

<b>College of Kinesiologists of Ontario Council Meeting Minutes</b>	
<b>Date/Time of Meeting</b>	Monday, December 7, 2015 at 10:00 a.m.
<b>Chair</b>	Lynn Kabaroff
<b>Timekeeper</b>	Zeina Yusuf
<b>Note taker</b>	Zeina Yusuf
<b>Present</b>	Daniel Crete, Jonathan Dubberley, Kathie Sharkey, Lynn Kabaroff, Mary Pat Moore, Lori-Anne Beckford, Kalen Johnson, , Michelle Meghie, Jennifer Pereira, Samantha Eyles, Fergal O’Hagan, Rosario Colomba, Robert Ross, Chad McCleave (p.m. only), Steve Anderson
<b>Regrets</b>	Don Halpert, Gennady Vaserbakh
<b>Staff in Attendance/ Guests</b>	<b>Staff:</b> Brenda Kritzer, Lara Thacker, Cara Moroney, Nancy Leris, Stamatis Kefalianos, Magdalena Reder, Ryan Pestana, Zeina Yusuf  <b>Guests:</b> Conny Glenn, R.Kin, and Rod Hare, R.Kin from the Association of Registered Kinesiologists of Ontario (ARKO); Stuart Moulton from the Ontario Kinesiology Association (OKA)
<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>Conflict of Interest</b>	None declared.
<b>Approval of Agenda</b>	UPON A MOTION duly made by Fergal O’Hagan and seconded by Daniel Crete, it was resolved that the agenda be approved as circulated. CARRIED.
<b>Approval of Minutes</b>	UPON A MOTION duly made by Jonathan Dubberley and seconded by Kathie Sharkey, it was resolved that the minutes of September 21 and September 22, 2015 be approved. CARRIED.
	<b>Business Arising from the Minutes of September 21 &amp; September 22</b>
	<ul style="list-style-type: none"> <li>• Ryan Pestana to work with consultant to develop a consultation process for the draft specialties framework – <b>completed</b></li> <li>• Stamatis Kefalianos to provide information on inactive and resigning members – <b>Completed</b></li> <li>• Stamatis Kefalianos to provide information on the number of francophone members and the demand for bilingual documents – <b>Completed</b></li> <li>• Cara Moroney to amend risk management plan to include College’s compliance with the Accessibility for Ontarians with Disabilities Act (AODA) – <b>Completed</b></li> </ul>
	<b>Registration Committee Report</b>
	Stamatis Kefalianos, Director, Registration, provided Council with an updated registration and renewal report. The presentation included information about current registrants, their practice areas, education background and various employment statistics. At the previous meeting, Council enquired as to how

	<p>many members were Inactive; Stamatis indicated that the number was 218, up 82% from the previous year. Council also asked about the number of French speaking members. Stamatis indicated 163 members identified French as one of the languages spoken, but that there were rarely requests for translated documents. Council asked staff to enquire about how the number of kinesiologists indicated they are working fulltime compares to similar professions.</p>
	<p style="text-align: center;"><b>Quality Assurance Committee Report</b></p> <p>Kathie Sharkey, member of the Quality Assurance Committee and Lara Thacker, Director, Quality Assurance presented an update on Committee’s work.</p> <p>The third annual self-assessment cycle began on December 1, 2015 and will end on March 1, 2016</p> <p>The fall peer and practice assessment cycle began on September 15, 2015 and to-date the Committee has reviewed seven assessor reports and rendered two decisions from the spring cycle.</p> <p>A member can be referred to a competency enhancement option if the Committee deems their skill, knowledge or judgement not satisfactory according to the peer and practice assessment. The Committee approved a list of Competency Enhancement options which include; demonstrated change report, mentorship program, course/learning module and/or a second peer and practice assessment. A Mentorship Program Information Guide was developed detailing the responsibilities and expectations of a formal one-to-one arrangement between a member and mentor.</p> <p>An Ethics and Professionalism Module is currently under development. The module will serve to guide members in making ethically defensible decisions according the College’s standards and guidelines. A set of practice scenarios were developed and the content is undergoing validation to ensure accuracy.</p> <p>Additionally, the Committee has approved a College Student Placement policy which would allow fourth year kinesiology/post grad students looking for non-clinical practice experience to be placed at the College.</p>
	<p style="text-align: center;"><b>ICRC Report</b></p> <p>Mary Pat Moore, Chair of the Inquiries, Complaints and Reports Committee provided a Committee update. To date, ICRC is handling a total of 5 cases. These include; one referral from the Quality Assurance Committee, two complaints and two registrar’s reports. The ICRC will make a decision on one complaint at its next meeting. Additionally, a decision was received from the Health Professions Appeal and Review Board from a 2014 case and will be discussed at the next ICRC meeting.</p>
	<p style="text-align: center;"><b>Council Fire Drill Training</b></p> <p>Stamatis Kefalianos provided Council with fire alarm training. Council requested</p>

	<p>that training is also provided for building lockdown protocols and suggested that at least one staff member have recent CPR and defibrillator training.</p>
	<p style="text-align: center;"><b>Discipline Committee</b></p> <p>The Discipline Committee met in-camera to review the amended Rules of Procedure. The Rules were approved.</p>
	<p style="text-align: center;"><b>Patient Relations Committee Report</b></p> <p>Cara Moroney, Director, Professional Conduct, provided a Committee update and reported on the Spousal Exemption Regulation consultation feedback. The Patient Relations Committee will meet in early 2016 to discuss strategic initiatives in accordance with the College’s strategic plan. It will also discuss the Treatment of Spouses guideline.</p> <p><b>Spousal Exemption Regulation Consultation feedback</b></p> <p>In June 2015 Council approved for consultation the draft regulation to exempt spouses from the definition of sexual abuse in the <i>Regulated Health Professions Act (RHPA)</i>. A 60 day consultation took place where sixteen comments were made by members all in favor of the draft regulation.</p> <p>Council was asked to approve the regulation for submission to the Ministry of Health and Long-Term Care (MOHLTC).</p> <p><b>MOTION</b></p> <p><b>Whereas</b> after an extensive review and consultation the Health Professions Regulatory Advisory Council (HPRAC) recommended to the Ministry of Health and Long-Term Care (MOHLTC) that treatment of spouses should be exempt from the definition of sexual abuse in the <i>Regulated Health Professions Act, 1991 (RHPA)</i>; and</p> <p><b>Whereas</b> the MOHLTC amended the RHPA to allow individual Colleges to pursue a regulation exempting the treatment of spouses from the definition of sexual abuse; and</p> <p><b>Whereas</b> the Patient Relations Committee (PRC) met in November 2014 and May 2015 and undertook a full analysis of the pros and cons of pursuing the regulation and recommended to Council in June 2015 that the regulation should be pursued; and</p> <p><b>Whereas</b> the Council agreed with this recommendation and approved for circulation and consultation for a period of 60 days. The regulation to exempt spouses from the definition of sexual abuse as provided in the RHPA; and</p> <p><b>Whereas</b> the consultation period closed in October 2015 and all of the comments received were in favour of the regulation;</p> <p><b>Therefore, be it resolved that</b></p> <ol style="list-style-type: none"> <li>1. <b>The Council approve the submission of the regulation pursuant to s.95(1) (0.a) to the Ministry of Health and Long Term Care to bring into</b></li> </ol>

	<p><b>effect s.1(5) of the Health Professions Procedural Code (the Code) as follows:</b></p> <p><i>If the Council has made a regulation under clause 95 (1) (0.a), conduct, behaviour or remarks that would otherwise constitute sexual abuse of a patient by a member under the definition of “sexual abuse” in subsection (3) do not constitute sexual abuse if,</i></p> <p style="padding-left: 40px;"><i>(a) the patient is the member’s spouse; and</i></p> <p style="padding-left: 40px;"><i>(b) the member is not engaged in the practice of the profession at the time the conduct, behaviour or remark occurs. 2013, c. 9, s. 1 (1).</i></p> <p>Recorded vote:</p> <p>YES – 14 NO – 0 3 not present</p> <p><b>Moved by Kathie Sharkey, seconded by Michelle Meghie. CARRIED.</b></p>
	<p style="text-align: center;"><b>President’s Report</b></p> <p>Lynn Kabaroff reported that she attended the clinic regulation town hall in Sudbury to gauge feedback on the project. She reported that staff presented at several universities throughout the fall. Lynn noted that she will attend the upcoming CKO-Universities Liaison Committee meeting and that the Ontario Kinesiology Association had invited her and Brenda Kritzer to their annual retreat.</p>
	<p style="text-align: center;"><b>Transparency Phase 2 Consultation Feedback</b></p> <p>Cara Moroney reported on the feedback from transparency phase 2 consultation. In September 2015 Council approved for circulation proposed by-law amendments which would allow posting more member specific information to the public register. Phase 2 amendments include: posting oral cautions and SCERPs with removal after 6 years of completion; summary of charges laid against a member under the <i>Criminal Code</i> or <i>Controlled Drugs and Substances Act</i>; and information on members’ licences from other professions. At this time, the College is not proposing a by-law change for the posting of pending allegations from other regulatory bodies. Additionally, the College proposed that all other member information be kept on the register for 6 years as opposed to 2 years after termination of a license unless otherwise specified in the by-laws. This is consistent with most other colleges.</p> <p>The consultation concluded with 23 responses, the majority of which were in favour of proceeding with the changes because the proposals were consistent with the College’s public protection mandate.</p> <p>Cara noted that next steps included determining effective dates for the posting of the new information approved by Council.</p> <p>Council was asked to approve the proposed by-law amendments for implementation in 2016.</p>

	<p><b>MOTION</b></p> <p><b>Whereas</b> the mandate of the College is protection of the public interest and the College is accountable to the public; and</p> <p><b>Whereas</b> the Minister of Health and Long-Term Care has directed Colleges to make transparency a priority and the College committed to increase its efforts towards greater transparency in the coming year; and</p> <p><b>Whereas</b> the Council has considered the proposed by-law changes outlined as Phase 2 and reviewed the by-law amendments already passed by 8 other colleges and were guided by the transparency principles; and</p> <p><b>Whereas</b> the Council approved for circulation the proposed by-law amendments; and</p> <p><b>Whereas</b> the consultation period has ended and the Council has reviewed the feedback received, which indicated a majority of respondents agreed with the proposed amendments;</p> <p><b>Therefore, be it resolved that</b></p> <ol style="list-style-type: none"> <li><b>1. The Council approve the By-law amendments as outlined in the attached By-law 21 on the Public Register with an implementation and effective date to be determined by staff in early 2016:</b></li> </ol> <p><b>Moved by Robert Ross, seconded by Jennifer Pereira. CARRIED.</b></p>
	<p style="text-align: center;"><b>Registrar's Report</b></p> <p>The registrar asked Cara Moroney to provide a report on her attendance at the the Council on Licensure, Enforcement and Regulation (CLEAR) conference in October. The most notable presentations were on how regulators handle re-entry to practice examinations and procedures.</p> <p>Brenda Kritzer provided an update on the clinics regulation project. There are currently 13 partner colleges involved in the project. The working group proposed a model to regulate clinics that would closely mirror the <i>Regulated Health Professions Act, 1991</i>. To seek feedback on this proposal, town hall meetings were conducted throughout the province and a website established. Town hall attendees provided feedback on the need to develop a clear business case for why clinics should be regulated and data to support claims of problems in clinics. Brenda noted that feedback could be received online until December 31, 2015 and that the working group will meet with professional associations in the coming weeks to build support for the project.</p>
	<p style="text-align: center;"><b>Finance Q3 Interim Report</b></p> <p>Nancy Leris, Director, Operations and Financial Services, presented the Q3 interim finance reports to Council. She noted that the shortfall in registration revenues was due to an increase in the number of members going inactive. She reported that year-end revenues are currently projected at 8% lower than</p>

	<p>budgeted. The College has realized savings in several categories including Council and Committee expenses, Communications and Media and Special Projects.</p> <p>Chad McCleave inquired about the College’s contract with its legal counsel. He asked staff to consider entering into fixed price contracts with legal counsel as this may be more beneficial for budgeting and expense disbursements.</p> <p>Lynn Kabaroff presented a motion to approve the Q3 interim financial reports.</p> <p><b>MOTION</b></p> <p><b>Whereas</b> the Registrar has provided Q3 report for Council to review revenues, expenditures and achievements to date, And</p> <p><b>Whereas</b> the Registrar has noted that the Q3 Financial variance Report is interim in that December 31 represents the end of the quarter, And</p> <p><b>Whereas</b> Council has found these reports to be satisfactory;</p> <p><b>Therefore, be it resolved that the Council of the College of Kinesiologists of Ontario accepts the Q3 report for 2015-16.</b></p> <p><b>Moved by Chad McCleave, seconded by Jon Dubberley. CARRIED.</b></p>
	<p style="text-align: center;"><b>Communications Strategy update</b></p> <p>Ryan Pestana, Communications and Policy Analyst, presented the College’s public awareness plans for 2016/2017. The College engaged the services of IDS Canada to develop a province-wide public awareness campaign in primary care networks and the diabetes health network. The ultimate goal of the public awareness campaign is to inform the public of the regulation of kinesiology and what a kinesiologist does. Ryan also explained that the College would leverage social media to reach the public and students.</p>
	<p style="text-align: center;"><b>Public Members Accountability Training report-back</b></p> <p>Publicly appointed members of college councils were asked to attend mandatory training provided by MOHLTC on governance throughout the late fall. Various public members shared their thoughts on the training and commented that it was a valuable opportunity to learn more about governance and to share insights with members of other councils.</p>
	<p style="text-align: center;"><b>Risk Management: Accessibility Policy</b></p> <p>Brenda Kritzer presented the amended Risk Management Plan where provisions were added to ensure the College’s compliance with the <i>Accessibility for Ontarians with Disabilities Act</i> (AODA). She reported that the College has taken steps to ensure its office is AODA compliant. Additionally, staff are provided with human rights, harassment and emergency protocols training.</p>

	<p style="text-align: center;"><b>Review of Action Items</b></p> <ul style="list-style-type: none"> <li>• Stamatis Kefalianos to provide employment information of other health practitioners (occupational therapists, massage therapists, physiotherapists) .</li> <li>• Stamatis Kefalianos to provide Council with building lockdown procedures, floor safety tour and options for staff member CPR and AED training.</li> <li>• Registrar to investigate feasibility of fixed price contracts with certain service providers</li> </ul>
<b>Adjournment</b>	<b>Motion to adjourn the meeting made by Chad McCleave at 4:15p.m .</b>