

October 10, 2019

Re: Your Inquiry Received October 7, 2019 re: CCO By-law 6: Elections

Dear Mr. MacPhail and Mr. Benedetti:

As you know, CCO received a great deal of feedback and many submissions concerning the proposed amendments to By-law 6: Elections. CCO believes it is in the public interest to have a healthy and respectful discussion concerning important matters before Council.

Moreover, Council determined that there should be full transparency with respect to the nature of the feedback, even if some of the comments received from college members might be inaccurate, unflattering or otherwise inappropriate. Council has been very consistent in making public the feedback received from members during the course of its deliberations, and this information has often been used by you to inform your articles.

The Executive Committee carefully considered all of the feedback regarding By-law 6 before making its recommendations to Council. The amendments include 6.9 which now reads as follows:

- (k) for District 7 only, the member is a member of the faculty of the CMCC; and
- (l) for any district other than District 7, the member is not eligible for election in District 7.

Council, comprised of elected and public members, approved the recommended amendments, bearing in mind the possibility or existence of any real or perceived conflicts of interest. We should point out that this type of restriction of candidate eligibility is not by any means unique to the CCO, and is the case with at least two other Ontario health regulatory colleges.

In making its decision, Council considered a variety of current, actual and perceived conflicts of interest and scenarios (including but not limited to) public positions taken that are indicative of a potential appearance of bias and do not reflect the diversity of the styles of chiropractic practice provided for in the scope of practice, participation in discussions of credentialing other academic institutions, or in continuing education requirements where such courses may be offered by member institutions, and other instances where the organization may be involved in matters before the regulator.

However, as noted above, Council also determined that of the three Toronto district seats available, one should be filled by an existing CMCC *faculty* member, to be elected by *the full CCO membership*. This ensures that the voice of the profession's academic institution is heard at the Council table while avoiding situations in which a large number of elected Council members are prevented from participating in important decisions where there is a real or perceived conflict of interest.

In closing, please understand that it is not the role nor intention of the CCO to respond to requests for comment on individual feedback or commentary submitted to the CCO as part of Council deliberations. Rather, the entirety of such feedback is made available on the CCO website in the interests of transparency and in serving the public.

We would remind you also, as we have shared previously, that members of CCO Council, Executive, and committees are precluded by the CCO code of conduct from speaking or responding to enquiries on behalf of CCO.

Sincerely,

A handwritten signature in blue ink that reads "Dennis H. Mizel DC".

Dr. Dennis Mizel,
President
Elected Professional Member

A handwritten signature in blue ink that reads "R MacKay".

Mr. Robert MacKay,
Vice-President
Appointed Public Member

From: Jo-Ann Willson <jpwillson@cco.on.ca>
Sent: Thursday, October 10, 2019 12:02 PM
To: Wayne MacPhail <wmacphail@gmail.com>; paul benedetti <pbenedetti16@gmail.com>
Subject: Response to your Inquiry Received October 7, 2019

Please see response attached.

Jo-Ann Willson, B.Sc., M.S.W., LL.B.
Registrar & General Counsel

***Note Address Change**

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From: Wayne MacPhail [<mailto:wmacphail@gmail.com>]
Sent: Wednesday, October 09, 2019 3:56 PM
To: paul benedetti <pbenedetti16@gmail.com>; Jo-Ann Willson <jpwillson@cco.on.ca>
Cc: Dennis Mizel (drmizel@stcatharineschiropractic.com) <drmizel@stcatharineschiropractic.com>; Joel Friedman <JFriedman@cco.on.ca>
Subject: RE: TIME SENSITIVE MEDIA REQUEST - National Post Story on By-law Amendment

Thanks for your response. Due to deadline pressure we would require we hear back from you by noon tomorrow at the latest. Hope that works for you.

All the best,
Paul Benedetti and Wayne MacPhail

Wayne Macphail
On Oct 9, 2019, 2:55 PM -0400, Jo-Ann Willson <jpwillson@cco.on.ca>, wrote:

We received this request on Monday, October 7, 2019, but I do not anticipate having an answer for you by the end of today given it is the Jewish High Holidays. I may be able to provide a response by Thursday, October 10, 2019, end of day. Thank you.

Jo-Ann Willson, B.Sc., M.S.W., LL.B.

Registrar & General Counsel

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