

|                                    | <b>College of Kinesiologists of Ontario<br/>Council Meeting</b>   |
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| <b>Date/time of meeting</b>        | Monday, April 15, 2019 at 9:00 a.m.   |
| <b>Chair</b>                       | Ken Alger   |
| <b>Note Taker</b>                  | Danae Theakston   |
| <b>Present</b>                     | Derek DeBono, Mary Pat Moore, Michelle Meghie, Stefanie Moser, Michelle Young (Teleconference), Elwin Lau, Ryan Wight, Ken Alger, Chad McCleave, Jenn Bushell, Kalen Johnson, Graydon Raymer, Nelson Amaral, Nicole DiFilippo   |
| <b>Regrets</b>                     | Jennifer Pereira, Lori-Anne Beckford, Marilyn Bartlett  |
| <b>Staff/guests in Attendance</b>  | <p><b>Staff:</b> Brenda Kritzer, Nancy Leris, Danae Theakston, Eric Bruce, Tracey Scott, Sue Behari, Keisha Simpson</p> <p><b>Guests:</b> Samia Shaheen (MOHLTC), Don Gracey (OATA), Stuart Moulton (OKA) (Teleconference), Tyler Quennell (CATA), Sandy Jespersen (CATA)</p>   |
| <b>Conflict of Interest</b>        | <p>President Ken Alger provided an overview on the importance of declaring conflicts of interest and how Council's role is to make decisions in the public interest. He called for declaration or disclosure of conflict of interest on agenda items excluding item 13. He noted that Rebecca Durcan, legal counsel for the College would assist Council on the matter of conflict of interest relating to the selection of a committee to review a proposal on specialties submitted by the Ontario Athletic Therapist Association.</p> <p><b>No conflicts of interest were declared for items 6 through 12 on the agenda.</b></p>                               |
| <b>Constitution of the Meeting</b> | As a notice of the meeting had been duly given in accordance with the by-laws of the College of Kinesiologists of Ontario and a quorum was present, the meeting was duly constituted for the transaction of business.   |
| <b>Approval of Agenda</b>          | <p>President Ken Alger, asked to amend item 13 on the agenda, to divide the matter into four separate but related discussion items as follows:</p> <p>Specialties Proposal – Ontario Athletic Therapist Association</p> <ul style="list-style-type: none"> <li>i) Conflict of Interest Conversation and Discussion with Rebecca Durcan</li> <li>ii) Process for Selection of Committee on Specialties</li> <li>iii) Declarations of Conflict of Interest</li> <li>iv) Appointment of Committee</li> </ul> <p>UPON A MOTION duly made by Nelson Amaral and seconded by Graydon Raymer, it was resolved that the agenda be approved as amended. <b>Carried.</b></p> |

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| <p><b>Approval of Minutes</b></p> | <p>UPON A MOTION duly made by Nelson Amaral and seconded by Jennifer Bushell, it was resolved that the Minutes of December 3-4, 2018 be approved.<br/><b>Carried.</b></p>  |
|                                   | <p style="text-align: center;"><b>Action Items Review</b></p> <ul style="list-style-type: none"> <li>• Add to the College’s website a description of how the fees paid by members are applied to different program areas /deliverables. Perhaps place the information in the members’ portal,- <b>in progress</b></li> <li>• Add information to the website regarding the benefits of being a regulated health professional – <b>in progress</b></li> <li>• Schedule a facilitated discussion regarding Core Competencies – following elections and appointment of public members</li> <li>• Addition of specific areas to the Renewal Form to better target collection of data for the College and members – <b>in progress</b></li> </ul>  |
|                                   | <p style="text-align: center;"><b>Committee Reports Discussion</b></p> <p>Written reports were provided by the ICRC, Quality Assurance, Registration and Planning and Finance Chairs regarding their Committees, which highlighted committee meetings, activities, changes and discussions that took place since the December Council meeting. The reports were posted with the Council package.</p> <p>Chad McCleave, Chair of Finance and Planning Committee brought to Council’s attention, two important cost savings initiatives. Specifically, the College has moved to a new service provider for the provision of the employee health benefits and is participating in a buying group comprised of a number of health professions regulators from across Canada, in order to achieve savings in the administration of the plan.</p> <p>Chad also noted that the College has joined a separate buying group for fees processing and expects to realize substantial savings in transactions.</p> |
|                                   | <p style="text-align: center;"><b>Competency Development and Implementation – Phase 1</b></p> <p>Danae Theakston, Communications Officer, presented on a proposed phased approach for appointing non-Council members to statutory committees based on competencies. The approach involves combining the current considerations that are used to select members with core governance competencies to ensure a broad range of diversity, knowledge, skills and background could be brought to the table.</p>   |
|                                   | <p style="text-align: center;"><b>2019 Election Dates</b></p> <p>A schedule for the 2019 elections to Council was presented for approval. The proposed elections are scheduled to occur in districts 1, 4, 5 and 7.</p> <p>Upon a motion duly made by Nicole DiFilippo and seconded by Michelle Meghie, it was resolved that Council approve the proposed election dates of July 9-16, 2019 and publish immediately as the election dates for districts 1, 4, 5 and 7.</p>   |

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|  | <b>Carried.</b>   |
|  | <p style="text-align: center;"><b>Complementary/Alternative Therapies Guideline</b></p> <p>Eric Bruce, Director of Professional Conduct, presented a proposed new guideline to address the provision of complementary/alternative therapies by registrants. The draft guideline sets out general principles applicable to both conventional and complementary/alternative therapies, as well as specific requirements for members who intend to offer such therapies or who deal with patients who request or receive such therapies from another source.</p> <p>Members of Council noted that kinesiologists who do not have the necessary competencies/certifications to offer complementary therapies should respond to patients' requests by making appropriate referrals or advising patients where they can get information about practitioners. Amendments were made to the draft Guideline to reflect the recommendations of Council.</p> <p>Upon a motion duly made by Kalen Johnson and seconded by Stefanie Moser, it was resolved that Council approve in principle the draft Practice Guideline on Complementary and Alternative Therapies as amended, and directs staff to circulate the draft Practice Guideline to the membership and to the public for comment for a period of at least sixty (60) days. <b>Carried.</b></p> |
|  | <p style="text-align: center;"><b>Strategic Planning Review</b></p> <p>Christine Forsyth, the consultant hired by the College to facilitate strategic planning, provided an overview of materials which will form the basis of the Strategic Plan for the College for 2019-2022. The materials provided reflect discussions and decisions at Council's two-day planning workshop, March 25-26.</p> <p>Council members were provided the opportunity to ask questions and provide further input to the Draft Summary Report.</p> <p>In response to a question by the President and Council, the Registrar indicated that the material provided was sufficient to develop an operational plan as well as a concise strategic plan to direct the College's efforts for the next three year period.</p> <p>Upon a motion duly made by Graydon Raymer and seconded by Michelle Meghie, it was resolved that Council approve the Summary Report and direct staff to prepare a summary Strategic Plan for posting on the website and communication to registrants. <b>Carried.</b></p>   |
|  | <p style="text-align: center;"><b>Funding for Therapy Policy</b></p> <p>As per the Health Professions Procedural Code, the College is required to establish a program to provide funding for therapy and counselling for persons alleging sexual abuse by a member, while they were a patient. The College established such a fund in 2013, administered by the Patient Relations Committee.</p>  |

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|  | <p>Eric Bruce, Director of Professional Conduct, spoke to the proposed policy governing the administration of the fund, and the supporting documents which would assist a patient to apply for funding, including an Application Form, Counsellor/Therapist Information Form and Frequently Asked Questions sheet. (materials provided in Council package)</p> <p>The policy approved by the Patient Relations Committee, expands on the provisions in the Health Professions Procedural Code to provide more details regarding the requirements for accessing the fund. In addition, the policy and administration documents will facilitate patients in making a request for funding and provide transparency regarding the process that the College will follow.</p> <p>Upon a motion duly made by Nicole DiFilippo and seconded by Stefanie Moser, it was resolved that the Council approve the Policy for Funding for Therapy and Counselling and supporting program documents (Application Form, Counsellor/Therapist Information Form, Frequently Asked Questions) as presented. <b>Carried.</b></p>  |
|  | <p style="text-align: center;"><b>Council Report re: Special Meeting on CNO Submission to Ministry</b></p> <p>On February 22, 2019 the Council held a special meeting (open to the public) to review and discuss the College of Nurses of Ontario (CNO) submission to the Ministry of Health and Long-Term Care regarding <i>Vision 2020</i>. Council reviewed the CNO's submission and determined which areas of the report they could support. Ken Alger presented a draft letter reflecting the discussion and decisions of Council at the February 22<sup>nd</sup> meeting.</p> <p>Following review of the letter, Council requested that the following additions/amendments be made to the letter prior to sending to the Ministry.</p> <ul style="list-style-type: none"> <li>- While the Council does not support the recommendation that public appointees be remunerated by each College, the Council would be in support of public appointees and professional members being paid the same per diem, with Colleges continuing to pay the professional per diems and the Ministry paying the public appointees per diem.</li> </ul> <p>The amendments to the letter will be made by Brenda Kritzer and circulated to Council, then sent to the Ministry of Health and Long-Term Care.</p> |
|  | <p><b>Specialties Proposal Framework and Striking of Committee on Specialties</b></p> <p>The following guests attended for this discussion item on the agenda: Don Gracey (OATA), Sandy Jespersen, Executive Director of CATA, Tyler Quennell, Board of Directors for CATA, Rebecca Durcan, Counsel for the College, Steinecke Maciura LeBlanc.</p> <p><b>i) Conflict of Interest (COI) Discussion</b></p> <p>Rebecca Durcan of Steinecke, Maciura, LeBlanc law firm, joined Council to provide a presentation and facilitate discussion regarding Conflict of Interest. She reminded Council that conflict of interest may be real or perceived as</p>  |

discussed in Bylaw 16. If a conflict of interest is not disclosed or declared, it can undermine public trust in the final decision that is made. She also noted that conflict of interest may not exist at the beginning of a project but may arise as more information is learned and as decisions are brought forward to Council or a Committee. Conflict of interest must be disclosed or declared at any point in the deliberations.

- ii) It was noted with importance that declaring a conflict of interest is part of Council members' fiduciary duties. All business must be carried out with integrity placing the interests of the College (its mandate and legislated role) ahead of any other interests. **Process for Selection of Committee on Specialties**

Discussion opened concerning the process for determining the Committee on Specialties.

A document had been provided by the College to assist Council in appointing a Committee, **Decision Note: Appointment of a Special Committee to Review Specialty Framework Submissions, under the Policy: Framework for Assessment of Specialties.**

After considerable discussion Council agreed that the Decision Note should be altered to form an addendum to the Framework for Assessment of Specialties Policy, addressing implementation. Edits were proposed remove the specifics relating to the current proposal before Council and to provide direction on composition of Committees formed to review proposals from the membership on specialties. (Revised Document attached to Draft Minutes)

Upon a motion duly made by Stefanie Moser and seconded by Michelle Meghie it was resolved that:

- Council adopt the edited Decision Note (edits included removal of all references to the specific proposal from OATA) as an adjunct to the Policy *Framework for Assessment of Specialties*; and
- Council approve that the composition of a Committee on Specialties be 5 members made up of 3 public members and 2 professional members; and
- Committee members be appointed by Council.

**Carried.**

**iii) Declaration of a Conflict of Interest**

The President called for declarations of conflict of interest concerning review of the Proposal on Specialties submitted by the Ontario Athletic Therapist Association (OATA).

Disclosures of potential for perceived conflict of interest due to membership in the Ontario Athletic Therapist Association

- Elwin Lau
- Nelson Amaral
- Jennifer Bushell

- Stefanie Moser
- Derek DeBono
- Nicole DiFilippo
- Michelle Young.

It was further disclosed that the following professional members had been involved on the board of directors of the OATA and that these members had not sat on the board for a minimum period of two years prior to election to Council, in compliance with the College bylaw 10.09(v):

- Stefanie Moser – Chair
- Jennifer Bushell- Secretary
- Nelson Amaral- advertising

Upon a motion duly made by Ryan Wight and seconded by Chad McCleave Council determined that Stefanie Moser is in a perceived conflict of interest in relation to the proposal submitted by the Ontario Athletic Therapist Association and is thus not eligible for appointment to the Committee on Specialties to review the proposal from OATA. **Carried.**

Stephanie Moser excused herself from the remainder of the meeting which would be focused on Committee selection.

Motion duly made by Graydon Raymer and seconded by Chad McCleave that Nelson Amaral has a perceived conflict of interest and should not sit on the Committee on Specialties to review the Framework submission brought forward by the Ontario Athletic Therapist Association. **Motion defeated.**

The President called for any further motions concerning the disclosures by other Council members. No motions were made.

**Appointment of Committee to Review the Proposal received from the Ontario Athletic Therapist Association**

The President called for public appointees to indicate their interest in and willingness to serve on the Committee on Specialties to review the proposal from OATA. Public members Mary Pat Moore, and Kalen Johnson agreed to serve on the Committee. Ken Alger offered to ask Lori-Ann Beckford whether she would be able to serve on the Committee and indicated that he would fill the remaining public member position on the Committee if Lori-Ann is unable to serve. (As Lori Ann declined based on time constraints, Ken assumed the third position).

The President called for professional members of Council to serve on the Committee. Professional members Ryan Wight and Graydon Raymer agreed to serve on the Committee to evaluate the proposal from OATA.

Upon a motion duly made by Graydon Raymer and seconded by Nelson Amaral, Council approved the formation of the Committee on Specialties to review the OATA Speciality Submission comprised of Ryan Wight, Graydon Raymer, Kalen Johnson, Mary Pat Moore and Ken Alger. **Carried.**

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|  | <p style="text-align: center;"><b>Review of Action Items</b></p> <ul style="list-style-type: none"> <li>- Development of the competencies to be used for recruiting of members to the Item Writing Committee.</li> <li>- Development of a strategic dashboard relating to operational commitments.</li> <li>- Summary of the Strategic Plan to be shared and circulated with the membership and public.</li> <li>- Amendment to the letter regarding the CNO submission to the Ministry to be circulated to Council, forwarded to the Minister, and posted on website.</li> <li>- Add the fee breakdown to the College’s website, perhaps under the membership portal – <b>in progress</b></li> <li>- Add information to the website regarding the benefits of being a regulated health professional – <b>in progress</b></li> <li>- Schedule a facilitated discussion regarding Core Competencies</li> <li>- Addition of specific areas to the Renewal Form to better target collection of data for the College and members – <b>in progress</b></li> </ul> |
|  | <p style="text-align: center;"><b>Motion for Adjournment</b></p> <p>Moved by Mary Pat Moore and seconded by Michelle Meghie at 4:40 p.m.<br/><b>Carried.</b></p>   |