was held at MaRs Centre, Toronto, in February 2008.

The Committee has begun work on proposed changes to the quality assurance regulation 532/98. A draft will be submitted to Council in the fall. In addition, all QM policies have been reviewed, revised and approved by the Committee.

L. Neill thanked members of the Committee and staff for their contribution and work.

#### 4.6 **Registration Committee**

D. Lucy, Chair, presented the report:

The Registration Committee has statutory responsibility to review and make decisions on applications for entry to practice. 12 cases were reviewed this past year pertaining to various issues:

<b>Issue</b>	<b>Outcomes</b>
Review of Conduct in Another Jurisdiction	1 – granted with terms, conditions and limitations
Requests for Extension of Provisional Practice Certificates	4 – 3 granted; 1 denied The extensions were granted where

	extenuating circumstances existed. For example: personal illness, illness or death of a family member, religious reasons.
Request for Variance of a Provisional Practice with Restrictions Supervision Plan	4 – granted
Request for Exemption from the Physiotherapy Competency Exam	1 – denied
Request for an extension to complete Jurisprudence Education Program	1 – granted
Request for the Alliance's credentialing decision to be overturned	1– denied
<b>TOTAL</b>	<b>12 (8 granted plus an additional 1 granted with terms, condition and limitations applied; 3 denied)</b>

The Registration Committee had another busy year. The Committee continued its work related to health human resource planning projects, including the Canadian Institute of Health Information (CIHI) national database project and the Ontario Allied Health Human Resources database project. The Committee continued its review of the current registration categories in order to better align with the intent of the RHPA related to use of title. Jurisprudence module 1 answers and rationales were released to registrants so that they could complete the jurisprudence learning experience. New registrants who had not completed the first module began to complete module 2 in January 2008. The Committee saw the end of the Exam Skills Preparation pilot program and its continued offering at the Michener Institute. A review of the Fairness Commissioner's consultation documents and a self-audit were completed in preparation for the first audit of registration practices which will occur in late 2008. A program plan related to providing more resources for and engaging new registrants was approved; program components will be implemented over the next year and a half. Other policy work completed this year included the development of an emergency registration policy, review of an updated version of the Mutual Recognition Agreement and approval of a by-law change to implement four-month Independent Practice certificates.

The Chair thanked Committee members and staff for their dedication and hard work for the past year.

**5.0**      **ACCEPTANCE OF THE AUDITED STATEMENTS**  
**(year ending March 31, 2008)**

K. Lee,. President, introduced and welcomed D. Mehta, the College auditor, to the Annual meeting. D. Mehta reviewed the financial statements ending March 31, 2008 with Councillors and answered queries raised.

**MOTION 05:08**

It was moved by W. Kanagaratnam and seconded by P. Ruttan

THAT

Council accept the Audited Financial Statements for the year ending March 31, 2008

**CARRIED**

**6.0**      **APPOINTMENT OF AUDITORS 2008-09**

A query was raised as to the fee and services of the current College auditor, Cowperthwaite Mehta. The College continues to be satisfied with their services and their fee is considered to be well within a competitive market range. The College will tender again for auditors in 2010.

**MOTION 06:08**

It was moved by L. Neill and seconded by W. Kanagaratnam

THAT

Council appoint Cowperthwaite Mehta as the College's auditors for the 2008/2009 fiscal year with the intention to retain them for the 2009/10 fiscal year, subject to Council's annual approval.

**CARRIED**

**7.0**      **Council Service Recognition Awards**

K. Lee, President, presented the 2008 service awards to A. Bujold, K. Berg and B.S. Mahal on behalf of Council, and thanked them for their commitment and contribution to the work of the various Committees they have served during their tenure.

D. Mandel, Vice President, on behalf of Council, thanked K. Lee, President, for her leadership and contribution for the past year and presented her with a small token of appreciation and her service award.

**ADJOURNMENT**

**MOTION 07: 08**

It was moved by M. Catre and seconded by K. Berg

THAT

the Annual General Meeting be adjourned at 3:15 p.m.

**CARRIED**

At this time, the 2007/08 Council of the College was dissolved.