

COLLEGE OF CHIROPRACTORS OF ONTARIO



**ELECTRONIC PUBLIC INFORMATION PACKAGE FOR
COUNCIL MEETING (HYBRID)
FRIDAY, JANUARY 20, 2023 (8:30 – 9:30 A.M.)**

RHPA

Duties and Objects of Colleges

Duty of College

2.1 It is the duty of the College to work in consultation with the Minister to ensure, as a matter of public interest, that the people of Ontario have access to adequate numbers of qualified, skilled and competent regulated health professionals. 2008, c. 18, s. 1.

Objects of College

3. (1) The College has the following objects:

1. To regulate the practice of the profession and to govern the members in accordance with the health profession Act, this Code and the *Regulated Health Professions Act, 1991* and the regulations and by-laws.
2. To develop, establish and maintain standards of qualification for persons to be issued certificates of registration.
3. To develop, establish and maintain programs and standards of practice to assure the quality of the practice of the profession.
4. To develop, establish and maintain standards of knowledge and skill and programs to promote continuing evaluation, competence and improvement among the members.
- 4.1 To develop, in collaboration and consultation with other Colleges, standards of knowledge, skill and judgment relating to the performance of controlled acts common among health professions to enhance interprofessional collaboration, while respecting the unique character of individual health professions and their members.
5. To develop, establish and maintain standards of professional ethics for the members.
6. To develop, establish and maintain programs to assist individuals to exercise their rights under this Code and the *Regulated Health Professions Act, 1991*.
7. To administer the health profession Act, this Code and the *Regulated Health Professions Act, 1991* as it relates to the profession and to perform the other duties and exercise the other powers that are imposed or conferred on the College.
8. To promote and enhance relations between the College and its members, other health profession colleges, key stakeholders, and the public.
9. To promote inter-professional collaboration with other health profession colleges.
10. To develop, establish, and maintain standards and programs to promote the ability of members to respond to changes in practice environments, advances in technology and other emerging issues.
11. Any other objects relating to human health care that the Council considers desirable. 1991, c. 18, Sched. 2, s. 3 (1); 2007, c. 10, Sched. M, s. 18; 2009, c. 26, s. 24 (11).

Duty

(2) In carrying out its objects, the College has a duty to serve and protect the public interest. 1991, c. 18, Sched. 2, s. 3 (2).



COLLEGE OF CHIROPRACTORS OF ONTARIO MISSION, VISION, VALUES AND STRATEGIC OBJECTIVES

MISSION

The College of Chiropractors of Ontario regulates the profession in the public interest to assure ethical and competent chiropractic care.

VISION

Committed to Regulatory Excellence in the Public Interest in a Diverse Environment.

VALUES

- Integrity
- Respect
- Collaborative
- Innovative
- Transparent
- Responsive

STRATEGIC OBJECTIVES

1. Build public trust and confidence and promote understanding of the role of CCO amongst all stakeholders.
2. Ensure the practice of members is safe, ethical, and patient-centered.
3. Ensure standards and core competencies promote excellence of care while responding to emerging developments.
4. Optimize the use of technology to facilitate regulatory functions and communications.
5. Continue to meet CCO's statutory mandate and resource priorities in a fiscally responsible manner.

Developed at the strategic planning session: September 2017

CCO CODE OF CONDUCT FOR CURRENT AND FORMER ELECTED AND PUBLIC MEMBERS OF COUNCIL AND NON-COUNCIL COMMITTEE MEMBERS



Executive Committee

Approved by Council: September 28, 2012

Amended: February 23, 2016, April 19, 2016, September 15, 2016

Re-Affirmed by Council: November 29, 2018

Current and former elected and public members of Council and non-Council committee members must, at all times, maintain high standards of integrity, honesty and loyalty when discharging their College duties. They must act in the best interest of the College. They shall:

1. be familiar and comply with the provisions of the *Regulated Health Professions Act, 1991 (RHPA)*, its regulations and the *Health Professions Procedural Code*, the *Chiropractic Act 1991*, its regulations, and the by-laws and policies of the College;
2. diligently take part in committee work and actively serve on committees as elected and appointed by the Council;
3. regularly attend meetings on time and participate constructively in discussions;
4. offer opinions and express views on matters before the College, Council and committee, when appropriate;
5. participate in all deliberations and communications in a respectful, courteous and professional manner, recognizing the diverse background, skills and experience of members on Council and committees;
6. uphold the decisions made by Council and committees, regardless of the level of prior individual disagreement;
7. place the interests of the College, Council and committee above self-interests;
8. avoid and, where that is not possible, declare any appearance of or actual conflicts of interests¹;
9. refrain from including or referencing Council or committee positions held at the College in any personal or business promotional materials, advertisements and business cards;²

¹ There is a general assumption of real or perceived conflict unless confirmation of no conflict by the Executive Committee and/or Council, which will be addressed promptly.

² This section does not preclude the use of professional biographies for professional involvement.

10. preserve confidentiality of all information before Council or committee unless disclosure has been authorized by Council or otherwise exempted under s. 36(1) of the *RHPA*;
11. refrain from communicating to members, including other Council or committee members, on statutory committees regarding registration, complaints, reports, investigations, disciplinary or fitness to practise proceedings which could be perceived as an attempt to influence a statutory committee or a breach of confidentiality, unless he or she is a member of the panel or, where there is no panel, of the statutory committee dealing with the matter;
12. refrain from communicating to members and stakeholder³ on behalf of CCO, including on social media, unless authorized by Council⁴;
13. respect the boundaries of staff whose role is not to report to or work for individual Council or committee members; and
14. be respectful of others and not engage in behaviour that might reasonably be perceived as verbal, physical or sexual abuse or harassment.

Potential Breaches of the Code of Conduct

15. An elected or appointed member of Council or non-Council committee member who becomes aware of any potential breach of this code of conduct should immediately advise the President and Registrar, or if the potential breach involves the President, advise the Vice President and Registrar; and
16. Potential breaches will be addressed first through informal discussion with the Council member(s) or non-Council committee member(s), and subsequently by written communication expressing concerns and potential consequences.

I, _____, Council member or non-Council committee member of the College of Chiropractors of Ontario undertake to comply with the CCO Code of Conduct for Current and Former Elected and Public Members of Council and Non-Council Committee Members, both during and following my term on CCO Council or a committee

Signature: _____ Witness: _____

Date: _____

³ Stakeholders include professional associations, societies, and other organizations related to the regulation, education and practice of chiropractic.

⁴ This does not preclude Council members from communicating about CCO, provided they are not communicating on behalf of CCO.

**Rules of Order of the Council of the
College of Chiropractors of Ontario**

Approved by Council: September 20, 2014

Amended: June 17, 2020

1. In this Schedule, "Council Member" means a Member of the Council of the CCO.
2. Each agenda topic may be introduced briefly by the person or committee representative raising it. Council Members may ask questions for clarification. However, a Council Member shall make a motion and another Council Member shall second the motion before it can be debated.
3. When any Council Member wishes to speak, they shall so indicate by raising their hand. When speaking the Council Member shall address the presiding officer and confine themselves to the matter under discussion.
4. Staff persons and consultants with expertise in a matter may be permitted by the presiding officer to provide information or answer specific questions about the matter.
5. Observers at a Council meeting shall not speak to a matter that is under debate.
6. A Council Member shall not speak again on the debate of a matter until every other Council Member of Council who wishes to speak to it has been given an opportunity to do so. An exception is that the person introducing the matter or a staff person or consultant may answer questions about the matter. Council Members shall not speak to a matter more than twice without the permission of the presiding officer.
7. No Council Member may speak longer than five minutes upon any motion except with the permission of the Council.
8. When a motion is under debate, no other motion can be made except to amend it, to postpone it, to put the motion to a vote, to adjourn the debate or the Council meeting or to refer the motion to a committee.
9. A motion to amend the motion then under debate shall be disposed of first. Only one motion to amend the motion under debate can be made at a time.
10. When it appears to the presiding officer that the debate on a matter has concluded, that Council has passed a motion to vote on the motion or that the time allocated to the debate of the matter has concluded, the presiding officer shall put the motion to a vote.
11. When a matter is being voted on, no Council Member shall enter or leave the Council room, and no further debate is permitted.

12. No Council Member shall be present in the room, participate in a debate or vote upon any motion in which they have a conflict of interest, and the vote of any Council Member so interested shall be disallowed.
13. Any motion decided by the Council shall not be re-introduced during the same session except by a two-thirds vote of the Council then present.
14. Whenever the presiding officer is of the opinion that a motion offered to the Council is contrary to these rules or the by-laws, the presiding officer shall rule the motion out of order and give reasons for doing so.
15. The presiding officer shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the Council without debate.
16. The above rules may be relaxed by the presiding officer if it appears that greater informality is beneficial in the particular circumstances unless the Council requires strict adherence.
17. Council Members shall not discuss a matter with observers while it is being debated.
18. Council Members shall turn off their electronic devices during Council meetings and, except during a break in the meeting, shall not use their electronic devices. Computers shall only be used during Council meetings to review materials related to the matter under debate (e.g., electronic copies of background documents) and to make personal notes of the debate. The presiding officer may make reasonable exceptions (e.g., if a Council Member is awaiting an important message on an urgent matter).
19. Council Members shall be silent while others are speaking.
20. In all cases not provided for in these rules or the by-laws, the current edition of Robert's Rules of Order shall be followed so far as they may be applicable and consistent with these rules.

List of Commonly Used Acronyms at CCO

as at November 17, 2022

Acronym	Full Name
ACE	Accessing Centre for Expertise, Dalla Lana School of Public Health, University of Toronto
ADR	Alternative Dispute Resolution
AFC	Alliance For Chiropractic (formerly CAC)
ASNFPPO	Accounting Standards for Not-for-Profit Organizations
BDC	Board of Directors of Chiropractic
CCA	Canadian Chiropractic Association
CCBC	College of Chiropractors of British Columbia
CCEB	Canadian Chiropractic Examining Board
CCEC	Council on Chiropractic Education (Canada)
CCGI	Canadian Chiropractic Guideline Initiative
CCO	College of Chiropractors of Ontario
CCPA	Canadian Chiropractic Protective Association
CCRF	Canadian Chiropractic Research Foundation
<i>Chiropractic Act</i>	<i>Chiropractic Act, 1991</i>
CMCC	Canadian Memorial Chiropractic College
CMOH	Chief Medical Officer of Health
CNO	College of Nurses of Ontario
COVID-19	SARS – CoV- 2
<i>Code</i>	<i>Health Professions Procedural Code, Schedule 2 to the RHPA</i>
CONO	College of Naturopaths of Ontario
CPGs	Clinical Practice Guidelines
CPMF	College Performance Measurement Framework
CPSO	College of Physicians and Surgeons of Ontario
D'Youville	D'Youville College – Chiropractic Program
DAC	Designated Assessment Centre
DEI	Diversity, Equity and Inclusion
FCC	Federation of Canadian Chiropractic
FCCOS(C)	Fellow of the College of Chiropractic Orthopaedic Specialists (Canada)
FCCR(C)	Fellow of the Chiropractic College of Radiologists (Canada)
FCCPOR(C)	Fellow of the Canadian Chiropractic College of Physical and Occupational Rehabilitation (Canada)
FCCS(C)	Fellow of the College of Chiropractic Sciences (Canada)
FRCCSS(C)	Fellow of the Royal College of Chiropractic Sports Sciences (Canada)
FCLB	Federation of Chiropractic Licensing Boards
FOI	Freedom of Information
GIC	Guaranteed Investment Certificate
<i>HARP</i>	<i>Healing Arts Radiation Protection Act, 1990</i>
<i>HIA</i>	<i>Health Insurance Act, 1990</i>
HPARB	Health Professions Appeal and Review Board
HPRAC	Health Professions Regulatory Advisory Council
HPRO	Health Profession Regulators of Ontario
ICRC	Inquiries, Complaints and Reports Committee
KPI	Key Performance Indicators
LSO	Law Society of Ontario
MESPO	Model for the Evaluation of Scopes of Practice in Ontario
MOH	Ministry of Health
MTCU	Ministry of Training, Colleges and Universities
NBCE	National Board of Chiropractic Examiners
NHSU	National University of Health Sciences – Chiropractic Program
NWG	Nominations Working Group
NYCC	New York Chiropractic College

Acronym	Full Name
OCA	Ontario Chiropractic Association
ODP	Office Development Project
OFC	Office of the Fairness Commissioner
OHIP	Ontario Health Insurance Plan
OHPR	Ontario Health Professions Regulators
OHR	OntarioHealthRegulators.ca (HPRO's public-focused website)
OHRC	Ontario Human Rights Commission
PHIPA	<i>Personal Health Information Protection Act, 2004</i>
PPA	Peer and Practice Assessment
PIPEDA	<i>Personal Information and Protection of Electronic Documents Act</i>
PSA	Professional Standards Authority for Health and Social Care (U.K.)
PVO	Prosecutorial Viability Opinion
QA	Quality Assurance
RFP	Request for Proposal
RHPA	<i>Regulated Health Professions Act, 1991</i>
SCERP	Specified Continuing Education or Remediation Program
SOAR	Society of Ontario Adjudicators and Regulators
SPPA	<i>Statutory Powers Procedural Act, 1990</i>
SWOT	Strengths, Weaknesses, Opportunities, Threats
TCL	Terms, Conditions and Limitations
UOIT	University of Ontario Institute of Technology
UQTR	Université du Québec à Trois-Rivières
WHO	World Health Organization
WSIB	Workplace Safety and Insurance Board



AGENDA (Public)

COUNCIL MEETING (Hybrid)

Friday, January 20, 2023 (8:30 a.m. – 9:30 a.m.)¹

Attendees

Council members²

Mr. Joel Friedman, Deputy Registrar

Ms Jo-Ann Willson, Registrar and General Counsel

Ms Beth Ann Kenny, Recording Secretary

Ms Rebecca Durcan, SML Law (if required for legal advice)

Mr. Robert MacKay, Meeting Facilitator³

AGENDA⁴

Page No.	ITEM	Action Required	Action By	Priority Level ⁵
	CALL TO ORDER AND LAND ACKNOWLEDGEMENT ^{6 7}	Welcome	Mizel/ Gravelle	High
	1. Main Agenda	Adopt	Council	High

¹ Subject to Council's direction.

² Drs. Jarrod Goldin, Colin Goudreau and Sarah Green have declared a real or perceived conflict of interest and will not be in attendance. Drs. Kyle Grice and Julia Viscomi have sent regrets.

³ To facilitate the President's chairing of this meeting (at the President's request and as directed by the Executive).

⁴ If you would like the complete background documentation relating to any item on the agenda, please speak to Dr. Mizel, President and Ms Willson (information may be subject to confidentiality provisions).

⁵ Subject to Council's direction.

⁶ Council members to be familiar with and comply with the rules of order. If required, Dr. Mizel, President to appoint a parliamentarian.

⁷ **Land acknowledgment**

Let us acknowledge that in our meeting space today, we gather on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation as well as the traditional territory of the Haudenosaunee and the Huron-Wendat peoples. We recognize that we have a responsibility to work towards meaningful reconciliation between Indigenous and non-Indigenous peoples and through this land acknowledgement, we are honoring the land, Indigenous peoples, and deepening our understanding of truth.

Page No.	ITEM	Action Required	Action By	Priority Level ⁵
	1.1 Conflict of Interest	Review/ Declare any real or perceived conflicts of interest as agenda item reached ⁸	Council	High
17	3. Executive Committee Reports ⁹	Report/ Approve Recom- menda- tions including by-law amend- ments	Mizel/ Council	High
33	3.3 Stand Alone Distribution to CCO stakeholders and members re: By-law 6: Election of Council Members and By-law 12: Appointment of Non-Council Members – December 2, 2022 ¹⁰			
	<i>Various Feedback</i>	Review	Council	High
39	3.4 Feedback from Chiropractic Organizations			
44	3.5 Summary of CCO Portal Feedback			
75	3.6 Feedback from Chiropractors			
98	3.7 Feedback from Others			
110	3.8 Exchanges with Dr. B.J. Hardick re: By-law 6: Elections			

⁸ Standing conflicts of interest do not need to be declared at every meeting.

⁹ Move in camera if legal advice required pursuant to Ss. 7 (3) of the *Code*.

¹⁰ Information was also posted on the CCO website.

Page No.	ITEM	Action Required	Action By	Priority Level ⁵
	<i>Current Provisions</i>	FYI		
116	3.9 By-law 6: Election of Council Members (current)			
125	3.10 By-law 12: Appointment of Non-Council Members (current)			
128	3.11 Extracts from <i>RHPA</i>			
136	3.12 Examples of Disqualification from other Regulators			
	5. New Business	TBD		
	DATE AND TIME OF MEETINGS ¹¹			
	ADJOURNMENT			

All Executive Committee and Council meetings are in person and are scheduled from **8:30 a.m. – 1:00 p.m.** unless otherwise noted.

Executive Committee Meeting Dates to December 2023

Year	Date	Time	Event	Location
2023	Friday, January 20	8:30 a.m. – 1:00 p.m.	Meeting	CCO
	Friday, March 24	8:30 a.m. – 1:00 p.m.	Meeting	CCO
	Wednesday, May 17	8:30 a.m. – 1:00 p.m.	Meeting	CCO
	Friday, August 11	8:30 a.m. – 1:00 p.m.	Meeting	CCO
	Friday, October 20	8:30 a.m. – 1:00 p.m.	Meeting	CCO

¹¹ Please mark your calendar and advise Rose Bustria ASAP if you are unable to attend any meetings.

Council Meeting Dates to December 2023

Year	Date	Time	Event	Location
2023	Friday, February 24	8:30 a.m. – 1:00 p.m.	Meeting	CCO
	Wednesday, April 19	8:30 a.m. – 1:00 p.m.	Meeting	CCO
	Thursday, April 20	8:30 a.m. – 1:00 p.m.	Meeting (Elections)	CCO
	Tuesday, June 20	6:00 p.m.	Presidents' Dinner ¹²	TBD
	Wednesday, June 21	8:30 a.m. – 1:00 p.m.	Meeting	CCO
	Wednesday, June 21	6:00 p.m. – 9:00 p.m.	AGM	TBD
	Friday, September 8	1:00 p.m. – 4:30 p.m.	Meeting	White Oaks Resort and Spa ¹³
	Saturday, September 9	8:30 a.m. – 4:30 p.m.	Strategic Planning/Topic Specific Meeting	White Oaks
	Sunday, September 10	8:30 a.m. – 11:30 p.m.	Strategic Planning/Topic Specific Meeting	White Oaks
	Thursday, November 23	8:30 a.m. – 1:00 p.m.	Meeting (budget)	CCO
	Friday, November 24	8:30 a.m. – 11:30 a.m.	Training/Topic Specific Meeting	CCO
	Friday, November 24	6:00 p.m. – 9:00 p.m.	Holiday Party	TBD

¹² For current and former BDC Chairs and CCO Presidents.

¹³ White Oaks Resort and Spa: 253 Taylor Rd, Niagara-on-the-Lake, Ontario
www.whiteoaksresort.com

**College of Chiropractors of Ontario
Executive Committee Report to Council
January 20, 2023**

Members: ¹ Dr. Dennis Mizel, *Chair*
Mr. Markus de Domenico, *Treasurer*
Ms Robyn Gravelle
Dr. Paul Groulx
Mr. Shawn Southern

Staff Support: Mr. Joel Friedman, *Deputy Registrar*
Ms Jo-Ann Willson, *Registrar and General Counsel*

Mandate

- To exercise the powers of Council between meetings of Council with respect to any matter requiring immediate attention other than the power to make amend or revoke a regulation or by-law
- To provide leadership in exercising CCO's mandate to regulate chiropractic in the public interest

Report

I Introduction – Feedback and Consideration re: Amendments to By-law 6: Election of Council Members and By-law 12: Appointment of Non-Council Members (the “By-law Amendments”)

- On Friday, January 20, 2023, the Executive Committee (“Committee”) met to review the feedback received relating to the stand-alone distribution of the By-law Amendments. Feedback was received from organizations (including the Ontario Chiropractic Association (OCA), (representing approximately 80 % of CCO's membership), the Alliance for Chiropractic (AFC) and the Canadian National Alliance for Chiropractic (CNAC), chiropractors (including former Council members), and other health professionals, in addition to anonymous feedback through the CCO portal. Much (but not all) of the feedback was supportive of the Amendments.

¹ Drs. Green and Goldin did not attend the meeting, having previously declared a real or perceived conflict of interest.

- There is, however, some misinformation or misunderstanding in some of the feedback, more particularly addressed below:

The Amendments require 60 days circulation

- *These By-law Amendments do not require any circulation i.e., Council has the authority to amend the by-laws without circulation since they are not one of the enumerated by-laws requiring circulation under the RHPA, even if the amendments are a significant change.*

The Amendments target one member who was disciplined

- *Throughout the consideration of the By-law Amendments, the Executive and Council have received legal advice which is privileged and confidential (and is not waived by Council). Consistent with legal advice, Council was encouraged to make its policy decision on a principled basis, and information concerning individual(s) who had already expressed an interest in running for election was not part of Council's deliberations.*
- *The By-law Amendments do not target any one member. Rather, the By-law Amendments will affect anyone who, following a full and fair investigation, hearing, and referral to the discipline committee, has been found to have committed an act of misconduct or is incompetent as reflected on CCO's public register at any time up to six years from the finding. Members who have a discipline finding may, in prescribed circumstances, apply to have a finding removed from the public register after six years.²*

The Amendments could have been made as part of previous reviews of by-law 6 and 12

- *By-laws 6 and 12 have been reviewed and amended at different times to address public interest matters that arise, and to reflect best practices identified by the Ministry and other regulators.*

² Ss. 23 (2) and (11) of the RHPA.

Six Years is Arbitrary

- *All numbers are somewhat arbitrary, but six years is consistent with two, three-year terms. Council member terms are generally three years in duration. Further, members who have been disciplined may apply to have a finding removed from the public register after six years.*

The maximum penalty the college can impose is five years, and a six-year disqualification is more than that

- *The maximum penalty the college can administer, following a discipline finding of sexual abuse for example, is revocation of a certificate of registration. There is no guarantee or likelihood that a member will be successful in applying for a reinstatement of a certificate after five years, because that determination is made by the Discipline Committee following a full and fair hearing.*

CCO has not had this problem before

- *This comment does not take into consideration the opportunity for risk management, which was identified in the College Performance Measurement Framework (CPMF.)*

The Amendments affect members who have been involved in the complaints and discipline processes at CCO

- *This mischaracterizes the difference between having a complaint made against a member (which may result in no action being taken), and a member having a finding made against them following a full and fair investigation, referral of specified allegations to the discipline committee, an opportunity to present evidence, and a finding of misconduct or incompetence being made by a panel comprised of elected and public members. A potential risk is where a member is found to have breached a rule or rules may sit on the council that creates, maintains and enforces rules designed to protect the public interest.*

II Public Interest Rationale and Recommendations

- The following is an extract from the Executive Committee Report dated November 24, 2022 identifying why the amendment served the public interest:
 - *CCO has received some inquiries relating to the Spring 2023 elections including from an individual who would be eligible under the current rules but would not be eligible under the recommended amendments. It is important however, that the College treat the topic on a principled basis through a public interest lens. The Committee's view is that the public interest rationale for the recommended amendments, include:*
 - *Increasing, by a longer cooling off period, the chances that an individual candidate is running for election to regulate the profession in the public interest rather than to address any recent complaints or discipline interactions with the College;*
 - *Enhancing public confidence in the College that might be concerned about Council members serving who have had recent complaints or discipline interactions with the College;*
 - *Reducing the chances of the candidate, if elected, having a conflict of interest when dealing with issues related to their recent interactions with the College (for example, record keeping or advertising standards). One factor when assessing whether there is a conflict of interest is the length of time since the occurrence of the events that might create competing considerations.*

Recommendation 1:

That Council approve the By-law Amendments as circulated, and that the effective date be the date on which they are made by Council.

Recommendation 2:

That Council approve the election documents including timelines for distribution.

III Conclusion

- Although Council's initial discussion concerning the By-law Amendments took place in camera for the purpose of Council receiving legal advice, the Committee is of the view that Council's discussion should take place in public, that the feedback should be included in a public information package in full (except for confidential e-mail addresses being redacted), and that Council go in camera only if further legal advice is required.

Respectfully submitted by,

Dr. Dennis Mizel,
President



College of Chiropractors of Ontario
L'Ordre des Chiropraticiens de l'Ontario

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ITEM 3.3

Request for Feedback on Proposed Amendments to CCO By-law 6: Election of Council Members and By-law 12: Appointment of Non-Council Members - December 2, 2022

The College of Chiropractors of Ontario (CCO) is committed to implementing recognized best practices in governance for health regulatory organizations, and to enhancing its capabilities in regulating chiropractic in the public interest. As part of this ongoing commitment, CCO regularly reviews its by-laws and related policies and procedures, including those pertaining to the election or appointment of CCO Council and Committee members.

Over the last two years, the College has undertaken a number of initiatives to strengthen the competencies for Council and Committee members through substantial training and orientation programs, revised conflict of interest measures and related requirements. Many of these initiatives have been informed by the Ontario Ministry of Health's College Performance Measurement Framework.

At the recent November 24, 2022 meeting of Council, [minor by-law amendments](#) were proposed which, if adopted, would increase to six years from three years the amount of time that must have elapsed since a disciplinary finding or disqualification from serving against any prospective Council candidate or committee appointee. A six-year interval is the approach taken at several other Ontario healthcare colleges, such as the College of Nurses of Ontario, the College of Physicians and Surgeons of Ontario, the College of Opticians of Ontario, the College of Psychologists of Ontario and the College of Physiotherapists of Ontario.

CCO Council is able to pass these specific by-law amendments as a matter of course at any point during its meetings. However, in the interests of hearing from and taking into account the widest range of comment on these amendments as they affect the public interest with respect to the governance of the chiropractic profession, Council has directed that CCO stakeholders, including members, be surveyed for their feedback.

Kindly complete this [brief survey](#) on the proposed amendments no later than **January 9, 2023**. Your feedback will then be considered by Council in the course of its deliberations on the subject.

Thank you.

College of Chiropractors of Ontario | 59 Hayden St., Suite 800, Toronto, ON M4Y 0E7 Canada

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**DRAFT PROPOSED BY-LAW AMENDMENTS FOR DISTRIBUTION AND FEEDBACK
DECEMBER 2, 2022**

By-law 6: Elections of Council Members

By-law	Current By-law	Proposed By-law (draft amendments in underline and cross-out)	Rationale for Proposed Change
By-law 6.9(e)	<p>A member is eligible for election to Council in an electoral district, if on the closing date of nominations and anytime up to and including the date of the election:</p> <p>a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding three years;</p>	<p>A member is eligible for election to Council in an electoral district, if on the closing date of nominations and anytime up to and including the date of the election:</p> <p>a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding <u>six</u> three years;</p>	<p>In reviewing the best practices of other regulators, CCO is proposing to increase to six years from three years the amount of time must have elapsed since a disciplinary finding or disqualification from serving against a prospective Council candidate or committee appointee.</p>
By-law 6.9(j)	<p>A member is eligible for election to Council in an electoral district, if on the closing date of nominations and anytime up to and including the date of the election:</p> <p>the member has not been disqualified from the Council or a committee of the Council in the previous three years;</p>	<p>A member is eligible for election to Council in an electoral district, if on the closing date of nominations and anytime up to and including the date of the election:</p> <p>the member has not been disqualified from the Council or a committee of the Council in the previous <u>six</u> three years;</p>	<p>The public interest rationale for these recommended amendments, include:</p> <ul style="list-style-type: none"> Increasing, by a longer cooling off period, the chances that an individual candidate is running for election to regulate the profession in the public interest rather than to address any recent discipline interactions with CCO (continued on next page);

By-law 12: Appointment of Non-Council Members

By-law	Current By-law	Proposed By-law (draft amendments in underline and cross-out)	Rationale for Proposed Change
By-law 12.9(e)	<p>A member is eligible for appointment to a committee if, on the date of the appointment:</p> <p>a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding three years;</p>	<p>A member is eligible for appointment to a committee if, on the date of the appointment:</p> <p>a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding <u>six</u> three years;</p>	<ul style="list-style-type: none"> Enhancing public confidence in CCO that might be concerned about Council members serving who have recent discipline interactions with CCO;
By-law 12.9(h)	<p>A member is eligible for appointment to a committee if, on the date of the appointment:</p> <p>the member has not been disqualified from the Council or a committee of the Council in the previous three years;</p>	<p>A member is eligible for appointment to a committee if, on the date of the appointment:</p> <p>the member has not been disqualified from the Council or a committee of the Council in the previous <u>six</u> three years;</p>	<ul style="list-style-type: none"> Reducing the chances of the candidate, if elected, having a conflict of interest when dealing with issues related to their recent interactions with CCO (e.g., record keeping or advertising standards). One factor when assessing whether there is a conflict of interest is the length of time since the events that might create a competing consideration occurred.



Distribution for Feedback: Draft Proposed Amendments to By-law 6 and 12

* 1. Are you a Member of CCO

Yes

No

* 2. If you are not a member of CCO, what type of stakeholder are you?

Member of the Public

Chiropractic Organization

Not Applicable (Member of CCO)

Other (please specify)

* 3. If you are a member of CCO, how long have you been in practice?

Less than 5 years

- 6 - 10 years
- 11 - 20 years
- More than 20 years
- Not applicable

* 4. If you are a member of CCO, what is the location of your primary practice or residence

- Ontario
- Outside of Ontario, in Canada
- Outside of Canada
- Not Applicable

* 5. I agree/disagree with the draft proposed amendments to By-law 6: Election of Council Members

- Strongly agree
- Agree
- Disagree
- Strongly disagree

6. Comments - Explain why relating to CCO's public interest mandate

* 7. I agree/disagree with the draft proposed amendments to By-law 12: Appointment of Non-Council Members

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

8. Comments - Explain why relating to CCO's public interest mandate

9. The following amendments would better protect the public interest:

10. Further Comments

From: Deborah Gibson <[redacted]>
Sent: Monday, January 9, 2023 3:07 PM
To: Jo-Ann Willson
Cc: Caroline Brereton
Subject: Ontario Chiropractic Submission - Feedback re CCO ByLaw No. 6
Attachments: OCA Feedback re CCO ByLaw No 6 - January 2023.pdf

CAUTION EXTERNAL: This email originated from outside of the organization. Do not click links or open attachments unless you have verified the sender and know the content is safe.

Good afternoon,

The attached correspondence is sent on behalf of Caroline Brereton, CEO, Ontario Chiropractic Association.

Regards,
Deborah

Deborah Gibson (she/her)

Office Manager

Mobile: 416-302-2616

Office: 416-870-4159

Email: [redacted]

Web: www.chiropractic.on.ca



Ontario
Chiropractic
Association

70 University Ave., Ste. 201
Toronto, ON M5J 2M4





January 5, 2023

Ms. Jo-Ann Willson
Registrar and General Council
College of Chiropractors of Ontario
59 Hayden Street, Suite 800
Toronto, ON M4Y 0E7

Dear Ms. Willson,

Re: Response to consultation on proposed by-Law 6 changes

CCO has publicly stated it's committed to implementing recognized best practices in governance for health regulatory organizations, and to enhancing its capabilities in regulating chiropractic in the public interest.

Strengthening the role of a regulated health profession within the Ontario health system is heavily influenced by trust the government has in regulation of the profession and confidence of the public that oversight of the profession supports public protection and that if issues arise with respect to care or the interaction of professionals with patients, fair and impartial assessment of the issues will be conducted.

The Ontario government has pursued a continuous quality improvement approach to enhancing regulation of health professionals over the past number of years through the College Performance Management Framework. Through this approach the government has clearly stated that identified best practices across professionals will be shared with an expectation of adoption by others, with a goal of elevating overall performance of the regulatory system in Ontario. We see this as an important mechanism colleges can use to demonstrate their ability to respond to the needs of the health system and of patients. It strengthens the role of self-regulation and reduces the risk of deregulation or consolidation of professional colleges by demonstrating responsiveness of individual colleges.

As a key stakeholder for the chiropractic profession in Ontario, it is critically important to our work that the protection of patients is paramount in the work of CCO, and that public and government confidence remains high.

The board of the OCA discussed the proposed change to Bylaw No. 6 and fully endorse this change as it reflects leading practice, and it builds public confidence.

Sincerely,

A handwritten signature in black ink, appearing to read "Caroline Brereton".

Caroline Brereton
Chief Executive Officer

From: Brian Ferguson <[redacted]>
Sent: Monday, January 9, 2023 4:18 PM
To: cco.info
Subject: CCO By-Law 6 Amendment feedback
Attachments: CNAC Correspondence to CCO - Jan 9th 2023.pdf

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Dr. Mizel, Ms. Willson, and Mr. de Domenico,

Thank you very much for meeting with me today.
I present feedback from the Canadian National Alliance for Chiropractic.

Kind regards,

Brian R. Ferguson, DC
Secretary, CNAC



January 9th, 2023

Dr. Dennis Mizel
Ms. Jo-Ann Willson
College of Chiropractors of Ontario

RE: By-law 6: Election of Council Members

Dear Dr. Mizel and Ms. Willson,

On behalf of the Board of Directors of the Canadian National Alliance for Chiropractic (CNAC), we wish to inform the CCO Board of Directors that we have recently been approached by some of our Ontario members expressing concern with recent CCO communication regarding bylaw changes to the election process in Ontario.

We acknowledge and support the role CCO plays in public safety, however, we have concerns with the governance process reportedly involved in these recent decisions, including the short timeline for CCO member feedback, just before an election regarding By-Law 6: Election of Council Members. Our concern lies in the optics of governance, especially during a time when many provinces are undergoing discussion to remove self-regulation from many professions, including chiropractic. We feel unassailable transparency from CCO is in the public interest and the optics of the timing involved have been called into question by some of our members.

We appreciate your further consideration in this matter.

Sincerely,

Dr. Chad Mykietiuk
President
Canadian National Alliance for Chiropractic

From: Brian Ferguson
Sent: Monday, January 9, 2023 7:50 PM
To: cco.info
Subject: By-Law 6 Feedback from the Alliance For Chiropractic

CAUTION EXTERNAL: This email originated from outside of the organization. Do not click links or open attachments unless you have verified the sender and know the content is safe.

Dr. Mizel, Ms. Willson, and Mr. de Domenico,

Thank you very much for the opportunity to consult with you regarding the proposed changes to By-Law 6.

That we can provide respectful and transparent dialogue for our members with CCO is a privilege that the AFC does not take lightly. The AFC recognizes and champions self-regulation and seeks to be allies in professionally advocating for our membership with CCO with the goal of protecting the public.

We have been approached by several AFC members regarding the By-Law 6 amendment. Hearing their position, we have the following to convey:

The AFC affirms that this is a minor amendment and that the CCO is not required to have distribution for feedback and we applaud the CCO for doing so in the name of transparency.

We affirm the College Performance Measurement Framework, but we are concerned at the appearance of bias concerning the timing of this amendment. Our members convey that the apparent urgency of this change, right before an election, which would disqualify one candidate (Dr. BJ Hardick) from this election who had already started his campaign, speaks to poor governance.

The AFC does not support an amalgamation of professional regulatory bodies, such is taking shape in British Columbia. What serves the public, in our opinion, is a CCO that cannot be questioned from an appearance of bias, and we would suggest that the proposed amendment for electoral exclusion from 3 to 6 years be done in a way that does not impact the current election, either by grandfather clause, or that the amendment take place after this election etc.

Thanks for all you and the rest of CCO do in the regulation of our profession.

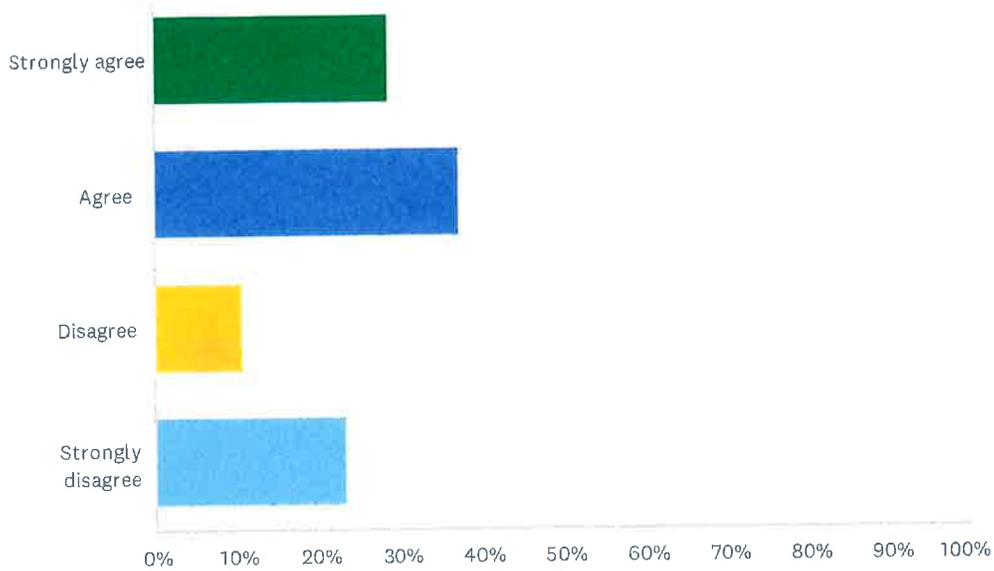
Kind regards,

Brian R. Ferguson, DC
AFC - CCO Liaison

ITEM 3.5

Q5 I agree/disagree with the draft proposed amendments to By-law 6:
Election of Council Members

Answered: 412 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly agree	28.64%	118
Agree	37.38%	154
Disagree	10.68%	44
Strongly disagree	23.30%	96
TOTAL		412

Q6 Comments - Explain why relating to CCO's public interest mandate

Answered: 167 Skipped: 245

#	RESPONSES	DATE
1	It seems very suspicious the timing of this proposed change and doesn't look good to the public to change it based on the candidate it would eliminate. It isn't fair especially without advanced notice	1/9/2023 11:07 PM
2	Why is CCO changing bylaws just before elections? There is no reasons articulated as to why so I cannot support a major change to the election process just before an election with limited explanation. How would this change support CCO's obligation to serve and protect the public interest?	1/9/2023 5:19 PM
3	the reasons for the change are not about public interest but rather what other regulators are doing. In fact most regulators are 3 years.	1/9/2023 4:37 PM
4	I'm not clear on why changing the time from 3 to 6 years is a significant/necessary change, other than the fact that other Colleges are doing it? What was their, and your justification for the amendments?	1/9/2023 3:21 PM
5	Our perspectives act as a lens through which we view reality. Our tendency is to assume that how we perceive reality is an accurate representation of what reality truly is. Chiropractic and Medicine are different perspectives on health care. Differing perspectives help us to understand situations from other positions and to consider other beliefs, experiences, and viewpoints. This leads to better understanding and better outcomes. It reduces bias and judgement and reduces conflict. This is in the publics best interest. In the last three years CCO has permitted medical perspectives to be forced upon Chiropractors and the public we serve, without transparency, and out of fear not science. In a time of crisis, we needed leaders and leadership, but sadly we got nothing more than woke compliance, which has been a disaster for the public. Changing By-law 6 and 12 from three to six years based on a hypothetical assumption of conflict is another bad woke decision by the CCO to protect singular perspectives which as I stated earlier leads to more bias and more conflict, and is therefore detrimental to the best interests of the public and contrary to the CCO's mandate. I strongly disagree with the proposed changes.	1/9/2023 3:14 PM
6	BY-LAW 6 1. Why has the profession been given only 38 days to provide feedback when historically 60 days has been the standard time? 2. Why is this exclusion for 6 years to run for Council more important than other 3 year exclusions? Examples of this are: the member has not been a member of staff of CCO at any time within the preceding three years; the member has not been disqualified from Council or a committee of the Council the previous 3 years; the member is not and has not been in the preceding three years, an officer, director, or administrator of a chiropractic educational institution, including but not limited to CMCC and UQTR, such that a real or apparent conflict of interest may arise. 3. Has there been sufficient inquiry or complaints from the public questioning the eligibility of members to run for Council? Has there even been one inquiry from the public regarding a Chiropractors status vis a vis disciplinary decisions? How exactly does this serve the public and how does it enhance CCO's capacity to "govern in the public interest"? 4. Was there possible bias against or any conflict of interest of any potential candidate in particular that may have prompted this minor by-law change? 5. Changes to by-laws are never minor changes. Why now, after making very significant changes to bylaws in the past three years, without consultation or feedback from stakeholders, is Council now asking for feedback on what Council deems is a minor change? An example of this glaring contradiction is how the Standard of Practice was changed on dialogue between a practicing member and their patients as it pertains to Vaccination. Was there a call for feedback on this major change? And why wasn't there a call for feedback? 6. Why is there not full transparency on this proposed change? The circulating memo provides no information as to why this change is so important and necessary. There is no context and does not explain how this serves the public. We are told that 6 other regulatory Colleges have done it. Why do we concern ourselves with what 6 other Colleges are doing when 20 Colleges are not doing it? Is the CCO not sufficiently occupied with much more pressing matters than this? 7. How is the public better served by providing less time for stakeholder feedback? Is the	1/9/2023 2:09 PM

public interest better served by limiting input from the professionals most effected? Is the public better served by incomplete rationale such as "other Colleges have done this"? 8. We as a province have just come through an unprecedented period of mandates imposed upon us that lack any scientific rationale and have not passed even the most basic scientific scrutiny. One would think that any one at the regulatory level, with a modicum of integrity would want to be the beacon of transparency all things considered. Why won't the CCO take on that leadership role and be the light? 9. Is this really the best time to make changes to election criteria immediately before an election? 10. The tone from the CCO is basically this - We don't have to ask for your feedback and we can pass these by-law changes whenever we want, but in the interest of optics, we're going to ask for feedback. Is this really the type of relationship Council now wants to foster with its stakeholders? Does this buggy whip tone at all serve the public interest? Would not a respectful relationship between appointed and elected members of Council and the stakeholders of the Chiropractic profession better serve the public?

7	I am unclear on how the change in disqualification period from 3-6 years affects the public trust particularly in the case of a minor offence.	1/9/2023 1:48 PM
8	38 days vs the standard 60 days - How is giving stakeholders less time to respond with feedback in the best interest of the public?	1/9/2023 10:38 AM
9	In the past CCO always gave 60 days for feedback, why did it suddenly change to 39 days? What prompted this change? Was this complaints driven? Does it serve the public interest in any way? Our profession is very small compared to the college of nurses and college of physicians. Excluding people for 6 yrs could limit qualified people from getting on council. The CCO seems to be making lots of "minor changes" these days. A definition of what constitutes a "minor change" needs to be approved by the membership. Many of these "minor changes" have major implications on our practices. Was this change prompted by a bias towards a particular candidate who is known to be running in the upcoming election? If so, this would be a conflict of interest.	1/9/2023 10:02 AM
10	Someone who has been through the discipline process in a 3-year time frame will have better knowledge and recall of the CCO standards of practice, policies and guidelines as compared to waiting 6 years to serve on the CCO. A member who has been through discipline and took the steps of remediation as part of their penalty can use the experience they have learned from to serve the public well on the CCO. Many if not all new council members have a period of being "green" while on council. They do not have the confidence to ask many questions nor have the knowledge of how the CCO runs when they first get onto council. Someone who has been through a discipline hearing has lived through many parts of the processes of the CCO first hand. This serves the public interest because these individuals will come onto council with greater knowledge than someone who has been away from the CCO for 6 years.	1/9/2023 1:00 AM
11	A recent findings of professional misconduct and a recent disqualification from council or committee is a conflict of interest. Increasing the time before which they can be on council is in the best interest of the public.	1/8/2023 11:40 PM
12	The new clause, if adopted should be grandfathered in. This current election cycle should allow for the current 3 year and announce that the next election cycle will be the new 6 year. This avoids all appearances of "rushing this" to keep a candidate out, whether true or not, and avoids potential lawsuits for those who may have planned to run. It protects to public to avoid loss of confidence in the cco via media campaigns and bad publicity.	1/8/2023 10:24 PM
13	There is no need to make these changes. The public has not brought this up as a problem so no need to change it. Also, we are our own profession and we do not have to be exactly the same as the other healthcare colleges. That is not a valid reason for to try to change this by-law.	1/8/2023 9:46 PM
14	I believe that if a member is in good standing for 3 years it does not need to be changed.	1/8/2023 5:20 PM
15	I fail to see how this change to the amendment is in the publics best interest. There is no benefit to adding an additional 3 year IF the member has been in good standing for the 3 years. If there has been no complaint by the public regarding this matter why would this change be necessary. Our dictates as a profession should not be influenced by the actions of a few other professions. The CCO needs to be int the role of leadership as it pertains to following guidelines that protect the public.	1/8/2023 3:42 PM
16	This change is to close / prior to an election.	1/8/2023 10:53 AM
17	While I have complete respect for members of council and the time and energy they out into	1/7/2023 10:38 AM

the regulation of our profession, the timing of this proposed amendment concerns me. I understand that other Colleges have adopted the six year period after a discipline hearing and have little issue with adopting it as well. However, if due process has always been to review potential amendments after elections, then this should continue to be the process now. Due process appears to be something that is being ignored at many levels of governance, in Ontario and throughout our nation. In the public interest, I believe that due process is more important than ever before. I do appreciate that this proposed amendment has been put out to the profession for feedback, however, why has it not been given the usual 60 days? The optics and timing could be construed as something less than optimal. If this is the new standard that will be applied, then it should also be consistent with all candidates running for council, including those that have served at colleges/schools etc. The assumption being that candidates may bring prejudice to their position on council could and should be applied across the board consistently ie. the proposed six years. Thank you for your consideration to these concerns and suggestions!

18	Why is this being proposed over 38 days during Christmas holidays when it's always been 60 days? This feels like it has more to do with a power grab than enacting anything that would actually better serve the people of Ontario.	1/6/2023 10:53 PM
19	From the first time I read of this proposed change in the email correspondance sent right before the holidays I felt strongly it was misguided and not in the public's best interest. First of all, why has the time for feedback been set at 38 days when historically it is 60 days? Why are we rushing this in comparison to other by law changes. The optics of this by-law change which pertains to elections of members to council right before an election is very concerning. It does not look good for the college in the eyes of the public and shows a lack of transparency in due process and timing. Why are we making changes to the election by-laws now when their has already been extensive investigation and changes made in 2019. I'm very concerned that the public is not being served in an appropriate manner as there is less time for proper stakeholder feedback. It is rushed and shows a lack of rationale. I beleive for the CCO to be a great example of a college, it must show transparency and integrity. I think the manner in which this by-law change was presented and it being right before an election shows a lack of both and is not in the public's best interest.	1/6/2023 9:46 PM
20	Making a change like this close to the an election is not right.	1/5/2023 2:47 PM
21	Too rushed of a process	1/5/2023 12:00 PM
22	Have there been any complaints or inquiries from the public about the historical exclusion period? If there hasn't been, this seems unnecessary, even though other colleges take a different approach.	1/5/2023 9:00 AM
23	I think a sliding scale determined by the offense is more valuable to all	1/4/2023 7:36 PM
24	Any change to a bylaw NEEDS thorough explanation as to WHY a changes would be required. CCO has failed to provide any reasonable explanation as to why a change is in the public's best interest. THIS IS THEIR JOB! Not the job of members to explain why a change4 is NOT required! It is not transparent to say "others are doing so". The question that MUST be answered PUBLICLY is WHY? Unless CCO discloses this information first, CCO has failed its mandate to regulate "in the public interest". CCO's secrecy and lack of transparency is on full display here.	1/4/2023 1:49 PM
25	I wonder why it even needs to be changed. Has there ever been a problem with three years before? We are a small college and it could limit number of potential applicants.	1/3/2023 11:56 AM
26	6 years seems very long to me	12/31/2022 2:29 PM
27	if the change is to be made from 3 to 6 years as proposed, that this change would take place in six years, thereby avoiding any perceived exclusion in an upcoming election and avoid any appearance of lack of impartiality or transparency from CCO.	12/29/2022 12:37 PM
28	First, I don't fully understand the necessity of this proposed change. We are a small college and limiting the number of possible applicants does not seem prudent. Secondly, the speed at which this 'minor amendment' is being proposed certainly makes me question whether there are additional agendas being served outside of the actual interest of the public.	12/29/2022 10:19 AM
29	I am curious as why this change is even being proposed. Just because 6 of the Regulators have it, why should this matter....the others don't. Is there a set critera for what discipline finding would create more of an issue then others? Presumably some are more serious then	12/28/2022 3:10 PM

Distribution for Feedback: Draft Proposed Amendments to By-law 6 and 12

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others and having chiropractors wait a full 6 years before they can run seems like a very long time especially if the findings were more minor in nature. Why 6 years? Why not make it longer just to be certain? And how does this exactly serve the interes in the public? Has a member of the public alerted the CCO that they felt this by-law needs to be changed?

30	I believe it is fair to not have a position filled on council by someone who has had discipline in the last 5-6 years. I believe the perception to the public that we one of our elected members had a recent complaint would not be positive.	12/28/2022 12:39 PM
31	I personally don't think anyone with a disciplinary finding against them she be allowed to be on the CCO at all.	12/24/2022 7:15 AM
32	I have submitted comments separately in a letter.	12/23/2022 1:50 PM
33	A registrant that has been sanctioned likely has something to prove or make right. I have difficulty believing they will be focussed on public interest, Rather, they will be focussed on personal interest or professional interest.	12/22/2022 4:14 PM
34	See below	12/16/2022 1:21 PM
35	It does not make any sense to be making an amendment like this just before an election, with a shorter period for us to respond. Something doesn't seem right. What is trying to be manipulated here?	12/15/2022 2:50 PM
36	Agree with CCO's rationale	12/15/2022 11:00 AM
37	Public Interest is not served by expanding 3 years to 6 years as it may preclude individuals already considering running for a seat on CCO. This change is too close to an election.	12/14/2022 9:32 PM
38	I find it difficult to comprehend why any change to by-laws would be classified as "minor" when it is designed to eliminate the participation of a group of people. Whether it will better protect the public or not is not self-evident and simply stating that "the other colleges are doing it" is not sufficient to support that stance. And I'm honestly surprised that that argument is being used at all. It's truly reminiscent of the old cliché of a parent asking, "If your friends were jumping off of a bridge, would that mean you would do it to?" The proposed change is being portrayed as further raising the standards of those being elected to or appointed to positions of influence, but it smacks of a convenient façade for a more self-serving agenda. Many other issues have been discussed regarding eligibility to serve, and the apparent previous non-enforcement of existing by-laws, for example: the member has not been a member of staff of CCO at any time within the preceding three years; the member has not been disqualified from Council or a committee of the Council the previous 3 years; the member is not and has not been in the preceding three years, an officer, director, or administrator of a chiropractic educational institution, including but not limited to CMCC and UQTR, such that a real or apparent conflict of interest may arise. It is absurd to think that the current proposed changes are demonstrably more effective in protecting the public than those mentioned immediately above, and that the need to extend the timeframe from 3 to 6 years for the former is somehow more urgent than the latter.	12/13/2022 5:42 PM
39	You have given no context surrounding this change so it seems like a waste of time/money/resources... unless there is a hidden agenda? 3 years is sufficient time, unnecessary to extend to 6. Just because a few other colleges are doing it doesn't mean we should - is there anything else prompting this? How is the public better served by this?	12/13/2022 3:36 PM
40	I do not see a point how is this change important of protecting a public interest.	12/13/2022 3:35 PM
41	I don't see how this serves the public in a better way. In fact it seems to me someone is trying to consolidate power.	12/13/2022 10:44 AM
42	I would like to know what the catalyst was for making this change	12/13/2022 8:59 AM
43	Conflict of interest	12/13/2022 7:06 AM
44	I disagree with announcing potential by law changes after candidates have announced they will be running in the upcoming election. I also disagree that this is done so close to the election date as well as the holidays when we are busy. This should be announced within at least 6 months of an election or after an election. Also, to only give us 5 weeks to provide our comments is very little time especially with the busy-ness of the season we are in. We should have at least 8 weeks or 60 days to provide comments. Overall, I strongly disagree that we should change these bylaws prior to the election.	12/13/2022 7:06 AM

45	It appears from the summary given that this is more in the CCO's interests than the public's as someone 3 years after an infraction will know very well the regulations to help others.	12/12/2022 4:32 PM
46	see below	12/12/2022 4:20 PM
47	What is the reason for switching the length of exclusion from three years to six years? I know it was mentioned in the CCO email that five other colleges are doing the same length of exclusion however, there are several other colleges that are still operating within the three year exclusion. What is the reason for wanting to change the term now and how would this better protect the public interest?	12/12/2022 1:36 PM
48	Although I support the bylaw change in principle, I disagree with the timing of its implementation. It is my understanding that there are members who have expressed an interest in running for council. I believe it would be unfair at this juncture during the current election cycle. To implement such a change.	12/11/2022 4:49 PM
49	It is unnecessary . Disciplinary action is punishment enough. If anything someone within 3 years of disciplinary action will have better feedback for CCO	12/10/2022 6:32 PM
50	A 3 year suspension from serving on CCO, post offense, has been in place for a long time and in my opinion remains appropriate. Doubling the time period does not serve the public interest anymore than 3 years. As a matter of fact it may be a disservice to the public to not allow a qualified candidate to present themselves and potentially win an election. The by-law should remain the same.	12/10/2022 4:40 PM
51	3 years is a sufficient cooling off period. 6 is excessively punitive.	12/10/2022 4:40 PM
52	I feel it is a more appropriate interval, in agreement with other major healthcare sectors,	12/8/2022 5:54 PM
53	Don't believe it is fair to change the the elapsed time this close to upcoming election	12/8/2022 3:34 PM
54	If someone has had disciplinary action taken/required, it naturally stands to reason that a longer time lapse protects the public from any potential skewed opinions on the board	12/8/2022 3:00 PM
55	I believe this should be a case by case basis. A member that was disciplined for a minor infraction versus a major one should be dealt with differently. Placing a 6 year wait no matter the infraction doesn't make sense. Maybe it could range between 3-6 years, minor ones waiting 3 years and major ones waiting 6.	12/8/2022 2:41 PM
56	I believe that making such an amendment does not take into account differing situations and is too all encompassing. Three years seems to be an appropriate amount of time where the member has had time to learn and understand changes that need to be made and can move forward well.	12/8/2022 2:08 PM
57	more time lapse between the issue and running for election would lesson the chances of conflict of interest and improve the quality of board members	12/8/2022 12:33 PM
58	I don't believe a "cooling off" period of 6 years is necessary. Three years is certainly sufficient.	12/8/2022 7:41 AM
59	insufficient and poorly timed for CCO members to review	12/7/2022 5:29 PM
60	Keeps us on par with other professional colleges.	12/7/2022 2:53 PM
61	Unless there is something I am missing, this just seems obvious. Consider that New grads are barred from attending most associations and colleges for 5 years.	12/7/2022 11:49 AM
62	I believe it is appropriate to keep our guidelines comparable to other colleges	12/7/2022 10:10 AM
63	The timing and rushed nature of this is questionable and also as a member I want to know who put this motion forward for transparency of who made this and all amendment proposals before they are passed. I also believe 3 years is adequate and not all Colleges have 6 years, plus discretion needs to be taken into account with regards to the nature of past disciplinary cases. Not all are equal ie. sexual abuse or fraud vs advertising infractions.	12/6/2022 3:57 PM
64	Anyone who has received discipline previously should be not a speaking member on behalf of the profession	12/6/2022 2:10 PM
65	Protects the members	12/6/2022 9:53 AM
66	I do not believe the public will be served by this change. In my experience, after a member has had a peer review or following a complaint and/or disciplinary action is the time in which a	12/6/2022 8:39 AM

member has the most knowledge of our rules and regulations. I think this amendment would be doing a disservice to the public by disqualifying members who have recently had first hand experience in proceedings and motivation to become completely up to date and versed in our regulations.

67	If you judge a man guilty today, for something that he did in the past, that he would not do today, you are judging an innocent man guilty	12/6/2022 7:13 AM
68	CCO should be in line with other Provincial health care colleges.	12/5/2022 9:46 PM
69	I believe the increase from 3 years to 6 years aligns with identified best regulatory practice, in Ontario and internationally	12/5/2022 9:20 PM
70	serves to safe guard the integrity of the CCO	12/5/2022 8:29 PM
71	6 years is not necessary. 3 years is fine.	12/5/2022 2:31 PM
72	Make sure you are always doing the right thing	12/5/2022 1:55 PM
73	three years is adequate waiting time; 6 years is simply punitive. not in the public interest	12/5/2022 1:32 PM
74	N/A	12/5/2022 11:49 AM
75	Although the proposed amendment is fair and consistent with other regulatory boards, the amendment should not be effective immediately. It simply isn't fair to any member who has already started campaigning for the upcoming election who may be affected by this by-law change.	12/5/2022 10:54 AM
76	The proposed amendment makes sense, however should take effect following this round of elections	12/5/2022 10:53 AM
77	6 years is a long, long time. Keep it at 3. It should hinge entirely on the nature of whatever led to their suspension. If what led to their suspension would be seen as a minor offence or in law terms, a misdemeanour should receive 3; & a suspension by what would seem as a major or more severe offence should receive 6.	12/5/2022 10:42 AM
78	Makes sense	12/5/2022 10:00 AM
79	Consistency between Regulatory Bodies, strengthens the system in general	12/5/2022 9:20 AM
80	Why are we making changes to a proposed bylaw mid term and not following procedure and policies of proper governance? Why is there a rush for a proposed change that has not since been reviewed for many years in the past? Change needs to be regarded in proper timing and through governance.	12/5/2022 8:50 AM
81	six years is too long. Leave it at 3 years	12/5/2022 7:55 AM
82	The current By-law is good as is, and does not need to be amended just because a small minority of other Colleges have chosen a different approach.	12/5/2022 7:43 AM
83	Protect the optics of the CCO and give the public confidence that we are maintaining a similar standard as other professions.	12/5/2022 7:10 AM
84	If there are going to be changes made to the time period it should ONLY be on an going forward basis. If you move to a 6 year timeframe, that would ONLY apply to individuals found guilty AFTER this ammendment	12/5/2022 7:08 AM
85	complaints made against member may not be founded	12/4/2022 10:25 PM
86	By increasing from three to six years, I believe this would better help a candidate to regulate the profession in the public interest.	12/4/2022 10:01 PM
87	3 years seems adequate	12/4/2022 8:51 PM
88	Each case is different and should be different recommendations	12/4/2022 7:54 PM
89	I agree with the rationale provided - to avoid conflict of interest of a member subject to discipline taking a leadership role too soon.	12/4/2022 7:54 PM
90 /	3 years is too short and we should follow the other professions	12/4/2022 6:40 PM
91	Agree with rational	12/4/2022 4:29 PM

92	This bylaw may directly affect an upcoming election and should not be rushed in to modify qualifications of applicants at the last minute. If this needs to change in the future then	12/4/2022 2:55 PM
93	I think we should be consistent with other colleges, and I think it is in the best interests of the public.	12/4/2022 12:20 PM
94	Any member found guilty of an offense and disciplined should never be allowed to represent our profession on council	12/4/2022 12:19 PM
95	would agree if the changes would be in effect later in the 2023	12/4/2022 11:29 AM
96	To be inline with the other Regulatory Colleges	12/4/2022 8:50 AM
97	A change in candidate eligibility right before an election calls into question the timing of the proposed change. I would like this issue to be re-visited after the election in order to ensure it is given the appropriate considerations.	12/4/2022 7:38 AM
98	the current bylaw appears to have worked satisfactorily up until now.	12/4/2022 2:06 AM
99	It's in the best interest of the public	12/3/2022 10:19 PM
100	It reflects poorly on the CCO if we were to have someone who has been disciplined sitting on the board. A longer cooling off period protects the public and makes sure professional members are accountable to the CCO if they ever want to run for an election in the future.	12/3/2022 9:27 PM
101	your rationale is unreasonable	12/3/2022 7:03 PM
102	3 years is sufficient time. CCO should NEVER be unilaterally voting on these issues without input from the members. Never, ever.	12/3/2022 5:32 PM
103	3 years is reasonable	12/3/2022 5:03 PM
104	In line with the college of physicians and surgeons	12/3/2022 4:48 PM
105	consistency across the health professions is good for public optics	12/3/2022 1:53 PM
106	I believe six years is in the interest of the public and encourages greater professionalism within the field	12/3/2022 1:52 PM
107	I would expect that the logical choice for an increase would be 5 years. The timing of this change seems unusual. Otherwise the amendments make sense.	12/3/2022 1:44 PM
108	we need to better regulate	12/3/2022 1:37 PM
109	Why is this being rushed? There is an election coming up, seems politically motivated. All but two colleges have remained with 3 years, we don't need to rush toward 6 years.	12/3/2022 12:23 PM
110	It appears to be in alignment with other regulatory agencies IE CPSO	12/3/2022 11:53 AM
111	It is overdue	12/3/2022 11:52 AM
112	I think it is important to follow the healthcare industry standards	12/3/2022 10:51 AM
113	Changes would best be made after this years election. If there is even one candidate effected this is completely inconsiderate and seems suspicion of targeting individuals. CCO has waited this long another few months makes no difference at this point.	12/3/2022 10:43 AM
114	In the past 2 years I have seen many many unfair disciplinary proceedings against some of our most respected members without merit or reason. The government of Ontario and Canada are influenced much more by the pharmaceutical and medical profession and the CCO as clearly seen during the pandemic are heavily influenced by the government and are forced to follow their mandates regardless of logic, common sense, scientific evidence or whether they go against the chiropractic principles that founded our profession. I believe our members are smart enough to decide who to vote for and a mandatory 6 years I can see could be a way to blacklist great members who were unfairly disciplined.	12/3/2022 10:14 AM
115	It may seem ling but I agree with following the standard set by other colleges.	12/3/2022 10:05 AM
116	I agree with the by-law amendment, however, I do take issue with the explanation that perhaps a member would use their appointment to exercise a vendetta against the CCO. If people feel that they were let down, or not treated with respect or fairness during a disciplinary dispute,	12/3/2022 9:46 AM

and they would like other DC's to have a different experience, I do not see that as a conflict but rather engagement to affect change.

117	The public protection is the first priority. Professional misconduct, incompetence should disqualify the person. The term 'incapacity' requires more definition- for example medical health incapacity...may limit a member while they are incapacitated only.	12/3/2022 9:18 AM
118	Integrity is everything.	12/3/2022 9:00 AM
119	It seems like you are trying to stop anyone with even a minor infraction. Please stop changing things. Why can't the members just vote outright on these (and all matters) once a year.	12/3/2022 7:29 AM
120	being a faculty member at an academic institution is not a conflict of interest. CCO: START TO DO YOU YOUR JOBS AND PROTECT THE PUBLIC LEGITIMATELY	12/3/2022 7:24 AM
121	It is appropriate to have other perspectives added to the mix, otherwise you are engineering group think ~ that does not serve the public interest.	12/2/2022 11:14 PM
122	If the council member had to complete items from the discipline etc, including time off practice, should the time frame of six years begin then?	12/2/2022 10:52 PM
123	The original ruling must have been chosen for some reason and must therefore have merit. What has prompted this change?	12/2/2022 9:54 PM
124	If there are criminal convictions that surpass the three years then that's enough. Other than that 3 years should be max.	12/2/2022 9:39 PM
125	Three years is a sufficient amount of time with respect to this procedure and or protocol .	12/2/2022 9:23 PM
126	6 years seems like a long time. Why would we need to change it, 20 other colleges feel that three years is enough. Why do we have to expand to 6	12/2/2022 9:22 PM
127	if you are perceived as being out of step with the prevailing evolution of the health care colleges it is not helpful in seeking changes that might require the help of the other colleges or government	12/2/2022 9:20 PM
128	I say, be lenient on those who corrected a minor problem but tough on those who committed fraud or serious abuse.	12/2/2022 9:07 PM
129	Chances do not need to be made so quick. Conversations and voting can be done and take time. Like all other matters of cco. Especially with the upcoming election. This could affect candidates, Looks in bad taste.	12/2/2022 8:50 PM
130	Why are you following the nurses and MD's college yet again. You did the same thing during covid. Funny thing you have blacked out the cco president's past comments on covid. Regardless of that, we pay you to fight for chiropractors. You seem to care more about and follow what medicine does so you look good in their eyes. I'm disappointed with my college, you aren't for Chiropractic anymore, and neither is cmcc.	12/2/2022 8:36 PM
131	Chiro should be as similar to all other registered health practitioners	12/2/2022 8:04 PM
132	I cannot help but think this isn't personal against BJ Hardick and his election. If this is the case I am absolutely disgusted and saddened.	12/2/2022 7:40 PM
133	Several other Ontario healthcare colleges have this amendment	12/2/2022 7:21 PM
134	3 years is long enough	12/2/2022 7:08 PM
135	The rationale is appropriate	12/2/2022 6:58 PM
136	This is such a minor change. However, I appreciate the opportunity to comment and review.	12/2/2022 6:54 PM
137	The longer the better	12/2/2022 6:47 PM
138	No valid argument was presented in the extension other than the fact that other regulatory body from other profession have a six year disqualification period, rather than our current three year period. If our system of doings things has served us well to this point, there is not enough merit to warrant further changes. Furthermore, does three added years guarantee a different outcome for the individual affected by this change? I believe other measures would better determine their readiness to resume their position, such as having constructive meetings and check-in point conversations with the appropriate committees or professionals to ensure they	12/2/2022 6:30 PM

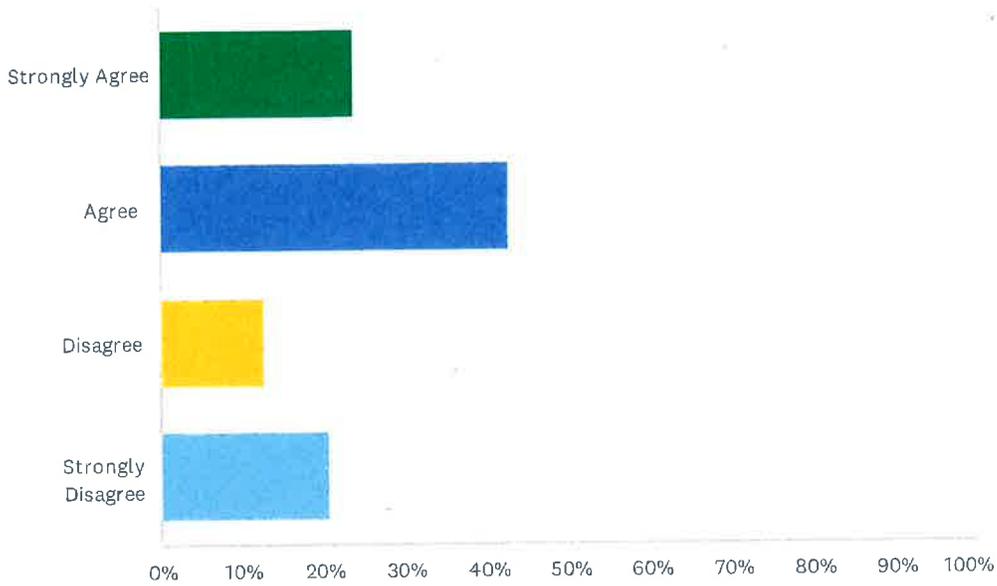
are fit to resume their position. Preventing someone from earning a living or being of greater service to society does not better the individual or the society, so long as they are deemed fit to resume their position.

139	3 years is ok, 6 seems too long.	12/2/2022 6:23 PM
140	Previous conduct should not have an influence on future opportunities	12/2/2022 6:15 PM
141	I believe these individuals should face a permanent ban on serving .	12/2/2022 6:01 PM
142	I agree with the statement that there may be less bias as more time has passed.	12/2/2022 6:00 PM
143	We should abide the practices of the majority of the provincial colleges.	12/2/2022 5:54 PM
144	Change is good. Three years is good, and if someone wants re-election can run again.	12/2/2022 5:51 PM
145	It is good to be in line with the other colleges that have it at 6 years.	12/2/2022 5:29 PM
146	If you get suspended for an offence you should never get to sit on board	12/2/2022 5:29 PM
147	I think it's important to weigh in on issues regardless of how "small" things may seem. Being involved in the governing body of my calling and career is important overall especially in the event that something does matter significantly to me, I want to have weighed in on all issues not just ones that directly or immediately affect me.	12/2/2022 5:28 PM
148	There must be plenty of other candidates that would be available that have followed the guidelines. Anyone potentially having been ruled against, looking for a position, is now likely looking to satisfy their sour grapes. A longer coming down period is warranted. If be good with 10 years.	12/2/2022 5:17 PM
149	Less chance for conflicts of interest, transparency better	12/2/2022 5:15 PM
150	Lack of evidence that it would accomplish the stated objectives. Making a change just to be in line with other colleges is not sound reasoning.	12/2/2022 5:12 PM
151	N/A	12/2/2022 5:11 PM
152	CCO has struggled with public perception, I believe that these changes will make it easier to defend the work of the CCO to the general public. I also think that aligning with other professions makes sense	12/2/2022 5:11 PM
153	Proposal treats all infractions equally. It is biased to paint all infractions with the same brush. Thus punishing someone who made a minor infraction. Learnt from it and serves his patients better than he did and do so with a better understanding .	12/2/2022 5:09 PM
154	Should be 10 yrs	12/2/2022 5:07 PM
155	Depending on Discipline at least 6 years	12/2/2022 5:03 PM
156	CCO continues to make amendments to by-laws with the best interest of the public of Ontario.	12/2/2022 5:02 PM
157	I believe 3 years is too short of a timeframe. Perhaps 5 years would be more appropriate	12/2/2022 4:52 PM
158	Anybody who has been in any violation that was upheld should NEVER be allowed to be part of any council -	12/2/2022 4:51 PM
159	For the same reasons explained in the amendment document. Minimizing conflict of interest	12/2/2022 4:51 PM
160	It serves the public interest	12/2/2022 4:48 PM
161	We don't want media attention if any disciplinary actions may still be ongoing or threat of other disciplinary acts not yet discovered	12/2/2022 4:40 PM
162	There has not been any clear reasoning behind the change. All other bylaws have 3 years so the suggested change has not identified how this is in the public interest. It matters not that some other regulators have a 6 year omission. The public interest piece has not been made. It views as a reasons to exclude candidates.	12/2/2022 4:39 PM
163	Academics represent the strongest evidence based representation of the profession.	12/2/2022 4:38 PM
164	because 3 years is too short to be able to decide the fate of chiropractors in Ontario after discipline	12/2/2022 4:34 PM

165	None to make.	12/2/2022 4:25 PM
166	Important positions - best to have as much distance as possible since a complaint, ideally no complaints at all.	12/2/2022 4:25 PM
167	fgfgffgf fg fgfgfgf f g fg f gf g fg fg fg f gf g fg fgggfg fg f g fg f gf g fg f gffg f gf gf g fg f fg f gf g f gf f gf g fg f gf g fg f gf g fg f gf g fg f g ff ffffffffffffffffffffffffffffffff	12/1/2022 8:25 AM

Q7 I agree/disagree with the draft proposed amendments to By-law 12:
Appointment of Non-Council Members

Answered: 412 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Agree	23.79%	98
Agree	42.72%	176
Disagree	12.86%	53
Strongly Disagree	20.63%	85
TOTAL		412

Q8 Comments - Explain why relating to CCO's public interest mandate

Answered: 126 Skipped: 286

#	RESPONSES	DATE
1	CCO is best served when ALL members are treated as equals. 6 years seems excessive considering sexual abuse is only 5 year penalty. Why would CCO basically punish members for 6 years. This does not make sense. be justified when sexual	1/9/2023 5:19 PM
2	Why is 6 years more significant than 3 years?	1/9/2023 3:21 PM
3	same as above	1/9/2023 3:14 PM
4	The expressed intent of the by-law change of aligning with 'some' of the other regulatory colleges, seems to be insufficient rationale for change. Is there additional information for change.	1/9/2023 1:48 PM
5	Why are the proposed election criteria being changed right before an election?	1/9/2023 10:38 AM
6	Why is this exclusion for 6 years? Most other exclusions are 3 year exclusions?	1/9/2023 10:02 AM
7	My comments for By-law 12 are the same as By-law 6.	1/9/2023 1:00 AM
8	As above	1/8/2023 11:40 PM
9	There is no need to make these changes. The public has not brought this up as a problem so no need to change it. Also, we are our own profession and we do not have to be exactly the same as the other healthcare colleges. That is not a valid reason for to try to change this by-law.	1/8/2023 9:46 PM
10	I do not believe the length of time from 3 years or more will make a difference in the public's interest	1/8/2023 5:20 PM
11	Once again, i do not see how this benefits the public. if the present amendment has not seen any violations requiring change then I believe no change is necessary.	1/8/2023 3:42 PM
12	To close / prior to an election.	1/8/2023 10:53 AM
13	The regular process and time frame for amendments has not been respected, this feels rushed and as if it is meant to catch the profession asleep and not paying attention so that significant policy change can be snuck through without anyone noticing. It is not right.	1/6/2023 10:53 PM
14	I stated all the reasons I disagree about these by-laws in the resonse to by-law 6 above. It is not in the public's best interest to have a shorter stakeholder response time on important issues as this. Proposing these changes right before an election for the CCO shows a lack of integrity and transparency to the public. The optics are not good and not in the public's best interest. Why are these changes being proposed now? It does not look or feel good. Has there been any complaints to the CCO about this process by the actual public? We need transparency and integrity at the CCO to operate in the best interest of the public. These changes at this time right before an election shows neither.	1/6/2023 9:46 PM
15	From the information given, the existing bylaws are sufficient to protect the public interest.	1/6/2023 10:29 AM
16	Not fair	1/6/2023 7:25 AM
17	Making a change like this close to the an election is not right.	1/5/2023 2:47 PM
18	same as above	1/5/2023 9:00 AM
19	I think a sliding scale determined by the offense is more valuable to all	1/4/2023 7:36 PM
20	Again, changes to any bylaw regarding elections just before a call for elections is deceitful, lacks transparency, and optically looks contrived. Trust of the membership is lost when CCO tries to change things without full transparency. Procedures should NEVER be altered without a full and robust explanation. Anything less is a sign of corruption.	1/4/2023 1:49 PM

21	As above, I believe we don't need to change anything. The by-law serves as it is.	1/3/2023 11:56 AM
22	6 years seems very long to me	12/31/2022 2:29 PM
23	First, I don't fully understand the necessity of this proposed change. We are a small college and limiting the number of possible applicants does not seem prudent. Secondly, the speed at which this 'minor amendment' is being proposed certainly makes me question whether there are additional agendas being served outside of the actual interest of the public.	12/29/2022 10:19 AM
24	My comment are similar to the above for this question. This does nothing to protect the interest of the public.	12/28/2022 3:10 PM
25	See above	12/24/2022 7:15 AM
26	A registrant that has been sanctioned likely has something to prove or make right. I have difficulty believing they will be focussed on public interest, Rather, they will be focussed on personal interest or professional interest.	12/22/2022 4:14 PM
27	see below	12/16/2022 1:21 PM
28	Again, it seems weird to be amending something like this just before elections, this should be an amendment that is not submitted this late in the game, elections are around the corner.	12/15/2022 2:50 PM
29	Agree with CCO's rationale	12/15/2022 11:00 AM
30	I don't agree with the rationale proposed for the change.	12/14/2022 9:32 PM
31	Continued from #6 Comments: It all appears terribly self-serving and agenda driven, and this appearance is highlighted by both the reference to this change as "minor" and the urgency with which it is proposed to be enacted. For these reasons and more, but I think this is sufficient for the purpose of making a clear point, I cannot agree to the adoption of this "minor" change to the by-laws in the timeframe proposed with the current lack of transparency and discussion of the substantiating evidence as to its effectiveness.	12/13/2022 5:42 PM
32	You have given no context surrounding this change so it seems like a waste of time/money/resources... unless there is a hidden agenda? 3 years is sufficient time, unnecessary to extend to 6. Just because a few other colleges are doing it doesn't mean we should - is there anything else prompting this? How is the public better served by this?	12/13/2022 3:36 PM
33	Why CCO wants to make changes based on other colleges changes? Why CCO does not protect public interest by letting public know that chiropractors can help with much more than MSK issues?	12/13/2022 3:35 PM
34	this change seems to go against transparency	12/13/2022 10:44 AM
35	Why is this change being made? I need more details	12/13/2022 8:59 AM
36	Conflict of interest	12/13/2022 7:06 AM
37	I disagree with announcing potential by law changes after candidates have announced they will be running in the upcoming election. I also disagree that this is done so close to the election date as well as the holidays when we are busy. This should be announced within at least 6 months of an election or after an election. Also, to only give us 5 weeks to provide our comments is very little time especially with the busy-ness of the season we are in. We should have at least 8 weeks or 60 days to provide comments. Overall, I strongly disagree that we should change these bylaws prior to the election.	12/13/2022 7:06 AM
38	It doesn't seem that this change would help the public in that we want members who know well the rules and regulations. Additionally, putting an overarching number of 6 years for any infraction notwithstanding the issue seems unnecessary.	12/12/2022 4:32 PM
39	see below	12/12/2022 4:20 PM
40	Similar to my comments made for Question 6. I'm not sure how switching the length of exclusion from three to six years would better protect public interest.	12/12/2022 1:36 PM
41	3 years is a sufficient cooling off period. 6 is excessively punitive.	12/10/2022 4:40 PM
42	I feel it is a more appropriate interval, in agreement with other major healthcare sectors.	12/8/2022 5:54 PM
43	For the same reasons above	12/8/2022 3:00 PM

44	Same reason as #6.	12/8/2022 2:41 PM
45	I disagree with this because in three years the member will have learned from their mistake and will have learned appropriate ways to deal with the issue. In this way depending on the situation their experience may even prove to be helpful as they understand mistakes made and can encourage better behavior moving forward.	12/8/2022 2:08 PM
46	same as above	12/8/2022 12:33 PM
47	I don't believe a "cooling off" period of 6 years is necessary. Three years is certainly sufficient,	12/8/2022 7:41 AM
48	insufficient and poorly timed for CCO members to review	12/7/2022 5:29 PM
49	Keeps us on par with other professional colleges.	12/7/2022 2:53 PM
50	Unless there is something I am missing, this just seems obvious. Consider that New grads are barred from attending most associations and colleges for 5 years,	12/7/2022 11:49 AM
51	Same as above with regards to rushed nature. lack of transparency who proposed the amendment, 3 years is sufficient plus allow discretion with respect to gravity of past complaint or disciplinary action.	12/6/2022 3:57 PM
52	Again, this will be doing a disservice to the public by removing individuals who have a willingness to serve on a committee who has recently had a massive motivation to become completely up to date on our rules and regulations. This will be disqualifying candidates that would be very qualified to serve on a committee who have often completed courses to become more knowledgeable and versed in our rules and regulations.	12/6/2022 8:39 AM
53	see above	12/6/2022 7:13 AM
54	CCO should be in line with other Provincial health care colleges.	12/5/2022 9:46 PM
55	Requiring a minimum interval of six years is more likely to build public trust and confidence in decisions being made by appointed members of statutory committees and by extrapolation in the CCO and its members	12/5/2022 9:20 PM
56	Same comment	12/5/2022 8:29 PM
57	We need to keep our affairs in house so that outsiders do not end up controlling us.	12/5/2022 2:31 PM
58	three years is adequate waiting time; 6 years is punitive	12/5/2022 1:32 PM
59	N/A	12/5/2022 11:49 AM
60	Although the proposed amendment is fair and consistent with other regulatory boards, the amendment should not be effective immediately. It simply isn't fair to any member who has already started campaigning for the upcoming election who may be affected by this by-law change.	12/5/2022 10:54 AM
61	same as above	12/5/2022 10:53 AM
62	6 years is a long, long time. Keep it at 3. It should hinge entirely on the nature of whatever led to their suspension. If what led to their suspension would be seen as a minor offence or in law terms, a misdemeanour should receive 3; & a suspension by what would seem as a major or more severe offence should receive 6.	12/5/2022 10:42 AM
63	makes sense	12/5/2022 10:00 AM
64	Consistency between Regulatory Bodies, strengthens the system in general	12/5/2022 9:20 AM
65	Six years is too long, leave it at 3	12/5/2022 7:55 AM
66	The current By-law is good as is, and does not need to be amended just because a small minority of other Colleges have chosen a different approach.	12/5/2022 7:43 AM
67	Decrease the risk of bias forming from a non council member and flavouring their decision making process.	12/5/2022 7:10 AM
68	It must not be retroactive, it would be only on a go forward basis, otherwise it would be perceived as discriminatory to	12/5/2022 7:08 AM
69	I feel this would help a candidate have less chances of a conflict of interest regarding their	12/4/2022 10:01 PM

Distribution for Feedback: Draft Proposed Amendments to By-law 6 and 12

59

recent issues with the CCO and then in turn better regulate the profession in the public interest.

70	Agree with rational	12/4/2022 4:29 PM
71	Should not be rushed in to disqualify candidates at the last minute.	12/4/2022 2:55 PM
72	would agree if the changes would be in effect later in 2023	12/4/2022 11:29 AM
73	To be consistent with By-law 6	12/4/2022 8:50 AM
74	A change in candidate eligibility right before an election calls into question the timing of the proposed change. I would like this issue to be re-visited after the election in order to ensure it is given the appropriate considerations.	12/4/2022 7:38 AM
75	the current bylaw appears to have worked satisfactorily up until now.	12/4/2022 2:06 AM
76	It's in the best interest of the public	12/3/2022 10:19 PM
77	your rationale is unreasonable	12/3/2022 7:03 PM
78	See #6	12/3/2022 5:32 PM
79	The three years presently is a short time horizon. You do not want repeat offenders or practitioners who might repeat on your board	12/3/2022 1:53 PM
80	Same as #6 plus as a college we should strive to match the standards of other professional colleges as well.	12/3/2022 1:52 PM
81	See above	12/3/2022 1:44 PM
82	Same concern as above. This timing of this proposed change is rushed. Since vast majority of colleges are 3 years, there is no justification to rush through a change at this time.	12/3/2022 12:23 PM
83	Needed	12/3/2022 11:52 AM
84	Our profession is being influenced by the pharmaceutical and medical industry so badly now that our profession is in jeopardy of losing its own governing body (as with BC now) and if they have their way we will be eliminated completely and that would not serve the public in any way.	12/3/2022 10:14 AM
85	Same concern as for By-Law-6...The public protection is the first priority. Professional misconduct, incompetence should disqualify the person. The term 'incapacity' requires more definition- for example medical health incapacity...may limit a member while they are incapacitated only.	12/3/2022 9:18 AM
86	A longer cooling off period seems reasonable and feels appropriate.	12/3/2022 7:32 AM
87	Seems like this is consistent with other regulatory colleges	12/3/2022 7:30 AM
88	Same as above	12/3/2022 7:29 AM
89	IT IS EXHAUSTING DEALING WITH THE CCO. BEING A FACULTY MEMBER AT AN ACADEMIC INSTITUTION IS NOT A CONFLICT OF INTEREST. IT DOES NOT COMPARE TO AN ADVOCACY GROUP E.G AFC	12/3/2022 7:24 AM
90	It is appropriate to have other perspectives added to the mix, otherwise you are engineering group think ~ that does not serve the public interest.	12/2/2022 11:14 PM
91	The email does not state how this applies to non council members? Possibly you mean committee members?	12/2/2022 10:52 PM
92	Same answer	12/2/2022 9:54 PM
93	Again our present rules and regulations suffice. By definition our policy and procedures are by far superior than the other health professionals.	12/2/2022 9:23 PM
94	doubtful anyone convicted is going to want to serve on a CCO committee	12/2/2022 9:20 PM
95	Same as above	12/2/2022 9:07 PM
96	It's the same bs	12/2/2022 8:36 PM

97	Fitting with by-law 6	12/2/2022 8:04 PM
98	If this is a personal attack on BJ it makes me question the motives of the association as whole.	12/2/2022 7:40 PM
99	Several other Ontario healthcare colleges have this amendment	12/2/2022 7:21 PM
100	3 years is long enough	12/2/2022 7:08 PM
101	Not a member of the profession, therefore should not be on the council. This will be detrimental to the profession.	12/2/2022 7:05 PM
102	The rationale provided is appropriate	12/2/2022 6:58 PM
103	This is such a minor change. However, I appreciate the opportunity to comment and review.	12/2/2022 6:54 PM
104	Again the longer time is better	12/2/2022 6:47 PM
105	See above comment.	12/2/2022 6:30 PM
106	Same as above	12/2/2022 6:15 PM
107	3 yrs is enough	12/2/2022 6:05 PM
108	Again I believe they should not be allowed to serve for the College.	12/2/2022 6:01 PM
109	I agree that there will be less conflict of interest.	12/2/2022 6:00 PM
110	Non Council members are an integral part of the CCO	12/2/2022 5:54 PM
111	Just putting my trust in the experience of the cco here	12/2/2022 5:17 PM
112	We should be aligned with other college proposals	12/2/2022 5:15 PM
113	Lack of evidence that it would accomplish the stated objectives. Making a change just to be in line with other colleges is not sound reasoning.	12/2/2022 5:12 PM
114	N/A	12/2/2022 5:11 PM
115	10 yrs	12/2/2022 5:07 PM
116	It's good to have both council and non-council members for different view points	12/2/2022 4:52 PM
117	See above	12/2/2022 4:51 PM
118	It is my opinion that anyone in a leadership position with the responsibility of helping navigate the direction of our regulatory body, should at the very least, be someone who has demonstrated the minimal requirements of our standards of practice. The public should be able to trust that our elected committee (council or non-council) is composed of leaders that truly depict the values of our profession.	12/2/2022 4:51 PM
119	Looks to be in line with other professional colleges	12/2/2022 4:48 PM
120	Same as above	12/2/2022 4:40 PM
121	Noted above	12/2/2022 4:39 PM
122	Competency based appointments are important.	12/2/2022 4:38 PM
123	same reasons as above	12/2/2022 4:34 PM
124	I feel chiros should be on the board.	12/2/2022 4:25 PM
125	Important positions - best to have as much distance as possible since a complaint, ideally no complaints at all.	12/2/2022 4:25 PM
126	fgfgf	12/1/2022 8:25 AM

Q9 The following amendments would better protect the public interest:

Answered: 105 Skipped: 307

#	RESPONSES	DATE
1	CCO should solicit feedback but first CCO must publish the reasons for ANY CHANGE. Without this information stakeholders are unable to judge whether the proposed change "is in the public interest"	1/9/2023 5:19 PM
2	leave as is	1/9/2023 4:37 PM
3	It is not transparent as to why these changes to election rules are being proposed the month that the 2023 election will be called. 6 years vs. 3 years will not make any difference to a Council Member's competency, but if CCO passes this by-law, it should apply to the elections that are called in the beginning of 2024 so that there is no appearance of bias or election interference.	1/9/2023 4:26 PM
4	No amendments necessary	1/9/2023 3:21 PM
5	status quo	1/9/2023 3:14 PM
6	Consider deferring these changes until further clarification of overall intent can be provided along with providing sufficient time for member feedback.	1/9/2023 1:48 PM
7	I think a better relationship between elected members and the stakeholders of our profession would better serve the public.	1/9/2023 10:38 AM
8	No Change is needed. The current By-law is sufficient.	1/9/2023 10:02 AM
9	Do not make any amendments to By-laws 6 and 12.	1/9/2023 1:00 AM
10	Allow currently qualified candidates this year under the current 3 year limit to apply, and announce subsequent elections (2024 onward) to be a new 5 year (rather than 6)	1/8/2023 10:24 PM
11	No	1/8/2023 9:46 PM
12	No it would not	1/8/2023 5:20 PM
13	I feel that the by-laws as they have stood and at present stand, are sufficient and work to protect the best interest of the public.	1/8/2023 3:42 PM
14	No rushed amendments should be given. Reasons behind rushed amendments should be clear.	1/8/2023 10:53 AM
15	There is nothing wrong with our current by-laws and election process. CCO would also be wise with a profession that is not overly populated to put up too many roadblocks to potential candidates from running and serving.	1/6/2023 10:53 PM
16	Leave the by laws as presently constructed.	1/6/2023 9:46 PM
17	The existing bylaws are sufficient.	1/6/2023 10:29 AM
18	looking the duration	1/6/2023 7:25 AM
19	I'm not opposed to the change but should be proposed after this next election	1/5/2023 2:47 PM
20	keep the by-law as it currently is stated	1/5/2023 9:00 AM
21	Public is best served when CCO follows the RULES. The SAME RULES as all other regulatory bodies. Bylaws MUST be circulated for a full 60 days according to RHPA. A full explanation MUST be sent to members as to why election bylaws are abruptly changing. Without a full understanding and a fulsome discussion/debate publicly at a COUNCIL meeting discussing publicly ALL the issues, CCO lacks integrity and transparency (pillars of CCO?). Contary to the president's message, transparency with respect to this issue (and others) wasn't done appropriately and therefore NO CHANGE SHOULD EVER BE MADE in this manner.	1/4/2023 1:49 PM

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22	Leave it as is. I don't see how the proposed amendment will further serve the public interest	1/3/2023 11:56 AM
23	6 years seems very long to me	12/31/2022 2:29 PM
24	if the change is to be made from 3 to 6 years as proposed, that this change would take place in six years, thereby avoiding any perceived exclusion in an upcoming election and avoid any appearance of lack of impartiality or transparency from CCO	12/29/2022 12:37 PM
25	If this is to even be considered, perhaps we should put this in place after the next elections cycle.	12/29/2022 10:19 AM
26	Leave it at 3 years for both	12/28/2022 3:10 PM
27	Yes	12/24/2022 7:15 AM
28	If there is a desire to increase the cooling off period it should apply to all bylaws that refer to cooling off periods, such as those that refer to members who have served in other chiropractic organizations.	12/23/2022 1:50 PM
29	Leave it as is	12/16/2022 1:21 PM
30	Leave it at 6 years. If you want to change it, start it 6 years from now.	12/14/2022 9:32 PM
31	Leave these bi-laws be! There is no need to change these.	12/13/2022 3:36 PM
32	The proposed amendments will not protect any public interest.	12/13/2022 3:35 PM
33	This has nothing to do to protect the public interest	12/13/2022 10:44 AM
34	Why only 38 days this time around instead of the normal 60 days? Something seems fishy.	12/13/2022 7:06 AM
35	I do not believe that any change needs to take place in this more expediated manner and would rather wait and hear both sides to this issue before taking a more specific stance.	12/12/2022 4:32 PM
36	leave the cooling off period as 3 years OR evaluate on a case-by-case basis, based on the nature of the disciplinary action against the member seeking election.	12/12/2022 4:20 PM
37	Adhering to the 60 day time frame for feedback on minor amendments. Given the date that the CCO survey was sent out, it only provides a window of 33 days for feedback. Is there a potential bias or conflict of interest for a potential candidate that has prompted this "minor amendment" to be proposed? - as I am aware CCO elections are coming up soon. Other than the fact that the CCO email is asking for feedback (which also says that they normally do not ask for feedback for minor amendments), there is no reason provided why this amendment is being proposed in the first place. More transparency for the reasons behind the proposed amendments would better protect public interest since it would allow for insightful and beneficial feedback from all of the CCO members/stakeholders.	12/12/2022 1:36 PM
38	No amendments are necessary.	12/10/2022 4:40 PM
39	none come to mind	12/8/2022 3:00 PM
40	At this time I do not think the amendments need to be changed. The current length of time seems appropriate right now and I do not feel that such an all encompassing change right now is necessary or appropriate.	12/8/2022 2:08 PM
41	I don't believe any amendments are needed at this time.	12/8/2022 7:41 AM
42	Yes.	12/7/2022 2:53 PM
43	I agree with the proposed amendment	12/7/2022 11:49 AM
44	Perhaps, but certainly wont' hurt it	12/7/2022 10:10 AM
45	Leave these bylaws as they are. No changes required.	12/6/2022 3:57 PM
46	Making the timeline longer demonstrates that the public interest is top priority and will potentially help gain trust. Important to also align with other colleges.	12/6/2022 1:21 PM
47	Allow for 60 days response to amendments and any changes should not affect the current election process	12/6/2022 10:30 AM
48	College should consider making 6 years the norm for potential other infractions, i.e. removed	12/6/2022 9:14 AM

from Council or Committees past 6 years

49	No amendments needed, I don't see why this has been proposed. If anything, I would say to change it from 3 years to 1 year.	12/6/2022 8:39 AM
50	Yes	12/5/2022 9:46 PM
51	Yes	12/5/2022 9:20 PM
52	Yes I agree	12/5/2022 8:29 PM
53	There are a number of amendments about advertising and billing that are clearly in the interest of unethical DCs and not in the public's interest - the list is very long here!	12/5/2022 2:39 PM
54	3 years is an adequate waiting period	12/5/2022 1:32 PM
55	N/A	12/5/2022 11:49 AM
56	The actual amendments are fair, however they should take effect following this current round of elections.	12/5/2022 10:54 AM
57	Keep it at 3 for minor offences; take it to 6 for more serious offences.	12/5/2022 10:42 AM
58	N/A	12/5/2022 9:20 AM
59	why would it serve the public better?	12/5/2022 7:55 AM
60	Instead of having a set pre-determined time (3 or 6 years), everything should be evaluated on a case by case, based on what involved the member.	12/5/2022 7:43 AM
61	Can change to 6 years, but it would only apply to individuals found not to fit the criteria as of the date of approval on a go forward basis	12/5/2022 7:08 AM
62	None	12/4/2022 10:01 PM
63	3-6 years depending on situations	12/4/2022 7:54 PM
64	NA	12/4/2022 4:29 PM
65	Discuss these amendments in between elections and not at the last minute.	12/4/2022 2:55 PM
66	/	12/4/2022 11:29 AM
67	NA	12/4/2022 8:50 AM
68	Agree	12/3/2022 7:56 PM
69	keep the 3-year period of ineligibility	12/3/2022 7:03 PM
70	3 years is sufficient time. NO LONGER!	12/3/2022 5:32 PM
71	I think each case should be looked at individually since some cases are going to be more minor than others.	12/3/2022 2:17 PM
72	Agreed.	12/3/2022 1:52 PM
73	I think that the reasons for the increase make sense, but I think that 5 years would be adequate.	12/3/2022 1:44 PM
74	Leave the 3 year cooling off period. It is appropriate.	12/3/2022 12:23 PM
75	None	12/3/2022 11:52 AM
76	No change.	12/3/2022 10:14 AM
77	"Professional misconduct, incompetence or prior legal misdemeanor [...Make a suggested] ...disqualify a person from representing the profession and protecting the public."	12/3/2022 9:18 AM
78	What you circulated lacks the clarity of what a finding of professional misconduct means. I assume this would be a discipline decision and not an ICRC reminder, advice or oral caution. Or does it include these findings as well. Please clarify.	12/3/2022 7:30 AM
79	Public is already adequately protected.	12/3/2022 7:29 AM

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80	REMOVE BYLAW 6 AS IT PERTAINS TO ACADEMIC INSTITUTIONS. THE CCO SAYS THAT OTHER REGULATORS HAVE INSTITUTED SIMILAR CHANGES REGARDING ACADEMIC INSTITUTION FACULTY MEMBERS. HOWEVER, THEY DO NOT PRECLUDE FACULTY MEMBERS FROM RUNNING FROM COUNCIL. INSTEAD THEY CREATED AN EXTRA POSITION. THE CCO CONTINUES TO LIE TO THE MEMBERS.	12/3/2022 7:24 AM
		64
81	Agreed	12/2/2022 10:52 PM
82	CCO officers are voted by the membership. That should be enough.	12/2/2022 9:54 PM
83	Maintain current staus	12/2/2022 9:23 PM
84	they may or may not	12/2/2022 9:20 PM
85	N/A	12/2/2022 9:07 PM
86	No comment	12/2/2022 7:08 PM
87	Na	12/2/2022 6:47 PM
88	See above.	12/2/2022 6:01 PM
89	agree	12/2/2022 5:54 PM
90	I agree.	12/2/2022 5:52 PM
91	Limiting the number of terms in the cco to two consecutive terms and not being able to reapply for two more terms. Avoiding complacency and bringing in fresh talent.	12/2/2022 5:17 PM
92	No amendment required at the present time.	12/2/2022 5:12 PM
93	N/A	12/2/2022 5:11 PM
94	No they would not.	12/2/2022 5:09 PM
95	It's a start	12/2/2022 5:07 PM
96	No one should ever be allowed on council if they have had a violation/misconduct that was upheld	12/2/2022 4:51 PM
97	Yes	12/2/2022 4:51 PM
98	None	12/2/2022 4:48 PM
99	Having never had any disciplinary problems	12/2/2022 4:40 PM
100	Leave as is. Keep all the years as 3.	12/2/2022 4:39 PM
101	Investigate every complaint	12/2/2022 4:38 PM
102	Yes	12/2/2022 4:34 PM
103	Since you have people in the field observing members of the field.	12/2/2022 4:25 PM
104	Yes	12/2/2022 4:24 PM
105	fgf	12/1/2022 8:25 AM

Q10 Further Comments

Answered: 82 Skipped: 330

#	RESPONSES	DATE
1	When CCO rushes changes, shortens circulations, and supplies little to no information of why the timing articulated in a bylaw that has been in place for 30 years, needs a sudden drastic change, the optics are terrible and CCO looks like they are failing to serve their public mandate	1/9/2023 5:19 PM
2	Elections are currently set at 3 years. Meaning if a member was going to run in an election, they would have to wait until the next election which, unless their discipline action happened exactly on the date, they would have to wait for 6 years anyway. The new proposal could make it 9 years. My feeling is that if someone went through a discipline process, and they wanted to run in an election, it is because they have learned from their mistakes and would want to bring something to the CCO that would help the organization.	1/9/2023 4:37 PM
3	What/Who prompted the necessity for this amendment?	1/9/2023 3:21 PM
4	I recommend an audit of all by-law changes over the past 3 years including those that were voted on and those that were changed without transparency and an open discourse on these changes.	1/9/2023 3:14 PM
5	Refer to email addressed to Joel Friedman	1/9/2023 1:48 PM
6	Not satisfied with the lack of professionalism around proposed amendments to our by-laws. Seems very underhanded to try and push things through over the holidays.	1/9/2023 10:38 AM
7	Please go back to allowing 60 days for feedback. Adopt a definition of what constitutes a minor change that is accepted by the profession. The CCO needs to stop making changes without feedback when it affects our ability to interact with our patients (example. Standard of practice regarding vaccination was amended without feedback. This was a major change that has major implications to our practice as primary care providers.	1/9/2023 10:02 AM
8	Having sat on many discipline panels, it was routine for a member to be penalized financially, have time out of practice and be remediated by taking record keeping courses and thoroughly review the CCO's policies, guidelines and standards. These members received and fulfilled their discipline penalty. Why does the college feel the need to continue to penalize the member by discriminating against them? Secondly, most of the cases going through the discipline were/are joint submission cases. In a joint submission case, the member agreed they made a mistake and came to a joint agreement with the college on their remediation. During many of the joint submission hearings, the college's attorney told the discipline panel that the college was decreasing the member's penalty because the member was remorseful, worked well to find a resolution with the college's attorney and that the member was already taking the necessary steps of remediation. Changing the by-law from 3 years to 6 years sends a conflicting message, as well, undermines the college's discipline process. My second comment: the college listed 5 other colleges who have their members wait 6 years before they can serve as a council/non-council member. What about the other 19 colleges? This may be the best practices of 5 other regulators but that is absolutely not a reason for it to be the CCO's best practice. Last comment: I believe that changing these by-laws is something that needs greater consideration. I think that the college needs to take into consideration the reason for a member going to discipline. For example, a member charged with a sexual abuse case should be considered differently than someone who was charged for improper recordkeeping. I can understand and agree with the college that a member who was charged with sexual abuse and sitting as a council member or non-council member would not enhance public confidence in the CCO. However, I would argue the case of public confidence with a member who had record keeping interactions with the college.	1/9/2023 1:00 AM
9	We had bad publicity in the National Post about inner cco workings. We don't need that or want that. All that can be avoided if a new policy is grandfathered in as it could be reasonably assumed that this new proposal is being rushed in (hopefully it is not!) To eliminate potential candidates in the upcoming cycle without notice.	1/8/2023 10:24 PM

10	No	1/8/2023 9:46 PM
11	As stated above, more than ever, this time in history requires full transparency and integrity in order to best serve the best interest of the public at large. Making amendments that veer from time tested, due process opens the door for questioning of motive of amendments. This does not serve the profession or the public interest. Please reconsider the timing of the amendment. Thank you again for considering feedback!	1/7/2023 10:38 AM
12	There is no transparency here, or at least has the appearance of no transparency, of the process that led to this all of a sudden being a major issue that needs to be resolved in 38 days. Why 6 years when 3 is the accepted standard for others? (Educational faculty 3 years, CCO staff member for 3 years, etc). What difference does it make if others have different timelines? We are not them, we are distinct and unique and 3 years is plenty. Considering how many complaints CCO has received in the last 2 years that are purely politically motivated, what is to stop someone from launching (another) false, frivolous or trivial complaint against a fully competent, ethical and qualified member they personally dislike for the sole purpose of excluding the member from running and serving? When one considers that there were certain chiropractors in Ontario holding online seminars teaching how to launch complaints against their colleagues in 2020 this is a possibility. We must maintain our integrity. Also, to try and sneak this by over Christmas and 38 days to decide when 60 is the historical and accepted standard is absurd. This reads to me like a chiropractor someone on council doesn't like put their name forward and all of a sudden we have this to vote on because of someone's personal vendetta. This looks to be a power grab, unethical and unprofessional. Frankly, is there any personal bias that instigated this proposed by-law change? Some transparency of this process would be nice and I would like to know because it sure looks like it. And to get back to the 38 days rather than 60 - how does that serve the public to take something that is "minor" (we all know there is no such thing as minor, they're all major) and try to sneak it through under a rushed time frame at time of the year with the highest amount of family distraction? Everything about this is wrong.	1/6/2023 10:53 PM
13	To be a beacon of light for the public we need the CCO to operate with honesty, integrity, transparency and respect.	1/6/2023 9:46 PM
14	This is the first members feedback sent for member review in a long time. If it's a minor issue, why was the normal 60 day period not followed? It seems too brief and rushed. It gives the impression that there are internal issues within CCO that are not being disclosed. There is not enough justification for the change with the amount of information given. It seems like a poor use of CCO's time and resources.	1/6/2023 10:29 AM
15	I'm curious as to why it needs to be rushed in prior to this current election?	1/5/2023 2:47 PM
16	I don't understand why some by-law changes are given opportunities for feedback and others are not? If discourse of members is important, they should all have opportunities for feedback. I believe we normally have more time to provide feedback, this is a shorter feedback period, and is over the holidays, which means there's even more opportunities for it to be considered (as in my case here). I'm worried these changes are being made because of personal opinions of council members, and not based on your mandate of serving in the public interest - I'm interested in knowing if there's been any concern expressed by the public.	1/5/2023 9:00 AM
17	What is prompting this change? Is there a specific person in mind that has prompted this change? who? why? Has the 'public' sent in multiple complaints about a specific person or this by-law in particular, or is this an internal CCO issue? How does changing this by-law serve the public's interest or CCO's ability to govern the public's interest? Please, please, provide us ample time to response with feedback to proposed changes (i.e. traditional 60 days). Especially with the Christmas holiday. Thank you	1/5/2023 8:16 AM
18	I think your questions are lacking detail	1/4/2023 7:36 PM
19	This is not about 3 to 6 years. This is about CCO's stating they are transparent yet fails to explain WHY any change to bylaws (over 20 years in existence) needs a sudden change. How is this in the public interest? With this approach, CCO demonstrates a deviation from their own foundational pillars of: transparency, respect, inclusion, and diversity. These suggested changes are not CCO regulating in the public interest. CCO seems more focused on drastic changes to bylaws and Standards to protect the few not the herd. CCO has created a façade of competency of Council members yet when any knowledgeable CCO members watches Council behave with their lack of knowledge of procedures that ruminate at CCO these days, we are left bewildered and appalled. Please focus	1/4/2023 1:49 PM

20	I wonder why a short turnaround on this? Was there a pressing matter to change the feedback time? We usually get more time to analyze.	1/3/2023 11:56 AM
21	4 years seems reasonable to me	12/31/2022 2:29 PM
22	I am increasingly becoming concerned about the lack of transparency of the CCO in particular in the last 2 years during COVID mandates. It seems that the CCO council is spending an increasing number of time in camera and that does not equal transparency. I am also concerned about the optics of these 2 changes so close in proximity to the next election. Is there a reason for this that we are not being made aware of? Also, in reading the tone of the email sent to the members it sounds like you are doing us a favour by being transparent and asking for our thoughts. Although it may be true that the CCO does not need to circulate minor changes in bylaws, I would say doubling the time from 3 years to 6 years is not minor. Also transparency means essentially asking for feedback for any changes! The CCO can do better.	12/28/2022 3:10 PM
23	While I agree with these proposed changes I do think that this amendments should not have come at this time so close to an election. In the future, more time before a recent election would be better accepted by CCO members.	12/28/2022 12:39 PM
24	A registrant that has been sanctioned likely has something to prove or make right. I have difficulty believing they will be focussed on public interest, Rather, they will be focussed on personal interest or professional interest.	12/22/2022 4:14 PM
25	How and why would you substantiate this exclusion of 6 years to run for council instead of the existing 3 year exclusion? Has there been a sufficient amount of complaints from the public questioning the eligibility to run for council? How does this exactly serve in the public best interest? Has there been an issue with this by-law before or is there a potential bias or conflict with a potential candidate running in the past or in the future? Also, we should not concern ourselves with what 6 other professional colleges are doing when the 20 other colleges are not extending the exclusion period. Further, this 6 year exclusion could cause more limits in the number of potential candidates for Council when we have a smaller body of registrants compared with these other professional colleges.	12/20/2022 8:35 PM
26	Talking Points on changes to BY-LAW 6 1. Why has the profession been given only 38 days to provide feedback when historically 60 days has been the standard time? 2. Why is this exclusion for 6 years to run for Council more important than other 3 year exclusions? Examples of this are: the member has not been a member of staff of CCO at any time within the preceding three years; the member has not been disqualified from Council or a committee of the Council the previous 3 years; the member is not and has not been in the preceding three years, an officer, director, or administrator of a chiropractic educational institution, including but not limited to CMCC and UQTR, such that a real or apparent conflict of interest may arise. 3. Has there been sufficient inquiry or complaints from the public questioning the eligibility of members to run for Council? Has there even been one inquiry from the public regarding a Chiropractors status vis a vis disciplinary decisions? How exactly does this serve the public and how does it enhance CCO's capacity to "govern in the public interest"? 4. Was there possible bias against or any conflict of interest of any potential candidate in particular that may have prompted this minor by-law change? 5. Changes to by-laws are never minor changes. Why now, after making very significant changes to bylaws in the past three years, without consultation or feedback from stakeholders, is Council now asking for feedback on what Council deems is a minor change? A example of this glaring contradiction is how the Standard of Practice was changed on dialogue between a practicing member and their patients as it pertains to Vaccination. Was there a call for feedback on this major change? And why wasn't there a call for feedback? 6. Why is there not full transparency on this proposed change? The circulating memo provides no information as to why this change is so important and necessary. There is no context and does not explain how this serves the public. We are told that 6 other regulatory Colleges have done it. Why do we concern ourselves with what 6 other Colleges are doing when 20 Colleges are not doing it? Is the CCO not sufficiently occupied with much more pressing matters than this? 7. How is the public better served by providing less time for stakeholder feedback? Is the public interest better served by limiting input from the professionals most effected? Is the public better served by incomplete rationale such as "other Colleges have done this"? 8. We as a province, have just come through an unprecedented period of mandates imposed upon us that lack any scientific rationale and have not passed even the most basic scientific scrutiny. One would think that any one at the regulatory level, with a modicum of integrity would want to be the beacon of transparency all things considered. Why won't the CCO take on that leadership role and be the light? 9. Is this really the best time to make changes to election criteria immediately before an election? 10.	12/16/2022 1:21 PM

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The tone from the CCO is basically this - We don't have to ask for your feedback and we can pass these by-law changes whenever we want, but in the interest of optics, we're going to ask for feedback. Is this really the type of relationship Council now wants to foster with its stakeholders? Does this buggy whip tone at all serve the public interest? Would not a respectful relationship between appointed and elected members of Council and the stakeholders of the Chiropractic profession better serve the public?

27	There is talk in the profession that this change is being proposed to exclude a specific individual from running. If true, this is not transparent. I would advise direct comment on these rumours.	12/14/2022 9:32 PM
28	This seems like a waste of time and money - can't the CCO recourses be better utilized?	12/13/2022 3:36 PM
29	From my understanding CCO having much bigger issues at stakes to protect public interest, such as letting public to know that chiropractors are as well educated as medical doctors and able to provide public with information about improving immune system function, feedback on vaccinations, etc.	12/13/2022 3:35 PM
30	This appears to be a push to exclude potential candidates when the response time is reduced to just 38 days as opposed to 60 days. This kind of action by the council is in conflict with protecting the public interest.	12/13/2022 10:44 AM
31	The public has a right to know why these changes are being made. Just because 'everyone else is doing it' doesn't fly. The College is there to protect the public but sometimes this attitude gets out of hand and does NOT serve the public.	12/13/2022 8:59 AM
32	We feel like we're being duped. This is NOT how a protective board should be passing by-laws. Sneaky and suspicious.	12/13/2022 7:06 AM
33	This call for change appears rushed and hardly seems to present both sides of the argument for our consideration. Furthermore, it seems that you are asking for our feedback at a time of universal 'busyness' on an issue of importance. While I very much appreciate your seeking the input of the profession, I will be more inclined to help when I am not pushed in a particular direction and I am given all the facts.	12/12/2022 4:32 PM
34	I have to question why the period for us members to provide feedback on the proposed amendments is much shorter than the usual period. The timing is suspect based on the likelihood of January elections being called. Why is CCO not being fully open and transparent with members about this? Also, the 6 year period is not in line with all regulatory bodies as the proposed amendment would have us believe.	12/12/2022 4:20 PM
35	As we are fast approaching CCO elections, is this an ideal time to make changes to election criteria? I'm curious whether there have been complaints or inquiry from the public that question the eligibility of certain members running for the CCO council. More transparency regarding why this minor amendment is being proposed is appreciated. I'm also curious as to what other minor amendments have been made in previous years as the CCO email stated that normally feedback is not asked for minor amendments.	12/12/2022 1:36 PM
36	Don't agree on how this change has come about. Doesn't seem to follow normal protocols	12/9/2022 1:12 PM
37	I was unsettled by the push for feedback with such quick turnaround. Normally there seems to be more time to give feedback. This seemed very rushed to return feedback, especially over Christmas and it would have been helpful to have more time to consider the proposals.	12/8/2022 2:08 PM
38	Depending on the offense, and the verdict of the offense, 6 years might not be enough. As in, a more egregious complaint should permanently disqualify for council positions.	12/7/2022 2:53 PM
39	Unless there is something I am missing, this just seems obvious. Consider that New grads are barred from attending most associations and colleges for 5 years.	12/7/2022 11:49 AM
40	Should this pass, the optics of rushing this right before an election is not good and appears to be intentional to disqualify a potential and highly respected candidate that I would strongly support. I believe you already know who that is...and that's the problem.	12/6/2022 3:57 PM
41	For each of eligibility requirements College should specify that a finding cannot occur from a regulator inside or outside Ontario. Hypothetically if a member had a finding in another province and came to Ontario can they serve in Council or Committee? Also no mention about findings of a court about criminal offence or any offence relevant to suitability of practice.	12/6/2022 9:14 AM

Distribution for Feedback: Draft Proposed Amendments to By-law 6 and 12

42	I'm honestly concerned about our feedback and amendment process. This is the first time I can remember receiving a feedback request in years, and the proposed amendment is to disqualify members who are willing to give up their time to serve our profession. My immediate question is what is the reason for this, and how is it serving our profession for this to be the only feedback requested in 2 of the most challenging years certainly in my career. You mentioned other colleges having the rules as 6 years, where there are over 20 colleges that do not have a 6 year waiting period. So this would put us in a minority of colleges that have this rule, and I believe that would make it a unnecessary and discriminatory change.	12/6/2022 8:39 AM
43	No further comments	12/5/2022 9:20 PM
44	alternatively leave it unchanged and notify the public by requiring member provide link/astericks besides their disciplinary finding in all CCO communications for an additional 3 years	12/5/2022 6:43 PM
45	timing of this amendment is very concerning, with elections starting in the coming months; rushing this amendment at this time gives the appearance of unethical behaviour at the board level, with conflicting interests	12/5/2022 1:32 PM
46	N/A	12/5/2022 11:49 AM
47	To make changes that take immediate effect and change the course of the current election seems aggressive. Any such changes should be voted on and take effect for future election cycles.	12/5/2022 10:54 AM
48	Changing the time period from 3 to 6 years to align with other colleges makes sense and should be done, but should take place after this current round of elections to maintain fairness for those who have started their campaign process.	12/5/2022 10:53 AM
49	The same is fine.	12/5/2022 10:03 AM
50	N/A	12/5/2022 9:20 AM
51	There should be far more feedback	12/5/2022 7:55 AM
52	CCO did not mention why it was not giving the standard 60 days for feedback. Is there a reason for this? Why was this not mentioned or explained?	12/5/2022 7:43 AM
53	Your survey is biased. You are setting the questions up to get the answers you seek. Very disappointed that CCO would put out the survey in this manner	12/5/2022 7:08 AM
54	None	12/4/2022 10:01 PM
55	Anything that protects the public interest should always be the mandate of this Organization,	12/4/2022 6:03 PM
56	NA	12/4/2022 4:29 PM
57	Election process was overhauled in 2020 without this issue. Also, typically 60 days are given for review. This proposal seems too close to an upcoming election announcement. .	12/4/2022 2:35 PM
58	/	12/4/2022 11:29 AM
59	NA	12/4/2022 8:50 AM
60	A change in candidate eligibility right before an election calls into question the timing of the proposed change. I would like this issue to be re-visited after the election in order to ensure it is given the appropriate considerations.	12/4/2022 7:38 AM
61	N/A	12/3/2022 7:56 PM
62	the proposed changes seem self-serving for the current executive, board	12/3/2022 7:03 PM
63	Keep it in line with CPSO so we are in sync	12/3/2022 4:48 PM
64	No further comments, the change is welcomed from a fellow DC in practice 5 years. - see question 3, wording should read "5 years or less."	12/3/2022 1:52 PM
65	I have to question if there were specific candidates in mind when the proposed changes were suggested.	12/3/2022 1:44 PM
66	You need to better explain these. I agree/disagree with the draft proposed amendments to By-law 12: Appointment of Non-Council Members? Im not sure we do a good enough job	12/3/2022 1:37 PM

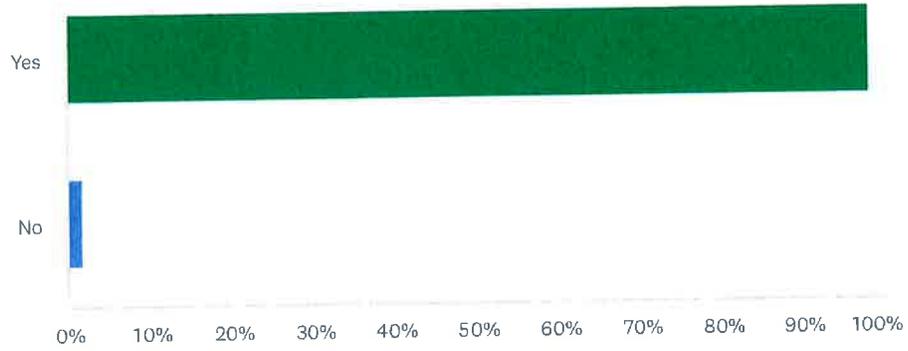
69

protecting the public through our regulation.

67	Appreciate continued transparency is essential to the public interest.	12/3/2022 12:23 PM
68	None	12/3/2022 11:52 AM
69	Many wrongful acts of unfortunate decisions of immaturity, stupidity or misjudgment. This does not mean the person will continue in their future, but the precedent was set. The profession has grown large enough to make other good selections, and so too can be said about worthy members of the public. People who have a past that haunts them can often find worthy ways to contribute to the best will of the profession and public protection.	12/3/2022 9:18 AM
70	How about reviewing all the unilateral decisions that were made during covid? Also, it is not clear if this survey is anonymous or not.	12/3/2022 7:29 AM
71	START DOING YOUR JOBS. GET RID OF THE QUACKERY IN THE PROFESSION. START TO ADVANCE THE PROFESSION IN THE PUBLIC INTEREST. GET RID OF THE SLIME BALLS SITTING ON THE CCO COUNCIL.	12/3/2022 7:24 AM
72	Not at this time.	12/2/2022 9:23 PM
73	N/A	12/2/2022 9:07 PM
74	Take pause. No need to rush anything. Never have before.	12/2/2022 8:50 PM
75	This is in very poor taste and timing with BJs campaign	12/2/2022 7:40 PM
76	No comment	12/2/2022 7:08 PM
77	Create easier opportunities for members outside of Toronto. We are in a digital world with online meetings available. You can better represent chiropractors outside the gta.	12/2/2022 5:17 PM
78	Implementing these higher standards within the Chiropractic profession seems like a good idea that may help to increase the protection of the public's interest in a way that is also currently used by other allied health professions. The chiropractic profession should be held to similar standards to continue to protect the public and also gain continued respect from other health professions, thanks!	12/2/2022 5:11 PM
79	None	12/2/2022 4:48 PM
80	Overall, if I'm reading correctly 3 years feels like a sufficient amount of time to reflect and grow from inappropriate actions/decisions. 6 years, in my opinion, is a heavy long standing punishment for actions one could grow from. I think focusing on best practices during the 3 years to facilitate growth and development should be the focus. I may not have all the context but this is how I feel reading this proposed amendment.	12/2/2022 4:40 PM
81	The CCO does not appear to have the public safety front of mind.	12/2/2022 4:38 PM
82	None.	12/2/2022 4:25 PM

Q1 Are you a Member of CCO

Answered: 412 Skipped: 0



ANSWER CHOICES

RESPONSES

Yes

98.30%

405

No

1.70%

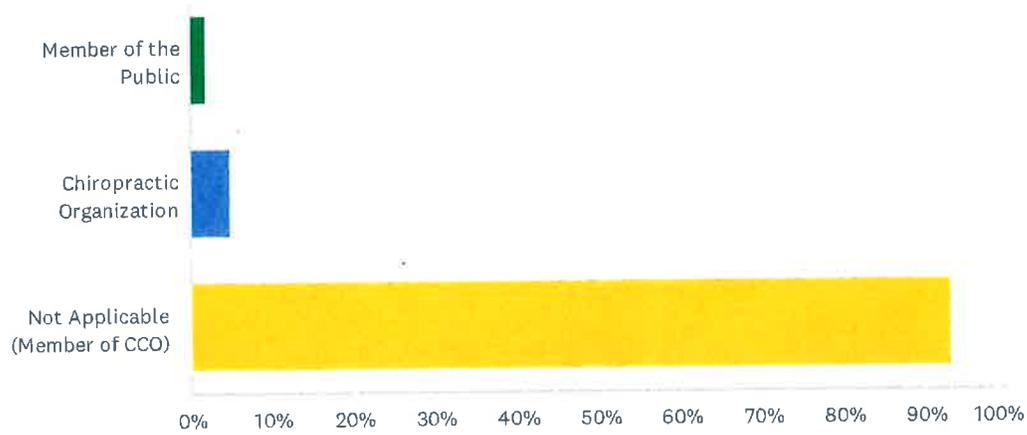
7

TOTAL

412

Q2 If you are not a member of CCO, what type of stakeholder are you?

Answered: 412 Skipped: 0



ANSWER CHOICES

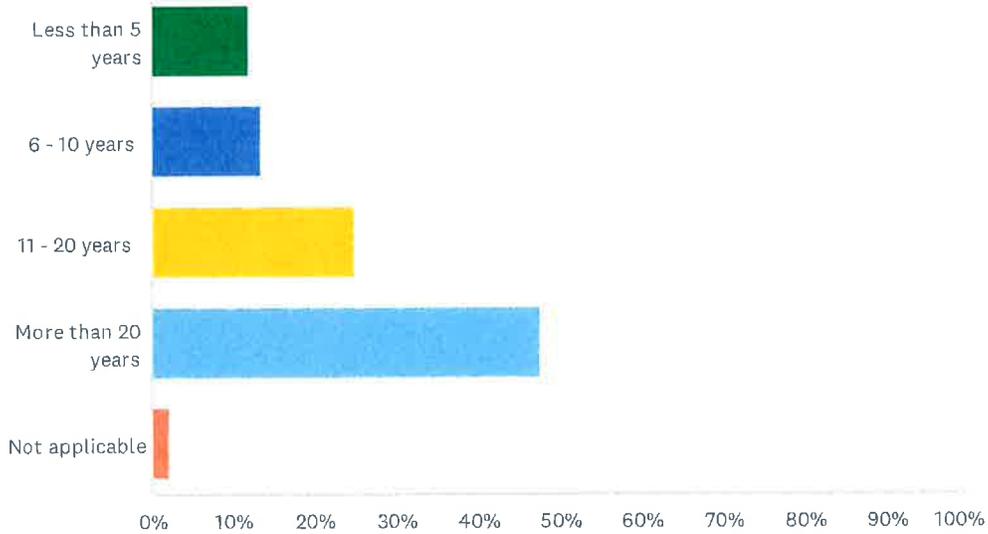
RESPONSES

Member of the Public	1.94%	8
Chiropractic Organization	4.85%	20
Not Applicable (Member of CCO)	93.20%	384
TOTAL		412

Q3 If you are a member of CCO, how long have you been in practice?

Answered: 412 Skipped: 0

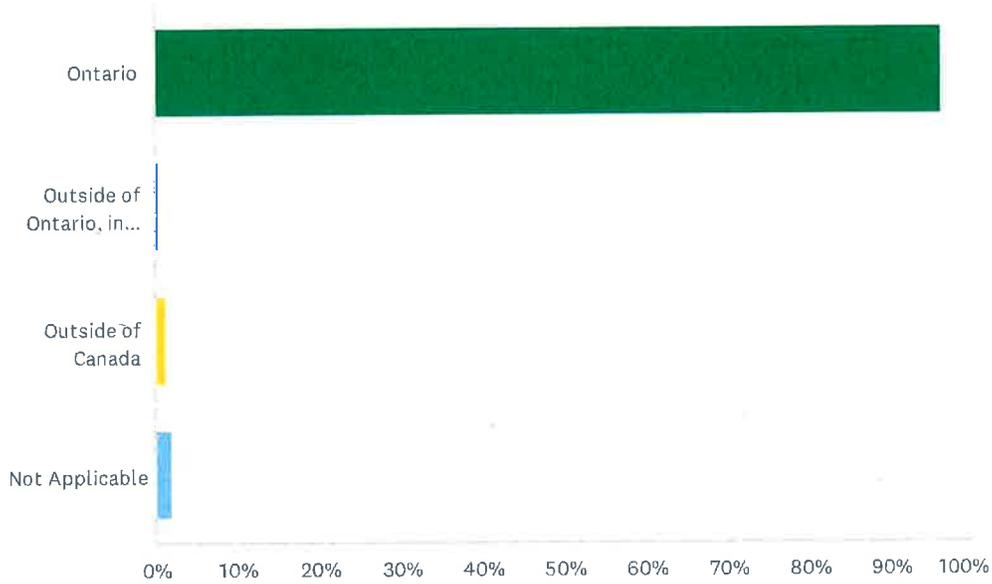
73



ANSWER CHOICES	RESPONSES	
Less than 5 years	11.89%	49
6 - 10 years	13.35%	55
11 - 20 years	25.00%	103
More than 20 years	47.57%	196
Not applicable	2.18%	9
TOTAL		412

Q4 If you are a member of CCO, what is the location of your primary practice or residence

Answered: 412 Skipped: 0



ANSWER CHOICES	RESPONSES	
Ontario	96.36%	397
Outside of Ontario, in Canada	0.49%	2
Outside of Canada	1.21%	5
Not Applicable	1.94%	8
TOTAL		412

From: Jo-Ann Willson
Sent: Monday, January 9, 2023 1:04 PM
To: Cliff Hardick; Joel Friedman
Cc: Dennis Mizel
Subject: RE: By-Law 6

This has been received and will be included in the feedback. Thank you!

Jo-Ann Willson, B.Sc., M.S.W., LL.B.
Registrar & General Counsel
College of Chiropractors of Ontario
59 Hayden Street, Suite 800
Toronto, ON M4Y 0E7
Tel: (416) 922-6355 ext. 111
Toll Free: 1-877-577-4772
Fax: (416) 925-9610
E-mail: jwillson@cco.on.ca
Web Site: www.cco.on.ca

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From: Cliff Hardick
Sent: Monday, January 9, 2023 1:02 PM
To: Jo-Ann Willson <jwillson@cco.on.ca>; Joel Friedman <JFriedman@cco.on.ca>
Cc: Dennis Mizel
Subject: By-Law 6

CAUTION EXTERNAL: This email originated from outside of the organization. Do not click links or open attachments unless you have verified the sender and know the content is safe.

Jo-Ann, Joel and Dennis,

Please see the attachment and confirm it has been received and will be reviewed by Dr. Mizel and Council.

Thank you,

Cliff Hardick

January 9, 2023

College of Chiropractors of Ontario
Attn: Dr. Dennis Mizel, President
59 Hayden Street, Suite 800
Toronto, ON
M4Y 0E7

Dr. Mizel,

Re: Proposed Amendment to CCO By-law 6

I have reviewed the CCO's communication related to the proposed by-law amendment related to election eligibility.

I am providing this feedback solely as a Past President of the College of Chiropractors of Ontario, 2015-2017. I served on the CCO Executive for 7 years, including the years in which election eligibility rules were last evaluated, debated, and amended.

In 2019, a number of matters related to election interference, standards, conflicts of interest, and general integrity were reviewed by the CCO Executive and by CCO Council. Dr. Mizel, you will recall the negative media attention and very public mudslinging that was associated specifically with the election that year in District 5. As a result, tremendous energy and resources were invested by the CCO to assess its election by-laws and implement appropriate improvements. In all my years at CCO, I do not recall there being any other by-law review that demanded so much energy and diligence. However, during this extensive period, over several Council meetings, which included a review of election by-laws, rules of eligibility, cooling off periods, and Council composition, there was not a single motion from a CCO Council member or even a question raised about the waiting time for election eligibility following a disciplinary finding against a member. Furthermore, we collected exhaustive feedback from members and stakeholders about election eligibility. I do not recall this coming up in a single response.

According to public records, this matter does not appear to have come before Executive prior to October 2022, or Council prior to November 2022. Why now?

I see that the CCO communications to members on December 2, 2022 reference the Ministry of Health's College Performance Measurement Framework (CPMF). Naturally, I have reviewed the Ministry's website outlining the CPMF, as well as the CPMF reporting tools published by several Regulatory Colleges from 2020 through 2021. Across 6 domains and 52 commendable practices published by the government, prolonging a member's election eligibility based on disciplinary history is not listed. Matching election eligibility requirements with those of other Colleges is also not listed.

In the CPMF, the Ministry does outline that professional members may be eligible to stand for election to Council only after meeting pre-defined competency and suitability criteria, but it does not mandate what those criteria must be. The CPSO's waiting period has been unchanged for many years. There have not been widespread changes to Regulatory Colleges' eligibility requirements since the CPMF was released in 2020. Notably, the CPSO's waiting period was already 6 years when CCO evaluated its own eligibility criteria and contrasted our by-laws with those of other Regulatory Colleges in 2019, and, likely, in many years prior.

As per its own Values, the CCO should be committed to transparency. Unfortunately, this proposed by-law amendment is surfacing quickly at the year-end meeting, and just weeks before the calling of an election.

Although it is conspicuously not specified in the CCO's communications, the currently circulated by-law amendment would seemingly affect the 2023 elections. I strongly object to the process being used by the College to amend this by-law. I, therefore, oppose the passing of this by-law until there is significantly further review and discussion.

Based on the language that the College has used, I postulate that the CCO has received an opinion that it has the power to amend this by-law between now and the calling of the 2023 elections; and that it can do this with or without feedback from members, and with or without the customary period of review by CCO Council.

One matter with which I take issue is not whether the CCO "can" do this, but whether it fiduciarily should do this. The process being used by the CCO to pass this by-law does not abide by the established standards of ethics and governance expected of Regulatory Colleges.

As you know, the Ontario government has entrusted the chiropractic profession to self-regulate. This is a privilege. However, if the College loses the trust of the public or of the government, this privilege can be revoked. Rushing this process in the weeks before and after the Christmas

holidays, potentially calling an emergency meeting of Council when there is no emergency, and establishing new rules of election eligibility just days before the calling of nominations, give the public every reason to distrust the College.

Moreover, if the public were to learn that this by-law amendment would effectively disqualify a currently-eligible candidate from standing for election, particularly when the President, Vice President, and Registrar knew of that member's expected nomination before these conversations began, that erosion of public trust would be even greater. I understand that you have already heard this sentiment from members of the Ontario public.

Additionally, you must consider how the College's actions may be viewed in the eyes of a judge, should this process trigger any legal action against the CCO. I am not convinced — nor should the CCO Council be convinced — that the CCO's power to conduct itself this way is unfettered. (The introduction of the CPMF does not subvert a College's requirement for transparency and proper governance in place of expedited passing of by-laws.) On a much higher level, the CCO is not exempt from accepted practices of administrative law in which there must not be any appearance of bias, and in which there is an expectation doctrine to which standards and processes must adhere. You must consider that, in any charge filed against the college, a complainant will present to the Court any evidence demonstrating that CCO staff members and/or Council Members knew of certain members who would be targeted by said by-law amendments. Furthermore, evidence would be presented that:

- a) the College has a historical precedence of gathering feedback from members over a 60-90 day period,
- b) the College has not established a precedent in circulating proposed by-law amendments to members over the Christmas Holidays,
- c) prior by-law amendments affecting elections were initiated just after an election, not in the weeks leading up to one,
- d) previous by-law amendments affecting elections were resolved through regularly-scheduled meetings of Council, and without any members of CCO Council being in conflict.

I emphatically state my viewpoint that any members of Council who are aware of the likely 2023 candidates who will be affected by this proposed rule change are in conflict.

Should the College pass this by-law within the coming weeks and implement new rules of eligibility for the 2023 election, the College will forever be seen as having meddled in its own election and having influenced its outcome. This cannot be undone and would be a permanent stain upon the College of Chiropractors of Ontario.

As a College, we aspire to maintain our regulatory independence. We cannot risk losing our privilege of self-regulation. We do not wish to see the CCO amalgamated with any other Colleges. For these and for other reasons, and since the Regulatory Colleges are now under close scrutiny by the Ministry of Health, we must abide by proper governance practices. Therefore, I would urge CCO Council Members to categorically reject the passing of any by-law amendments through unprecedented or exceptional processes.

Lastly, while I am aware of many of the likely candidates in the 2023 election, as well as the member who would be disqualified as a result of this proposed amendment, my opinion would be unchanged if this situation were presented to me in any other year. The College of Chiropractors must never be perceived to be shaping the outcome of its own election.

I urge the College to govern itself accordingly and defer any discussions about this by-law amendment to the April 2023 meeting of Council, once the imminent election is complete.

I appreciate you forwarding this communication to all members of CCO Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Clifford M. Hardick". The signature is fluid and cursive, with a large initial "C" and "H".

Clifford M. Hardick, D.C.
CCO President, 2015-2017

Joel Friedman

From: Gilles Lamarche -
Sent: Sunday, December 11, 2022 7:15 PM
To: Joel Friedman
Subject: Amendments to election by-laws
Attachments: CCO-Lamarche Opinion.pdf

80

CAUTION EXTERNAL: This email originated from outside of the organization. Do not click links or open attachments unless you have verified the sender and know the content is safe.

Hi Joel - I hope you are doing well. I've never taken the time to write a commentary letter related to proposed by-law changes, because I always respected CCO's fair process, and would typically reposed as part of the survey. For the current proposed amendments to the election by-laws I felt compelled to comment by letter. Please see my letter attached. Happy holidays to you and everyone at CCO.

Sincerely,
Gilles

Gilles. A Lamarche

December 11, 2022

College of Chiropractors of Ontario,
59 Hayden Street, Suite 800
Toronto, ON M4Y 0E7
ATT: Mr. Joel Friedman, Deputy Registrar
Via email: JFriedman@cco.on.ca

Dear Mr. Friedman,

Having just read the CCO email concerning proposed by-law changes that are seemingly being rushed through CCO Council, I must say that I have serious concerns that council is bypassing accepted models of proper governance and appearing to target a well-known potential candidate to prevent him from being eligible to stand for election. It would be a shame to see CCO Council interfering in its long-held fair election process. Even though I am retired from practice and live outside CCO jurisdiction, my memories of being a proud CCO member for over 40 years are held tightly in my heart. I have always been proud to be a member of the CCO, and I was proud to serve as an appointed member, and later as an elected member for 3 consecutive terms. I love chiropractic as much today as I did the day I graduated in 1979, and I have a strong belief in fair due process.

When I had the honor and privilege of serving on CCO Council, legal counsel always opined that CCO follow accepted governance standards as described by AGB, and a doctrine of reasonable expectation. My recollection of process during my time on Council, and in all that I have observed since, is such that:

1. When proposed by-law changes are considered members and stakeholders are given a minimum of 60 days to provide feedback.
2. CCO council members review all feedback or a synopsis thereof, before resuming discussion at the next *regularly scheduled* meeting of the council.
3. I do not remember any special meeting being called to vote for by-law amendments, and doing so in my opinion is fiscally irresponsible. There really is no rush to make the changes being suggested, if in fact they are deemed necessary, unless CCO Council has an undisclosed agenda. What I have always appreciated about CCO is transparency, which I am unfortunately questioning today.
4. It would appear reckless to request feedback over the very busy holiday season when many DCs take vacation time and are heavily preoccupied with family activities.

In my recollection, during my time on council, we understood very clearly that Council should never pass by-laws or conduct itself in any way to target specific registrants (individual or group), or even in a way that would appear to target specific registrants. We were cautioned by

CCO counsel that it would be a violation of our mandate to go on so-called "witch hunts." And this is certainly not in the public interest.

The fact that the CCO has named 5 health regulatory colleges out of 26 that have a 6-year election eligibility waiting period following suspension or disqualification, is no reason to call an emergency session. In my eyes, and in the eyes of many people in Ontario who have been contacting me, it appears that this by-law amendment is being proposed to block the nomination of a currently eligible candidate from being eligible to run in the forthcoming election.

Without a documented and clear emergency, or, without a requirement or specific directive from the Ministry of Health to update election by-laws immediately, CCO should handle this within the parameters of its normal operations. The CCO has always prided itself in following due process and standards of good governance allowing the public and the profession to recognize the CCO as a governing body following the highest standards.

Rushing these suggested by-law amendments during the holiday season and by means of special sessions, within 30 days of an election being called, could diminish the integrity of the College in the eyes of the Ministry, CCO members, and most critically, the public.

There must be no perception whatsoever that CCO Council is influencing the outcome of any election.

CCO council has options to ensure it maintains its integrity and standing in the eyes of the Ministry and the public:

1. The CCO can review member feedback at its regularly scheduled Council meeting in February 2023, and allow for the calling of the election in January 2023 to proceed as per current by-laws
2. After ample debate, in February 2023 or in a subsequent meeting, if the CCO determines that the waiting period for election eligibility following a disciplinary action or disqualification should be 6 years instead of 3 years, the amended by-laws could be instituted for the 2024 elections. In my humble opinion that would ensure transparency.

These measures would convey to the people of Ontario, and to the Ministry of Health, that the College is acting according to its mandate, and is not interfering with an imminent election.

I do urge the members of CCO Council to do the right thing.

Sincerely,

Gilles A. Lamarche BS, DC (retired)

From: Peter Amlinger
Sent: Friday, December 23, 2022 2:34 PM
To: Joel Friedman
Subject: Feedback Re Bylaw 6
Attachments: Blank 126.pdf

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Seasons Greetings Joel.

Please find my feedback regarding bylaw 6 for council to consider. It felt a tad lengthy to type in a feedback box.

I trust you are well.

Sincerely,

Dr PJ Amlinger, DC
Chiropractor

December 23, 2022

Dear Joel:

I have reviewed and reflected upon the proposed changes to Bylaw 6 which were recently circulated for review and feedback. While I realize that not all bylaw revisions require circulation before being amended, I appreciate council circulating this particular proposed amendment. Any revision that affects a member's eligibility to run for council, in my opinion, constitutes a major amendment and should be circulated.

While considering the changes put forward the timing and timelines did catch my attention. During all my years on council, it was council's practice to have a 60 day feedback window in which stakeholders could submit their surveys and comments. For consistency and transparency purposes I would offer that council should continue to respect this timeline when circulating materials for review and feedback.

Similarly, council would generally reflect on our electoral process immediately following the spring elections and make any changes early in the council year. I appreciate that processes must always be reviewed and refined so council can best regulate the profession in the public interest, however, in the interest of fairness and transparency it would seem reasonable to refrain from making changes to election rules and processes within 90 days of the start of our annual election process. Having said that, I am not sure if council intends to implement the proposed changes in the 2023 election or for the election in the following year.

During my time on council, particularly when I served on executive and as president, council put a lot of energy into revising all of our bylaws to bring consistency to them. I clearly remember the energy we put into considering the cooling off period and how long it should be. I believe we actually considered a 6 year cooling off period and eventually chose a three year period.

I appreciate that other regulators have longer cooling off periods relating to people with discipline findings against them, however, that in and of itself doesn't seem like a good enough reason to change ours. We can look at history as evidence for the need to change it.

During my time on council (12 years), I cannot remember one instance of a member with a discipline history choosing to run for council.

There have been many examples of members from other chiropractic organizations coming onto council with a bias and behaving in ways which lead to council expending many resources, both human and financial, to deal with the circumstances that they created.

Considering this, it would seem clear, that if council believes it is necessary to increase the cooling off period for members with discipline histories to six years, all cooling off periods should be extended to 6 years.

Maintaining consistency in our bylaws in this way would honour the principles of fairness, consistency and transparency which are so important to CCO and to the work of council.

I thank council for reading and considering my feedback.

Sincerely,

Dr. Peter Amlinger, DC

From: adougley
Sent: Saturday, December 3, 2022 9:06 AM
To: cco.info
Subject: RE: Request for Feedback on Proposed Amendments to CCO By-law 6: Election of Council Members and By-law 12: Appointment of Non-Council Members

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6 years idea is necessary for Excellence to be Visible again...great amendments..DrD

Sent from my Galaxy

----- Original message -----

From: College of Chiropractors of Ontario <cco.info@cco.on.ca>
Date: 12/2/22 4:20 PM (GMT-05:00)
To: .
Subject: Request for Feedback on Proposed Amendments to CCO By-law 6: Election of Council Members and By-law 12: Appointment of Non-Council Members



Request for Feedback on Proposed Amendments to CCO By-law 6: Election of Council Members and By-law 12: Appointment of Non-Council Members - December 2, 2022

The College of Chiropractors of Ontario (CCO) is committed to implementing recognized best practices in governance for health regulatory organizations, and to enhancing its capabilities in regulating chiropractic in the public interest. As part of this ongoing commitment, CCO regularly reviews its by-laws and related policies and procedures, including those pertaining to the election or appointment of CCO Council and Committee members.

Over the last two years, the College has undertaken a number of initiatives to strengthen the competencies for Council and Committee members through substantial training and orientation programs, revised conflict of interest measures and related requirements. Many of these initiatives have been informed by the Ontario Ministry of Health’s College Performance Measurement Framework.

At the recent November 24, 2022 meeting of Council, minor by-law amendments were proposed which, if adopted, would increase to six years from three years the amount of time that must have elapsed since a disciplinary finding or disqualification from serving against any prospective Council candidate or committee appointee. A six-year interval is the approach taken at several other Ontario healthcare colleges, such as the College of Nurses of Ontario, the College of Physicians and Surgeons of Ontario, the College of Opticians of Ontario, the College of Psychologists of Ontario and the College of Physiotherapists of Ontario.

CCO Council is able to pass these specific by-law amendments as a matter of course at any point during its meetings. However, in the interests of hearing from and taking into account the widest range of comment on these amendments as they affect the public interest with respect to the governance of the chiropractic profession, Council has directed that CCO stakeholders, including members, be surveyed for their feedback.

Kindly complete this brief survey on the proposed amendments no later than **January 9, 2023**. Your feedback will then be considered by Council in the course of its deliberations on the subject.

Thank you.

College of Chiropractors of Ontario | 59 Hayden St., Suite 800, Toronto, ON M4Y 0E7 Canada

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From: Joel Friedman
Sent: Tuesday, December 6, 2022 3:59 PM
To: Mike Staffen
Subject: RE: Proposed Amendments

Good Afternoon,

Thank you for your question.

If approved by Council, the by-law amendment would affect eligibility for election or appointed immediately afterwards. For example, if the amendment is made before the 2023 election, then any discipline finding from 2017 to 2023 would make the candidate ineligible for that election. However, the amendment is not “retroactive” because anyone elected or appointed in 2022 would be able to continue to serve their full term even if they were disciplined in, say, 2017.

Please make any submissions for feedback on this or any other aspect of the proposed amendment. Council will review all feedback with respect to this proposed amendment.

Regards,

Joel D. Friedman, BSc, LL.B
Deputy Registrar
College of Chiropractors of Ontario
59 Hayden Street, Suite 800
Toronto, Ontario M4Y 0E7
Tel: (416) 922-6355 ext. 104
Toll Free: 1-877-577-4772
Fax: (416) 925-9610
E-mail: jfriedman@cco.on.ca
Web Site: www.cco.on.ca

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From: Mike Staffen
Sent: Tuesday, December 6, 2022 5:31 AM
To: cco.info <cco.info@cco.on.ca>
Subject: Proposed Amendments

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Request for Feedback on Proposed Amendments to CCO By-law 6: Election of Council Members and By-law 12: Appointment of Non-Council Members

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Good Morning

Can I get some clarity on the proposed amendments. Will these amendments be retroactive or just on a go forward basis? What I mean by that is if a member was found guilty of something 2years ago would they be eligible to run in an upcoming election after another 1 year(3year waiting period when they had their disposition) or would they have to wait an additional 4 years if this amendment is passed.

Thanks Mike

From: Mike Staffen <
Sent: Monday, December 12, 2022 4:47 AM
To: Joel Friedman; cco.info
Subject: Proposed Amendment Bylaw6
Attachments: CCO Proposed Amendment Bylaw 6.docx

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Hi Joel and Sue

Here are my comments

thanks Mike

CCO

December 12, 2022

Dear Mr. Friedman and Council members Public and Professional.

Here are my comments on the proposed Amendments to CCO By-law 6: Election of Council Members and By-law 12: Appointment of Non-Council Members.

In principle, I have no issues with the College, wanting to change the time period from its current three-year period to six year, if the board and membership feel that is appropriate and are aware of all the ramifications of such changes. Much of the membership I don't believe are fully aware due to the level of communication the membership was given.

I don't believe the membership has a significant opinion on the actual time period (3 or 6 years) as ultimately the membership will determine if that individual is fit to represent the public interest on Council by voting for that member or not. Where the membership should have interest and I believe may not be fully informed of the ramifications of the proposal as written is on the individuals that have already had a disposition against them. This change being proposed would make anyone with a disposition made after 2017 ineligible to run until 2016 even though their 3-year period may be completed.

After reading the proposal and completing the survey, it was not clear that it would change the eligibility of individuals that already had a ruling against them. For example, if an individual has a ruling against them in January 2019 they were eligible for elections in January 2022(3-year period) and going forward but with this proposed change as written, they would no longer be eligible as it would go back to 2017(if passed in 2023). This does not seem appropriate nor fair to those individuals.

The communication to the membership should have clearly indicated that it would affect members that already had dispositions up to 6 years earlier, how many individuals it would possibly affect and made a proposal to ensure that those individuals affected are allow to run in upcoming elections if their deposition occurred when there was a 3-year exclusion period and that it not be changed to the 6 years.

It is inappropriate for board members to will rely on the results of a superficial survey as a positive endorsement of the proposed changes as members were not given full disclosure on how this change would affect members.

I would also advice that board members should look at whom recommended theses changes in by-law, whom it would affect and if it would be seen as bias or perceived bias against members based on their style of practice, chosen technique, philosophy, etc.

The role of the CCO is to protect the public interest, not the interest of a group of individuals that feel Chiropractic should be practiced within certain parameters. It is in the public interest to have a diverse profession that has a range of philosophies and practices styles/techniques that appeals to the interest of the diverse population in Ontario as long as it is a patient centered approach.

A simple amendment to the proposed change in by-laws would ensure that the CCO is perceived as non-bias and fair to all of the membership.

Sincerely

Michael Staffen DC

From: Victoria Coleman <vcolem@ccocanada.ca>
Sent: Wednesday, December 7, 2022 10:49 AM
To: Joel Friedman
Subject: Election by-law issue

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Hello Mr. Friedman,

I was informed recently of the CCO's election by-law proposed change of requirement for candidates standing election waiting the current 3 years to a proposed 6 years post any disciplinary action.

This is extremely unusual to bring this about now after a review of the by-laws in 2019. This is not something I support, feel is just, and actually it seems suspect in the timing to affect potential elections in 2023.

I will share this concern with my colleagues and hope that this is not accepted and changed as again it seems highly unusual and unnecessary.

I disagree with this change from 3 to 6 years waiting time after any candidate post disciplinary action. If someone voting does not like the candidates history they do not have to vote for them. If elections work as designed the right person should be elected fairly.

I hope this is dropped and the current by-law remains in place.

Sincerely,
Victoria

Dr. Victoria Coleman HBSc, DC, MSc, IFMCP

From: Jason Yakimishyn <
Sent: Wednesday, December 21, 2022 2:34 PM
To: Joel Friedman
Subject: Proposed Amendment Concerns
Attachments: 2022-12-21 14-31.pdf

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Please see attached.

Thank you.

--
Sent with Genius Scan for iOS.
<https://dl.tglapp.com/genius-scan>

Dr. Jason Yakimishyn
Foundation Chiropractic Co.

Dec 20, 2022

To the College of Chiropractors of Ontario and the Deputy Registrar,

Re: Proposed amendments to By-Laws 6 and 12

I do not normally involve myself with political matters, but these proposed changes are concerning for a few different reasons. As such, I feel the need to write in (in addition to the feedback survey I already completed online).

My first question is - why now?

Why is there such an urgency to make these changes? Why is the CCO only providing 38 days for feedback when the normal timeframe is 60 days? Why is the CCO asking for feedback over the holidays? Why was the email request for feedback sent out on a Friday afternoon?

Will another request be sent to remind those who go away or are tied up for the holidays? The same question can be asked for those who never thoroughly reviewed the email as it gets lost in their inbox will all other weekend email notifications.

My second question is - what happens to the candidates who have already been campaigning that may be affected by this change?

If such a change were to be made to the by-laws, I would expect it to take effect in the next election cycle. That can only be seen as reasonable and fair.

Why does the CCO want to rush a by-law amendment and also have it take effect immediately? Is there a bias or possible conflict of interest with a member of our profession who may be announcing their candidacy for this election cycle?

The proposed amendments seem reasonable to me. The shortened timeline for feedback, time of year, and urgency to push these amendments through so they can directly affect the current election cycle are greatly concerning to me.

Thank you for taking the time to hear my concerns. I look forward to your feedback.



Jason Yakimishyn, D.C.

rs

From: Joel Friedman
Sent: Monday, January 9, 2023 7:18 AM
To: Joel Friedman
Subject: FW: Proposed Amendments to CCO By-law 6: Election of Council Members and By-law 12

Joel D. Friedman, BSc, LL.B
Deputy Registrar
College of Chiropractors of Ontario
59 Hayden Street, Suite 800
Toronto, Ontario M4Y 0E7
Tel: (416) 922-6355 ext. 104
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E-mail: jfriedman@cco.on.ca
Web Site: www.cco.on.ca

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From: Colin Swala
Sent: Friday, January 6, 2023 12:40 PM
To: Joel Friedman <JFriedman@cco.on.ca>
Subject: Proposed Amendments to CCO By-law 6: Election of Council Members and By-law 12

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Dear Deputy Registrar of the CCO,

Thank you for taking the time to read my email. Further to my response to the recently distributed survey regarding the proposed by-law amendments I wanted to also write and expand on my concerns.

Although overall I am not opposed to the changes proposed, I am concerned about the manner and timing of this proposal. Seems there is an urgency to fast-track these amendments just prior to an election without any explanation as to why. Historically, my understanding is that members have been given at least 60 days to provide feedback when by-law amendments have been proposed and, especially regarding reforms that affect elections, the proposals were put forth after an election not right before.

Without an explanation as to the necessity of this proposal being put forth so close and prior to an election, then I believe this should be delayed until after the upcoming election, similar to what has been done in the past.

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Thank you for considering my additional feedback.

Regards,

Dr. Colin Swala, D.C.

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From: Vince Sinclair
Sent: Monday, January 9, 2023 1:25 PM
To: cco.info
Subject: Att'n Joel Friedman

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Thank you for the opportunity to comment on the proposed minor by-law amendment to CCO By-law 6 & 12. It was however an opportunity that I nearly overlooked amidst a busy holiday season.

As a former Board Chair and presently board member emeritus of CMCC, I realize the import of disseminating these by-law changes for member feedback in a timely manner.

However, I am somewhat perplexed by the intent of this bylaw change. Other than aligning with the approach of several other, but certainly not all, Ontario healthcare colleges I don't see a compelling reason why this by-law change is being proposed.

I remain unclear on how the change in the disqualification period from three to six years affects the public trust particularly having regard for the nature of the offence.

In addition to the insufficient intent and rationale for this proposed by-law change, I would suggest that a shortened survey period during a busy holiday season is inappropriate.

Perhaps consideration should be given to deferring this By-law amendment until after the forthcoming election to further clarify the over-all intent of this proposed change along with sufficient time given to the survey period for member feedback.

Respectfully submitted,
Dr. Vince Sinclair

Subject: FW: Input to CCO December 2022

From: Jo-Ann Willson <jpwillson@cco.on.ca>
Sent: December 14, 2022 2:16 PM
To: Rose Bustria <RBustria@cco.on.ca>
Subject: FW: Input to CCO December 2022

Exec and Council.

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

From: Dr. Ali Farahani <ali@rcdso.org>
Sent: Wednesday, December 14, 2022 2:12 PM
To: Jo-Ann Willson <jpwillson@cco.on.ca>
Cc: dfaulkner@rcdso.org; sylvia.jones@ontario.ca; Dr. Ali Farahani
Subject: Input to CCO December 2022

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December 12, 2022

College of Chiropractors of Ontario
Attn: Ms. Jo-Ann Willson, Registrar, and Members of Council
59 Hayden Street, Suite 800
Toronto, ON
M4Y 0E7

Ms. Willson and CCO Council members,

I am an Ontario dentist, registered with the Royal College of Dental Surgeons of Ontario (license number 49282).

I am aware that the CCO has circulated a proposed by-law amendment that would change its rules of eligibility for the upcoming election in early 2023.

Obviously, the RCDSO has its own by-laws related to elections. Additionally, I have taken the liberty of reviewing many of the election by-laws of the other 26 Ontario regulatory colleges' related to:

- (a) eligibility
- (b) cooling-off periods
- (c) term lengths
- (d) maximum number of terms
- (e) number of electoral districts, etc.

Our colleges do not all have the same rules. In fact, it is difficult to find even two colleges who are governed identical to one another.

I strongly oppose the proposal that requiring a member who went through a discipline hearing to wait 6 years — instead of 3 years — before becoming eligible to run for election would enhance a college's standing with the public, or its ability to self-govern.

Truly, most of these numbers are arbitrary.

However, our individual colleges have been tasked with structuring rules and by-laws over several decades. These various rules have been debated and established according to best governance practices, gathering appropriate feedback from members and stakeholders, and deliberated in the public forum before becoming ratified.

Conversely, what I feel could actually have an actual negative impact on the public's trust of the CCO is the way in which this by-law amendment is seeming to be rushed to a vote before the CCO election is called next month.

Whether or not the rules of various colleges should all be the same is up for debate. Regardless, the rules of any one college should absolutely not be changed immediately prior to an election being called, nor should the Council require that a special session be held in order to change them. Further, Council members should never be in conflict when deliberating or voting on amendments. I believe that Council members knowing the identities of expected candidates who would be affected by this by-law change puts them in conflict.

This by-law amendment, and the way in which it is being brought through Council, has an appearance of bias.

As a regulated health professional, I am very concerned that there is a circumvention of due process that is being ignored by the College of Chiropractors of Ontario. The Ministry of Health expects better.

This by-law should be deliberated according to accepted standards that the College has followed since the 1990's: Feedback should be gathered. The matter should be discussed at the next quarterly meeting of the Board. If the matter is voted on, the results should become official once the minutes of this meeting are ratified at the following meeting. This is how by-laws are fairly and transparently updated over time, without conflicts of interest.

If a true emergency has been identified, the burden was upon the College to communicate this — but it did not. I see nothing of the sort in the CCO's public communication dated December 2, 2022.

I also do not see any evidence in public records of a requirement by the Ministry of Health for the CCO to institute a rule change by a certain date. For whatever reason, it is clear that the CCO is choosing to make this an issue now, and it comes across as very disreputable.

While I do not get very involved in regulatory college politics, I must speak up to object to the CCO appearing to meddle in its forthcoming election and affect the outcome of it.

Respectfully,

Ali Farahani, D.D.S.

cc: Registrar, RCDSO, Daniel Faulkner
Honourable Minister of Health, Sylvia Jones

100

College of Chiropractors of Ontario
59 Hayden Street, Suite 800
Toronto, ON M4Y 0E7

January 4, 2023

Dear Ms. Jo-Ann Willson and Members of Council,

I am a Kinesiologist and member in good standing of the College of Kinesiologists of Ontario.

It has come to my attention that a by-law amendment proposal has been tabled by the CCO related to increasing the waiting period from three to six years for members with prior disciplinary findings to run for CCO council.

As a fellow health care provider subject to an autonomous governing body, but also a member of the public who regularly seeks and values chiropractic services, I am compelled to express my concern over the timing of this proposal. I recognize that each of the 26 regulatory colleges has the authority to make such by-law changes as they deem appropriate following proper procedure, however similar or different from the decisions of other colleges, and in fact, I am aware that the College of Kinesiologists of Ontario is currently in alignment with the CCO's waiting period. It is not a question of the length of the waiting period but the timing of the proposal and the perceived rush to a decision.

With the CCO's election anticipated to be held in March, as it historically has been, and a call for nominations expected shortly, it is reasonable to assume that candidates have already been preparing for nomination. In light of that, with a short timeline to bring the proposal forward, consider feedback, and the need for a special session to debate and vote on a by-law change that may affect the outcome of an impending election, this motion brings question to the motives behind the proposal and the agenda with which it is being pushed.

The role of the council of any one of the respective regulatory colleges is to protect the interests of the public without bias or conflict of interests. The amendment of a by-law on the eve of an election which may affect the outcome of the election, and therefore the governing of the profession, which ultimately trickles down to the care provided to the public conveys bias and an attempt at meddling. It also sets a precedent for acceptable practices for the other regulatory colleges. Engaging in such practices would put the reputation of the regulatory body and trust in the profession as a whole in question.

I believe this matter deserves the same due process any other non-emergent by-law would be afforded; to be discussed, debated, and voted on at a regularly scheduled meeting. Caution should be taken in moving forward with this matter at this time and the consequences that may follow, as the regulated members put a high level of trust in their governing bodies and their peers within.

I express these concerns respectfully in an effort, not to be involved in the politics of the CCO, but to protect the integrity of our professions and the autonomy that we have been afforded by the Ministry of Health.

Sincerely,

Steven Kroll
R.Kin :

Cc: Registrar, COKO

Subject: FW: Concern over possible By-Law Change

From: Jo-Ann Willson <jpwillson@cco.on.ca>

Sent: January 6, 2023 8:49 AM

To: Rose Bustria <RBustria@cco.on.ca>

Subject: FW: Concern over possible By-Law Change

Exec and Council.

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

Registrar & General Counsel
a copy. Thank you.

From: Terri Ternoey <terri.ternoey@cco.on.ca>

Sent: Friday, January 6, 2023 8:44 AM

To: Jo-Ann Willson <jpwillson@cco.on.ca>

Subject: Concern over possible By-Law Change

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College of Chiropractors of Ontario
Attention: Ms: Jo-Ann Wilson, Registrar
59 Hayden Street, Suite 800
Toronto, ON M4Y 0E7

December 15, 2022

Dear Ms. Wilson,

My name is Terri Ternoey RMT, and I have been licensed by the CMTO since August of 1995.

I have become aware of a communication sent to your members that the CCO is trying to make changes to its election by-laws, which will affect a colleague of mine, Dr. BJ Hardick. This change would make him the only Chiropractor in Ontario affected by this proposed by-law change.

Please consider these points as Council members table this by-law:

- Election Amendment over a holiday? : Passing an election by-law amendment over the Christmas holidays seems suspect. Most practitioners are looking forward to a well deserved break and will not be looking to read over proposed by-law changes on their break. One would like to think the CCO would like to engage as many members as possible and to make them aware this is happening.
- Trust: The public should be able to trust the actions of the regulatory colleges, the result could further diminish the public trust of the CCO and it would be even worse should the CCO move this to a boite before its election which is announced in January.

- Timing: Why is this an emergency? If the MOH has not published a directive for the regulatory colleges to do this by a certain date, this motion is clearly being driven by members of the CCO council, and it appears that they are intending to shape its election results in the spring. RMTs and DCs are two of the closest working groups of healthcare professionals in the province. As a chiropractic patient and as a registrant of the CMTO, this makes me suspect of the CCO's motives in it seeming to rush this amendment through its counsel before an election.
- Bipartisanship: The MHO should be very suspicious of regulatory colleges that are influencing the outcomes of their own elections. Why is this election being called in 30 days?
- Fairness: I would be disappointed in my College or any other regulated College doing this. Colleges must adhere to a standard of excellence and reasonable expectation.

In closing, why would the CCO work so hard to block the candidacy of a well-known, well respected Chiropractor like Dr. Hardick, who is currently eligible and of good character? He has been working on his campaign since September well before the calls for nominations are sent out in January. This seems like a questionable precedent to set by rushing a by-law change to vote and not giving members ample time to give feedback. Please consider these points before a decision is made.

Most Sincerely,

Terri Ternoey RMT

From:
Sent: Tuesday, December 6, 2022 1:18 PM
To: Joel Friedman
Subject: CCO election by-law?

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I recently became aware of changes that were proposed to the amendment process for eligibility criteria for CCO positions. While I respect the process of reviewing and amending policies and procedures, there remains a duty to ensure that this follows in accordance with established methods. To forego the 60 day period for member response and to enforce mid-campaign changes to the CURRENT election is more than unreasonable. The optics of such ignorance to procedure should not be looked lightly upon. If these actions were conveyed to the general public, the consensus would be that they are a direct action against one of the nominees in district 6. In addition, such actions would erode the reputation of your college. Such an unlawful precedent should not be set for organizations like yours. I could not imagine the CPO attempting something like this.

I hope that your willingness to maintain trust within your college membership and the sanctity of your college's reputation would force you to make appropriate changes to your recent proposal.

Mark Louzon

Physiotherapist
B.Sc.PT, MCPA
Activaid Inc.

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From: Cheryl Richardson <cheryl@ccco.info>
Sent: Thursday, January 5, 2023 3:47 PM
To: ccco.info
Subject: Please accept this letter on my behalf.
Attachments: BJH.pdf

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Cheryl Richardson

Physiohaus Health + Wellness
1000 ... East, London, ON

Physiotherapy / Chiropractic / Massage Therapy

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December 14, 2022

59 Hayden Street, Suite 800
Toronto, ON M4Y 0E7
Fax: 416-925-9610
Email: cco.info@cco.on.ca

I am licensed with the College of Physiotherapists of Ontario (Registration No. 11061). I have been registered since 2001 in good standing. I am a multidisciplinary clinic owner in London, Ontario and employ Physiotherapists, Massage Therapists and Chiropractors.

I am interested in expressing my professional concern about the proposed amendment to the election process as per the public survey sent out by the CCO on December 2, 2022.

BJ Hardick is a long-term long-time client who I treat regularly, and whom I engage in professional discussion with. During an appointment on December 9, I asked him for an update from our last meeting where we have been discussing his goal of being elected to the CCO to represent our electoral district. At this appointment, I became aware of the proposed election rule change. I have been following Dr. Hardick's professional journey with interest – including his strong commitment to conversations and dialogue with local chiropractors. On December 9, I learned that he could become disqualified due to a by-law amendment that the college is looking to quickly pass before the election is announced in January 2023.

From a professional standpoint, I have a number of concerns with the process by which this by-law amendment is being proposed.

1. Changing election rules within a month of elections is reckless and rushed. Unless there is a requirement by the Ministry to do this, this can be interpreted as election tampering and can violate public and interprofessional trust.
2. The College of Chiropractors is not governing itself according to established practices. I'm very concerned that the CCO is trying to influence the outcome of its own election.
3. The timing of the by-law amendment isn't ideal to allow for public and member discussion – especially when held over the Christmas Holidays.
4. When I look for similar / comparable amendments from the CPO, I don't recall the CPO ever rushing by-laws through to a vote. I have strong concern around the haste, timing and failure to follow "usual practice".

From a review of policy, while it is true that the College of PTs has a 6-year waiting period following a suspension before a member is eligible to stand for election, its "cooling off period" for a board member of the Ontario PT Association running for election is just 1 year. From my review, it is 3 years in chiropractic. Some of our legibility requirements are more strict and some are less strict, numbers (1 year, 3 years, 6 years) (a) are arbitrary, (b) do not all need to be the same across all Colleges, (c) shouldn't be changed within the month of an election.

Optically, this has the appearance of attempting to block B.J. Hardick's candidacy. I would be interested to see if there are other candidates who could be disqualified from this election if this amendment is passed.

B.J. Hardick is a respected clinician in London, Ontario. His preparedness, innovation within the profession, and effective communication make him a very strong candidate. People know his history and that he had a very minor suspension 5 years ago. If they don't want to vote for him over this, they don't have to. That information is all on the public record.

The motives of the CCO are very questionable. B.J. Hardick would have been eligible to stand for election for the past 2 years but with a rush vote by CCO council, he will be unable to run again for the next 3 years. A review of CollegePT.org notes that "If either the profession or the College loses the trust of the public or the government, this privilege can be taken away."

As you know, the College of PT of Ontario and the College of Chiropractors of Ontario are held to the same standard in the eyes of the Ministry of Health. As such, the CCO should not be acting in such a way that would cause members of the public or the government to lose trust in it.

Sincerely,



Cheryl Richardson, MCISc(PT), FCAMPT
Registered Physiotherapist

From: Woodfield Dental
Sent: Monday, January 9, 2023 8:56 AM
To: Joel Friedman
Cc: bjhardick@gmail.com
Subject: FW: Send data from MFPAB035A 01/09/2023 09:14
Attachments: DOC010923-01092023091423.pdf

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Dear Mr. Friedman, please refer to the attached letter regarding CCO meeting.
Thank you,
Dr. V.W. Terzis

-----Original Message-----

From: Woodfield Dental
Sent: Monday, January 9, 2023 12:15 PM
To: Woodfield Dental
Subject: Send data from MFPAB035A 01/09/2023 09:14

Scanned from MFPAB035A
Date:01/09/2023 09:14
Pages:1
Resolution:200x200 DPI



January 9, 2023

Dear Mr. Friedman,

It has very recently come to my attention that the C.C.O. is holding an "emergency meeting" to change their election bylaws in the midst of their election month. As a member of the public who uses and benefits from chiropractic services and also a member in good standing of the Royal College of Dental Surgeons on Ontario since 1996, it certainly appears to me that such changes without adequate due process and input from the College's members are very irregular.

As self-governing regulated health professionals, we have a responsibility to govern ourselves honourably and ethically lest we lose that privilege.

Sincerely,

A handwritten signature in black ink, appearing to be "V.W. Terzis". The signature is stylized with a large, sweeping initial "V" and "T".

Dr. V.W. Terzis

From: Jo-Ann Willson
Sent: December 21, 2022 7:05 AM
To: B.J. Hardick
Subject: RE: Feedback request clarification - Response to your Inquiry

Good morning Dr. B.J. Hardick – I don't think I can add to what is included in the distribution memo that accompanies the proposed amendment. This is not a by-law requiring circulation under the RHPA but Council decided to circulate to stakeholders including members to help inform its decision making. Feedback may be obtained from many sources (members, the public, chiropractic organizations etc). It will be up to Council to determine what amendments if any to make to the by-laws, and there will be a council meeting to consider the feedback and determine what makes sense in terms of the college's public interest mandate. CCO like all health regulatory colleges is responsible for preparing a college performance measurement framework report in which it reports on a number of matters including amendments to standards, policies and guidelines to ensure ongoing enhancement of and improvement on public interest protection measures, including a movement towards competency based appointments to Council and committees. The date on which Council reviews and considers the proposed amendment will be posted on the website, and, subject to any outside legal advice sought by Council, will be discussed publicly. Feedback received to date will also be included in the Council information package. Thank you for any feedback you may have concerning the amendments and for your interest in CCO.

Jo-Ann Willson, B.Sc., M.S.W., LL.B.
Registrar & General Counsel
College of Chiropractors of Ontario
59 Hayden Street, Suite 800
Toronto, ON M4Y 0E7
Tel: (416) 922-6355 ext. 111
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Web Site: www.cco.on.ca

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From: B.J. Hardick
Sent: Tuesday, December 20, 2022 10:41 AM
To: Jo-Ann Willson <jwillson@cco.on.ca>
Subject: Feedback request clarification

Ms. Willson,

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I have received and reviewed the CCO's communication of December 2, 2022, related to the proposed by-law amendments.

I would appreciate clarification as to the following:

1. Why are the proposed by-law amendments being circulated now?
2. Would by-law amendments apply to candidate eligibility in the 2023 election?
3. Why, by the College's historic standards, is member feedback being requested in such a short period of time, particularly when the Holidays effectively reduce this time for feedback by an additional 12 weeks?

I know it is a busy time for everyone. I would appreciate a response this week before the Holiday shut-down. Thank you so much.

Respectfully,
B.J. Hardick, D.C.

Jo-Ann Willson

From:
Sent: Tuesday, December 20, 2022 11:29 AM
To: Jo-Ann Willson
Cc: Joel Friedman
Subject: FW: Feedback request clarification

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FYI

From: B.J. Hardick <
Sent: Tuesday, December 20, 2022 10:59 AM
To: Joel Friedman <JFriedman@cco.on.ca>; I
Subject: Fwd: Feedback request clarification

Dr. Mizel and Mr. Friedman,

I have just sent the following to the Registrar. However, because it is a busy time and many people may already be away for the Holidays, I am forwarding this to your attention, as well. I am hoping to receive a reply this week.

Sincerely,
B.J.

----- Forwarded message -----

From: B.J. Hardick <
Date: Tue, Dec 20, 2022 at 10:40 AM
Subject: Feedback request clarification
To: Jo-Ann Willson <jwillson@cco.on.ca>

Ms. Willson,

I have received and reviewed the CCO's communication of December 2, 2022, related to the proposed by-law amendments.

I would appreciate clarification as to the following:

1. Why are the proposed by-law amendments being circulated now?
2. Would by-law amendments apply to candidate eligibility in the 2023 election?
3. Why, by the College's historic standards, is member feedback being requested in such a short period of time, particularly when the Holidays effectively reduce this time for feedback by an additional 1-2 weeks?

I know it is a busy time for everyone. I would appreciate a response this week before the Holiday shut-down. Thank you so much.

Respectfully,
B.J. Hardick, D.C.

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From: Jo-Ann Willson
Sent: Monday, January 9, 2023 2:33 PM
To: B.J. Hardick; kirsten kroese; SWON Admin
Subject: RE: Meeting request

Hello again Dr. Hardick:

If you have not already done so, please submit any feedback you have about the recent distribution concerning potential by-law 6 amendments. The deadline is today. The next step in the process is for all the feedback to be compiled, and for the Executive to consider the feedback from all stakeholders before making a recommendation to Council. Ultimately, it is Council's decision to determine what by-law amendments reflect best practices and provide enhanced public protection. In addition, you are likely already aware that Dr. Mizel (President), Mr. De Domenico (Treasurer) and I had a brief meeting today with Dr. Brian Ferguson on behalf of the AFC, of which we understand you are a member. We look forward to receiving your feedback. You may have already provided that, but feedback through the portal is anonymous. Thank you.

Jo-Ann Willson, B.Sc., M.S.W., LL.B.
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From: Jo-Ann Willson
Sent: Friday, January 6, 2023 4:21 PM
To: B.J. Hardick <admin@swonpublicaffairs.com>
Subject: RE: Meeting request

Good afternoon Dr. B.J. Hardick:

I will speak to Dr. Mizel about his availability for a meeting next week and will get back to you asap. Thank you!

Jo-Ann Willson, B.Sc., M.S.W., LL.B.
Registrar & General Counsel
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From: B.J. Hardick <bjhardick@cco.on.ca>
Sent: Friday, January 6, 2023 12:38 PM
To: Jo-Ann Willson <jwillson@cco.on.ca>;
Admir. admir@cco.on.ca
Subject: Meeting request

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Ms. Willson,

I am writing to request a meeting with you to discuss the circulated by-law amendment proposal that affects one's eligibility to stand for election to CCO Council. Given the expedited timing related to this situation, it would be ideal to conduct this meeting as soon as possible over the next few days.

I sincerely believe that our partnership in working to bring clarity to this issue would be mutually beneficial. I would like to discuss how we can work together to ensure there is ample transparency and that this process moves forward with good governance and fairness. I do not know what is your availability; I see patients Monday morning, Monday afternoon, and Tuesday afternoon, but will avail myself at your convenience during any times I am not pre-scheduled with patients so that we can meet.

I look forward to hearing from you and discussing this possibility further.

Copied on this email is Kirsten Krose, a public affairs consultant with whom I have been working, as well as her assistant, Anuar. Kirsten would join our meeting.

Respectfully,
B.J.

BY-LAW 6: ELECTION OF COUNCIL MEMBERS

Approved by Council: February 24, 2001

Amended: February 12, 2002, September 24, 2009, September 17, 2015, February 23, 2016, February 28, 2017, April 24, 2018, January 6, 2019, June 19, 2019 (came into effect September 13, 2019), September 14, 2019 (came into effect November 28, 2019), September 4, 2020 (came into effect November 26, 2020), April 14, 2021 (came into effect June 16, 2021), September 10, 2021 (came into effect November 25, 2021)

- 6.1 **Electoral District 1: Northern** comprised of the districts of Kenora, Rainy River, Thunder Bay, Algoma, Cochrane, Manitoulin, Parry Sound, Nipissing, Timiskaming; the district municipality of Muskoka; and the city of Greater Sudbury.

Electoral District 2: Eastern comprised of the counties of Frontenac, Hastings, Lanark, Prince Edward, Renfrew, Lennox and Addington; the united counties of Leeds and Grenville, Prescott and Russell, Stormont, Dundas and Glengarry; and the city of Ottawa.

Electoral District 3: Central East comprised of the counties of Haliburton, Northumberland, Peterborough, and Simcoe, the city of Kawartha Lakes, the regional municipality of Durham and the township of Scugog.

Electoral District 4: Central comprised of the city of Toronto and the regional municipality of York.

Electoral District 5: Central West comprised of the counties of Brant, Dufferin, Wellington, Haldimand and Norfolk, the regional municipalities of Halton, Niagara, Peel and Waterloo, and the city of Hamilton.

Electoral District 6: Western comprised of the counties of Essex, Bruce, Grey, Lambton, Elgin, Middlesex, Huron, Perth and Oxford, and the municipality of Chatham-Kent.

Electoral District 7: Academic comprised of the entire province of Ontario.

- 6.2 A member is eligible to vote in District 7 and in the electoral district in which the member, as of January 1st of the election year, has his/her primary practice, or if the member is not engaged in the practice of chiropractic, in which the member has his/her primary residence.

- 6.3 For each electoral district referred to in column 1 of the following table, there shall be elected to Council the number of members set out opposite in column 2.

Column 1	Column 2
Electoral District	Number of Members
1	1
2	1
3	1
4	2
5	2
6	1
7	1

- 6.4 The term of office of a member elected to Council is approximately three years, commencing with the first regular meeting of Council immediately following the election. The member shall continue to serve in office until his/her successor takes office in accordance with this by-law.
- 6.5 A member who has served on Council for nine consecutive years is ineligible for election to Council until a full three year term has passed since that member last served on Council.
- 6.6 An election of members to Council shall be held in or about of March of each year in accordance with the following schedule:
- (a) in 2021 and every third year after that for electoral district 1 and one Council member for each of electoral districts 4 and 5;
 - (b) in 2022 and every third year after that for electoral districts 2 and 3 and one Council member for electoral district 4;
 - (c) in 2023 and every third year after that for electoral districts 6 and 7 and one Council member for electoral district 5.
- 6.7 The registrar shall set the date for the election of members to Council.
- 6.8 A member is ineligible to vote in a council election if he/she is in default of payment of any fees prescribed by by-law or any fine or order for costs to CCO imposed by a CCO committee or court of law or is in default in providing and returning any information required by CCO.

- 6.9 A member is eligible for election to Council in an electoral district, if on the closing date of nominations and anytime up to and including the date of the election:
- (a) the member has his/her primary practice of chiropractic located in the electoral district in which he/she is nominated or, if the member is not engaged in the practice of chiropractic, has his/her primary residence located in the electoral district in which he/she is nominated;
 - (b) the member is not in default of payments of any fees prescribed by by-law or any fine or order for costs to CCO imposed by a CCO committee or court of law;
 - (c) the member is not in default in completing and returning any form required by CCO;
 - (d) the member is not the subject of any disciplinary or incapacity proceeding
 - (e) a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding three years;
 - (f) the member has not resigned from a position on Council, before completing their term, within the last three years and four months.
 - (g) the member does not have an outstanding code of conduct matter with the College.
 - (h) the member is not, and has not been in preceding three years, an employee, officer or director of any professional chiropractic association such that a real or apparent conflict of interest may arise, including but not limited to being an employee, officer or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE, the CCEC of the FCC, CCRF or CNAC;
 - (i) the member is not, and has not been in the preceding three years, an officer, director, or administrator of any chiropractic educational institution, including but not limited to, CMCC and UQTR, such that a real or apparent conflict of interest may arise;
 - (j) the member has not been disqualified from the Council or a committee of the Council in the previous three years;
 - (k) the member is not a member of the Council or of a committee of the College of any other health profession;

- (l) the member has not been a member of the staff of CCO at any time within the preceding three years;
 - (m) for District 7 only, the member is a member of the faculty of an accredited educational institution; and
 - (n) for any district other than District 7, the member is not eligible for election in District 7, and has not been eligible for election in District 7 in the preceding three years.
- 6.10 The registrar shall supervise the nomination of candidates.
- 6.11 No later than 50 days before the date of an election, the registrar shall notify every member eligible to vote of the date, time and place of the election and of the nomination procedure.
- 6.12 The nomination of a candidate for election as a member of Council, and undertaking to the CCO Registrar shall be in writing and shall be given to the registrar at least 35 days before the date of the election (i.e., the nomination date).
- 6.13 The nomination shall be signed by the candidate and by at least 10 members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.
- 6.14 The candidate shall provide to the registrar by the nomination date or such later date as the registrar permits, biographical information in a manner acceptable to the registrar including content that is suitable for CCO's public interest mandate, for the purpose of distribution to eligible members in accordance with the by-laws.
- 6.15 The candidate may withdraw his or her nomination for election to Council no later than 25 days before the date of the election.
- 6.16 If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected, the registrar shall declare the candidates to be elected by acclamation.
- 6.17 The registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, the registrar may, subject to the by-laws,
- (a) appoint returning officers and scrutineers;
 - (b) establish a deadline for the receiving of electronic ballots;

- (c) provide for the notification of all candidates and members of the results of the election;
 - (d) if there has been a non-compliance with a nomination or election requirement, determine whether the non-compliance should be waived in circumstances where the fairness of the election will not be affected; and
 - (e) provide for the destruction of electronic ballots following an election.
- 6.18 No later than 10 days before the date of an election, the registrar shall send electronically, or any other medium as determined by Council, to every member eligible to vote in an electoral district in which an election is to take place, a list of the candidates, the candidates' biographical information if provided, an explanation of the voting procedure, and electronic access to a ballot for voting.
- 6.19 Voting for elections of member to Council shall be by electronic method or any other medium as determined by Council.
- 6.20 The instruction for voting shall contain the following:
- a) a member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to Council from the electoral district in which the member is eligible to vote;
 - b) a member shall not cast more than one vote for any one candidate;
 - c) a member shall clearly indicate the voter's choice in one of the appropriate places on the electronic ballot to indicate the voter's choice;
 - d) the electronic vote shall be received by 4 pm on the date indicated in the notice of election and voting guide; and
 - e) the electronic vote will not be counted in the election unless it has been received in accordance with the instructions for voting.
- 6.21 On the date of the election, the registrar or his/her agent shall tally the votes for each candidate in each electoral district with a contested election.
- 6.22 The counting of the electronic votes shall be conducted so that no person knows for whom any member voted.

- 6.23 Candidates or their representatives may be present when the electronic votes are counted.
- 6.24 If there is a tie in an election of members to the Council, the registrar shall break the tie by lot.
- 6.25 A candidate may require a recount by giving a written request and deposition the sum or \$150 with the registrar no more than 15 days after the date of an election.
- 6.26 The registrar shall hold the recount no more than 10 days after receiving the request.
- 6.27 If the recount changes the election result, the full amount of the deposit shall be refunded to the candidate. If the recount does not change the election result, CCO will keep the deposit to partially offset recount costs, including staff time.
- 6.28 When there is an interruption of communications during a nomination or election, the registrar shall extend the holding of nominations and election for such minimum period of time as the registrar considers necessary to compensate for the interruption.
- 6.29 The Council shall disqualify an elected member from sitting on Council if the elected member:
- (a) is subject of any disciplinary or incapacity proceeding;
 - (b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
 - (c) is found to be an incapacitated member by a panel of the Fitness to Practice Committee;
 - (d) fails to attend two consecutive meetings of the Council or of a committee or of a subcommittee in which he/she is a member, without reasonable cause in the opinion of Council;
 - (e) fails to attend a hearing or review of a panel for which he/she has been selected, without reasonable cause in the opinion of Council;
 - (f) becomes an employee, officer or director of any professional chiropractic association such that a real or apparent conflict of interest may arise, including but not limited to being an employee, officer or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the CCEC of the FCC;

- (g) in the case of a Council member from District 7, ceases to be a member of the faculty of CMCC;
 - (h) becomes an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC and UQTR;
 - (i) becomes a member of the Council or a committee of the College of any other health profession;
 - (j) breaches the conflict of interest provision(s) for members of Council and committees, in the opinion of the Council after giving notice to the member of the concern and giving the member an opportunity to respond to the concern;
 - (k) fails to discharge properly or honestly any office to which he/she has been elected or appointed or engages in conduct unbecoming of a Council member, in the opinion of the Council, after being given notice of the concern and an opportunity to respond;
 - (l) becomes in default of payment of any fees prescribed by by-law or any fine or order for costs imposed by a CCO committee or court of law;
 - (m) becomes in default of completing and returning any form required by CCO; or
 - (n) with the exception of District 7 (Academic), becomes a member of the faculty of an accredited educational institution.
- 6.30 A council member shall resign from Council prior to applying for any CCO staff position.
- 6.31 The seat of an elected Council member shall be deemed to be vacant upon the death, resignation or disqualification of the Council member.
- 6.32 If the seat of an elected council member becomes vacant in an electoral district no more than 12 months before the expiry of the member's term of office, the Council may,
- (a) leave a seat vacant;
 - (b) appoint as an elected member the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of council members for that electoral district; or

- (c) direct the registrar to hold an election in accordance with this by-law for that electoral district.
- 6.33 If the seat of an elected council member becomes vacant in an electoral district more than 12 months before the expiry of the member's term of office, the registrar shall hold an election in accordance with this by-law for that electoral district.
- 6.34 The term of a member appointed under By-law 6.32(b) or elected in an election under By-law 6.32(c) shall continue until the time the former council member's term would have expired.
- 6.35 Despite By-law 6.32, 6.33, and 6.34, where vacancy would result in the Council not being properly constituted, the Council (in anticipation of the event before it is not properly constituted) or the Executive Committee (after the Council is not properly constituted) may appoint as an elected member for that district an eligible member in that electoral district, where feasible. The appointed member shall serve until the vacancy can otherwise be filled for that district. When temporarily filling the vacancy in this way, the Council or the Executive Committee shall:
- (a) solicit interest from eligible members where feasible¹,
- (b) take into account the criteria set out in By-law 12.5,
- (c) require the prospective appointed member to sign an undertaking to not seek or accept a nomination in the next election for the electoral district before the appointment becomes final².
- 6.36 If, within 90 days from the date of the election, the Council is of the opinion that there is a reasonable ground for doubt or dispute as to the validity of the election of any member of Council, the Council shall hold an inquiry and decide whether the election of the member is valid and, if an election is found to be invalid, the Council shall direct another election to be held.
- 6.37 The election in District 1 in 2020 shall be for approximately a one-year term commencing with the first regular meeting of Council immediately following the election.

¹ There may not be sufficient time to solicit interest in every case and Council should be reconstituted as soon as possible.

² This is intended to preserve the neutrality of the process. Where a person intends to run in the next election, they would receive a distinct advantage in being appointed to fill the vacancy until the election is held.

- 6.38 Where insufficient candidates are nominated for a district by the close of nominations, the Council may nominate a member even though the member does not have his/her primary practice and is not engaged in the practice of chiropractic in the district, and for District 7, is not a member of the faculty of the CMCC.

BY-LAW 12: APPOINTMENT OF NON-COUNCIL MEMBERS

Approved by Council: February 24, 2001

*Amended: September 24, 2009, September 17, 2015, February 23, 2016,
February 28, 2017, June 19, 2019 (came into effect September 13, 2019), September 4,
2020 (came into effect November 26, 2020)*

- 12.1 This by-law applies with respect to the appointment of members who are not members of the Council to a committee of CCO.
- 12.2 The Council shall appoint members to committees in the numbers prescribed by By-law 11.
- 12.3 The Council shall make the appointments at the first regular council meeting after each regular council election or as soon thereafter as is practicable.
- 12.4 The Council may make appointments from time to time to fill any vacancy created by the disqualification, death or resignation of a member appointed under this by-law.
- 12.5 In making the appointments, the Council shall take into account location and type of practice, experience, professional qualifications and skills, and other qualifications and characteristics of members to complement the attributes of members of the committees who are members of Council.
- 12.6 The term of office of a committee member who is not a member of the Council is approximately one year starting on the date the appointment is made, except where an appointment is made to fill a vacancy in which the person appointed shall complete the term of the previous appointee.
- 12.7 A non-council member may only serve on CCO committees for nine consecutive years, whether the time is served as a council member or as a non council member.
- 12.8 A non-council member who has served on CCO committee (s) for nine consecutive years is not eligible to be re-appointed to any CCO committee until at least three years have passed since the member last served on a CCO Committee.
- 12.9 A member is eligible for appointment to a committee if, on the date of the appointment:

- (a) The member has his/her primary practice of chiropractic located in Ontario, or if the member is not engaged in the practice of chiropractic, has his/her primary residence located in Ontario;
 - (b) the member is not in default of payment of any fees prescribed by by-law or any fine or order for costs to CCO imposed by a CCO committee or court of law;
 - (c) the member is not in default in completing and returning any form required by CCO;
 - (d) the member is not subject of any disciplinary or incapacity proceeding;
 - (e) a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding three years;
 - (e.1) the member has not resigned from a position on Council, before completing their term, within the last three years and four months.
 - (f) the member is not an employee, officer or director of any professional chiropractic association such that a real or apparent conflict of interest may arise, including but not limited to being an employee, officer or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the CCEC of the FCC.
 - (g) the member is not an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC or UQTR;
 - (h) the member has not been disqualified from the Council or a committee of the Council in the previous three years;
 - (i) the member is not a member of Council or of a committee of the College of any other health profession; and
 - (j) the member has not been a member of CCO's staff at any time within the preceding three years.
- 12.10 The Council shall disqualify a member appointed to a committee from sitting on the committee if the member:
- (a) is the subject of any disciplinary or incapacity proceeding;
 - (b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;

- (c) is found to be an incapacitated member by a panel of the Fitness to Practice Committee;
- (d) fails to attend two consecutive meetings of the committee or of a subcommittee in which he/she is a member, without reasonable cause in the opinion of Council;
- (e) fails to attend a hearing or review of a panel for which he/she has been selected; without reasonable cause in the opinion of the Council;
- (f) becomes an employee, officer or director of any professional chiropractic association such that a real or apparent conflict of interest may arise, including but not limited to being an employee, officer or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the CCEC of the FCC;
- (g) becomes an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC or UQTR;
- (h) becomes a member of the Council of CCO or a committee of any other health profession;
- (i) breaches the conflict of interest provision(s) for members of Council and committees, in the opinion of the Council after giving notice to the member of the concern and giving the member an opportunity to respond to the concern;
- (j) fails to discharge properly or honestly any office to which he/she has been appointed or engages in conduct unbecoming of a committee member, in the opinion of the Council after giving notice to the member of the concern and giving the member an opportunity to respond to the concern,;
- (k) becomes in default of payment of any fees prescribed by by-law or any fine or order for costs imposed by the Discipline Committee;
- (l) becomes in default of completing and returning any form required by CCO; or

12.11 A non-council committee member shall resign from a committee prior to applying for any CCO staff position.

12.12 A member who is disqualified under this by-law from sitting on a committee ceases to be a member of the committee.

ITEM 3.11**Register**

23 (1) The Registrar shall maintain a register. 2007, c. 10, Sched. M, s. 28.

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(2) The register shall contain the following:

1. Each member's name, business address and business telephone number, and, if applicable, the name of every health profession corporation of which the member is a shareholder.
2. Where a member is deceased, the name of the deceased member and the date upon which the member died, if known to the Registrar.
3. The name, business address and business telephone number of every health profession corporation.
4. The names of the shareholders of each health profession corporation who are members of the College.
5. Each member's class of registration and specialist status.
6. The terms, conditions and limitations that are in effect on each certificate of registration.
7. A notation of every caution that a member has received from a panel of the Inquiries, Complaints and Reports Committee under paragraph 3 of subsection 26 (1), and any specified continuing education or remedial programs required by a panel of the Inquiries, Complaints and Reports Committee using its powers under paragraph 4 of subsection 26 (1).
8. A notation of every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 and that has not been finally resolved, including the date of the referral and the status of the hearing before a panel of the Discipline Committee, until the matter has been resolved.
9. A copy of the specified allegations against a member for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 and that has not been finally resolved.
10. Every result of a disciplinary or incapacity proceeding.
11. A notation and synopsis of any acknowledgements and undertakings in relation to matters involving allegations of professional misconduct or incompetence before the Inquiries, Complaints and Reports Committee or the Discipline Committee that a member has entered into with the College and that are in effect.
12. A notation of every finding of professional negligence or malpractice, which may or may not relate to the member's suitability to practise, made against the member, unless the finding is reversed on appeal.
13. A notation of every revocation or suspension of a certificate of registration.
14. A notation of every revocation or suspension of a certificate of authorization.
15. Information that a panel of the Registration Committee, Discipline Committee or Fitness to Practise Committee specifies shall be included.
16. Where findings of the Discipline Committee are appealed, a notation that they are under appeal, until the appeal is finally disposed of.
17. Where, during or as a result of a proceeding under section 25, a member has resigned and agreed never to practise again in Ontario, a notation of the resignation and agreement.
18. Where the College has an inspection program established under clause 95 (1) (h) or (h.1), the outcomes of inspections conducted by the college.
19. Information that is required to be kept in the register in accordance with regulations made pursuant to clause 43 (1) (t) of the *Regulated Health Professions Act, 1991*.
20. Information that is required to be kept in the register in accordance with the by-laws. 2017, c. 11, Sched. 5, s. 11 (1).

Publication ban

(3) No action shall be taken under this section which violates a publication ban, and nothing in this section requires or authorizes the violation of a publication ban. 2007, c. 10, Sched. M, s. 28.

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Panels specifying information in register

(4) In disposing of a matter, a panel of the Registration, Discipline or Fitness to Practise Committee may, for the purposes of paragraph 15 of subsection (2), specify information that is to be included in the register in addition to the information specified in other paragraphs of subsection (2). 2007, c. 10, Sched. M, s. 28; 2017, c. 11, Sched. 5, s. 11 (2).

Access to information by the public

(5) All of the information required by paragraphs 1 to 19 of subsection (2) and all information designated as public in the by-laws shall, subject to subsections (6), (7), (8), (9) and (11), be made available to an individual during normal business hours, and shall be posted on the College's website within a reasonable amount of time of the Registrar having received the information and in a manner that is accessible to the public or in any other manner and form specified by the Minister. 2017, c. 11, Sched. 5, s. 11 (3).

When information may be withheld from the public

(6) The Registrar may refuse to disclose to an individual or to post on the College's website an address or telephone number or other information designated as information to be withheld from the public in the by-laws if the Registrar has reasonable grounds to believe that disclosure may jeopardize the safety of an individual. 2007, c. 10, Sched. M, s. 28.

Same

(7) The Registrar may refuse to disclose to an individual or to post on the College's website information that is available to the public under subsection (5), if the Registrar has reasonable grounds to believe that the information is obsolete and no longer relevant to the member's suitability to practise. 2007, c. 10, Sched. M, s. 28.

Same, personal health information

(8) The Registrar shall not disclose to an individual or post on the College's website information that is available to the public under subsection (5) that is personal health information, unless the personal health information is that of a member and it is in the public interest that the information be disclosed. 2007, c. 10, Sched. M, s. 28.

Restriction, personal health information

(9) The Registrar shall not disclose to an individual or post on the College's website under subsection (8) more personal health information than is reasonably necessary. 2007, c. 10, Sched. M, s. 28.

Personal health information

(10) In subsections (8) and (9),

"personal health information" means information that identifies an individual and that is referred to in clauses (a) through (g) of the definition of "personal health information" in subsection 4 (1) of the *Personal Health Information Protection Act, 2004*. 2007, c. 10, Sched. M, s. 28.

Other cases when information may be withheld

(11) The Registrar shall refuse to disclose to an individual or to post on the College's website information required by paragraph 10 of subsection (2) if,

- (a) a finding of professional misconduct was made against the member and the order made was only a reprimand or only a fine, or a finding of incapacity was made against the member;
- (b) more than six years have passed since the information was prepared or last updated;

- (c) the member has made an application to the relevant committee for the removal of the information from public access because the information is no longer relevant to the member's suitability to practise, and if,
 - (i) the relevant committee believes that a refusal to disclose the information outweighs the desirability of public access to the information in the interest of any person affected or the public interest, and
 - (ii) the relevant committee has directed the Registrar to remove the information from public access; and
- (d) the information does not relate to disciplinary proceedings concerning sexual abuse as defined in clause (a), (b) or (c) of the definition of "sexual abuse" in subsection 1 (3). 2007, c. 10, Sched. M, s. 28; 2017, c. 11, Sched. 5, s. 11 (4, 5).

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Other cases when information may be withheld

(11.1) The Registrar shall refuse to disclose to an individual or to post on the College's website information required by paragraph 10 of subsection (2) if,

- (a) the result of a discipline proceeding was that no finding of professional misconduct or incompetence was made against the member; and
- (b) more than 90 days have passed since the information was prepared or last updated, unless before the expiry of the 90 days the member to whom the information relates specifically requests in writing that the Registrar continue to maintain public access to the information. 2017, c. 11, Sched. 5, s. 11 (6).

Information from register

(12) The Registrar shall provide to an individual a copy of any information in the register that the individual is entitled to obtain, upon the payment of a reasonable fee, if required. 2007, c. 10, Sched. M, s. 28.

Positive obligation

(13) Subject to subsection (11), where an individual inquires about a member, the Registrar shall make reasonable efforts to ensure that the individual is provided with a list of the information that is available to the public under subsection (5). 2007, c. 10, Sched. M, s. 28.

Correction of information

(13.1) The Registrar shall correct any information contained in the register that is required by paragraph 12 of subsection (2) or that is both required by paragraph 19 of subsection (2) and designated as subject to this subsection in a regulation made under clause 43 (1) (t) of the *Regulated Health Professions Act, 1991*, where a member demonstrates, to the satisfaction of the Registrar, that the information contained in the register is incomplete or inaccurate and where the member provides the Registrar with the information that is necessary to enable the Registrar to correct the incomplete or inaccurate information. 2017, c. 11, Sched. 5, s. 11 (7).

Meaning of results of proceeding

(14) For the purpose of this section and section 56,

"result",

- (a) when used in reference to a disciplinary proceeding, means the panel's finding that the member committed an act of professional misconduct or was incompetent, particulars of the grounds for the finding, a synopsis of the decision and the order made, including any reprimand, and where the panel has made no such finding, includes a notation that no such finding was made and the reason why no such finding was made, and
- (b) when used in reference to an incapacity proceeding, means the panel's finding that the member is incapacitated and the order made by the panel. 2017, c. 11, Sched. 5, s. 11 (8).

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Suspension for non-payment of fees

24 If a member fails to pay a fee that he or she is required to pay in accordance with the by-laws, the Registrar shall give the member notice of intention to suspend the member and may suspend the member's certificate of registration for failure to pay the fee 30 days after notice is given. 1998, c. 18, Sched. G, s. 14; 2007, c. 10, Sched. M, s. 29.

By-laws

94 (1) The Council may make by-laws relating to the administrative and internal affairs of the College and, without limiting the generality of the foregoing, the Council may make by-laws,

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- (a) adopting a seal for the College;
- (b) providing for the execution of documents by the College;
- (c) respecting banking and finance;
- (d) fixing the financial year of the College and providing for the audit of the accounts and transactions of the College;
- (d.1) respecting the election of Council members, including the requirements for members to be able to vote, electoral districts and election recounts;
- (d.2) respecting the qualification and terms of office of Council members who are elected;
- (d.3) prescribing conditions disqualifying elected members from sitting on the Council and governing the removal of disqualified Council members;
- (e) providing procedures for the election of the President and Vice-President of the College, the selection of the chairs of the committees, the filling of a vacancy in those offices, and setting out the duties and powers of the President, Vice-President and the chairs;
- (f) respecting the calling, holding and conducting of the Council meetings and respecting the duties of the Council's members;
- (g) respecting the calling, holding and conducting of meetings of the members;
- (g.1) providing that a meeting of the Council or of members or a meeting of a committee or of a panel that is held for any purpose other than for the conducting of a hearing may be held in any manner that allows all the persons participating to communicate with each other simultaneously and instantaneously;
- (g.2) prescribing what constitutes a conflict of interest for members of the Council or a committee and regulating or prohibiting the carrying out of the duties of those members in cases in which there is a conflict of interest;
- (h) providing for the remuneration of the members of the Council and committees other than persons appointed by the Lieutenant Governor in Council and for the payment of the expenses of the Council and committees in the conduct of their business;
- (h.1) respecting the filling of vacancies on the Council or on committees;

Note: On a day to be named by proclamation of the Lieutenant Governor, clause 94 (1) (h.1) of Schedule 2 to the Act is repealed and the following substituted: (See: 2017, c. 11, Sched. 5, s. 30 (1))

- (h.1) subject to the regulations made under clauses 43 (1) (p) to (s) of the *Regulated Health Professions Act, 1991*,
 - (i) respecting the filling of vacancies on the Council or on committees,
 - (ii) providing for the composition of committees,
 - (iii) respecting the qualification, selection, appointment and terms of office of members of committees required by subsection 10 (1) who are not members of the Council,
 - (iv) prescribing conditions that disqualify committee members from sitting on committees required under subsection 10 (1) and governing the removal of disqualified committee members;
- (h.2) providing for the composition of committees;

Note: On a day to be named by proclamation of the Lieutenant Governor, clause 94 (1) (h.2) of Schedule 2 to the Act is repealed. (See: 2017, c. 11, Sched. 5, s. 30 (1))

- (h.3) respecting the qualification, selection, appointment and terms of office of members of committees required by subsection 10 (1) who are not members of the Council;

Note: On a day to be named by proclamation of the Lieutenant Governor, clause 94 (1) (h.3) of Schedule 2 to the Act is repealed. (See: 2017, c. 11, Sched. 5, s. 30 (1))

(h.4) prescribing conditions disqualifying committee members from sitting on committees required under subsection 10 (1) and governing the removal of disqualified committee members;

Note: On a day to be named by proclamation of the Lieutenant Governor, clause 94 (1) (h.4) of Schedule 2 to the Act is repealed. (See: 2017, c. 11, Sched. 5, s. 30 (1))

(i) providing for the appointment, powers and duties of committees other than the committees required by subsection 10 (1);

(j) delegating to the Executive Committee powers and duties of the Council, other than the power to make, amend or revoke regulations and by-laws;

(k) providing for a code of ethics for the members;

(l) providing for the appointment of inspectors for the purposes of regulations made under clause 95 (1) (h);

(l.1) respecting the maintenance of the register kept by the Registrar and providing for the issuing of certificates when information contained in the register is made available to the public under section 23;

(l.2) specifying information as information to be kept in the register for the purposes of paragraph 20 of subsection 23 (2), designating information kept in the register as public for the purposes of subsection 23 (5), and designating information kept in the register as public for the purposes of subsection 23 (5) that may be withheld from the public for the purposes of subsection 23 (6);

(l.3) requiring members to give the College their home addresses and such other information as may be specified in the by-law about themselves and the places they practise the profession, the services they provide there, their participation in continuing education programs and the names, business addresses, telephone numbers and facsimile numbers of their associates, partners, employers and employees and prescribing the form and manner in which the information shall be given;

(l.4) respecting the duties and office of the Registrar;

(m) providing procedures for the making, amending and revoking of by-laws;

(n) prescribing forms and providing for their use;

(o) respecting the management of the property of the College;

(p) authorizing the College to make arrangements for the indemnity of members against professional liability and providing levies to be paid by members;

(q) respecting membership of the College in a national organization of bodies with similar functions, the payment of annual assessments and representation at meetings;

(r) authorizing the making of grants to advance scientific knowledge or the education of persons wishing to practise the profession, to maintain or improve the standards of practice of the profession or to provide public information about, and encourage interest in, the past and present role of the profession in society;

(s) requiring members to pay annual fees, fees upon application for a certificate and upon registration and fees for examinations, appeals from examinations, election recounts and continuing education programs and for anything the Registrar or a committee of the College is required or authorized to do and requiring members to pay penalties for the late payment of any fee;

(t) specifying the amount of any fee or penalty required under clause (s);

(t.1) prescribing the form and manner in which a health profession corporation shall notify the Registrar of a change in the shareholders of the corporation and the time period for doing so;

(t.2) requiring the payment of fees upon application for a certificate of authorization and for the issue or renewal of a certificate of authorization and specifying the amount of such fees;

(u) requiring persons to pay fees, set by the Registrar or by by-law, for anything the Registrar is required or authorized to do;

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- (v) requiring members to pay specified amounts to pay for the program required under section 85.7, including amounts that are different for different members or classes of members and including amounts,
 - (i) that are specified in the by-law,
 - (ii) that are calculated according to a method set out in the by-law, or
 - (iii) that are determined by a person specified in the by-law;
- (w) requiring members to participate in an arrangement set up by the College in which members pay a person such amounts as may be determined by the person for the members or for classes of members and the person pays amounts to the College to pay for the program required under section 85.7;
- (x) authorizing the Patient Relations Committee to require therapists and counsellors who are providing therapy or counselling that is funded through the program required under section 85.7 and persons who are receiving such therapy or counselling, to provide a written statement, signed in each case by the therapist or counsellor and by the person, containing details of the therapist's or counsellor's training and experience, and confirming that therapy or counselling is being provided and that the funds received are being devoted only to that purpose;
- (y) requiring members to have professional liability insurance that satisfies the requirements specified in the by-laws or to belong to a specified association that provides protection against professional liability and requiring members to give proof of the insurance or membership to the Registrar in the manner set out in the by-laws;
- (z) respecting the designation of life or honorary members of the College and prescribing their rights and privileges;
- (z.1) exempting any member or class of member from a by-law made under this section;
- (z.2) specifying or setting out anything that is required to be specified or set out under this subsection. 1991, c. 18, Sched. 2, s. 94 (1); 1998, c. 18, Sched. G, s. 22 (1-4); 2000, c. 42, Sched., s. 40; 2007, c. 10, Sched. M, s. 73 (1, 2); 2017, c. 11, Sched. 5, s. 30 (2).

Circulation of certain by-laws

(2) A by-law shall not be made under clause (1) (l.2), (l.3), (s), (t), (v), (w) or (y) unless the proposed by-law is circulated to every member at least 60 days before it is approved by the Council. 1998, c. 18, Sched. G, s. 22 (5).

Exception

(2.1) Despite subsection (2), the Council may, with the approval of the Minister, exempt a by-law from the requirement that it be circulated or abridge the 60-day period referred to in subsection (2) to such lesser period as the Minister may determine. 1998, c. 18, Sched. G, s. 22 (5).

Copies of by-laws, etc.

(3) A copy of the by-laws and standards of practice made by the Council, and any documents that are referred to in the by-laws and regulations made by the Council shall be given to the Minister and to each member and shall be made available to the public during normal business hours in the office of the College. 2007, c. 10, Sched. M, s. 73 (3).

Public copies

(3.1) Any person is entitled to a copy of any by-law, standard of practice or other document mentioned in subsection (3) on the payment of a reasonable fee, if required, to the Registrar. 2007, c. 10, Sched. M, s. 73 (3).

Unanimous by-laws, etc.

(4) A by-law or resolution signed by all the members of the Council is as valid and effective as if passed at a meeting of the Council called, constituted and held for the purpose. 1991, c. 18, Sched. 2, s. 94 (4).

Application

(5) Subsections (3) and (4) apply to by-laws made under this section or under a health profession Act. 1998, c. 18, Sched. G, s. 22 (6).

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- i) within the first sixty days of the calendar year 2015 and in the first sixty days of every third calendar year thereafter for electoral districts 1 and 2 for the RN Category and electoral districts 1, 2 and 9 for the RPN Category;
(Amended September 2013)
- ii) within the first sixty days of the calendar year 2016 and in the first sixty days of every third calendar year thereafter for electoral districts 3, 7 and 8 for the RN Category and electoral district 3 for the RPN Category;
(Amended September 2013)
- iii) within the first sixty days of the calendar year 2014 and in the first sixty days of every third calendar year thereafter for electoral districts 4, 5 and 6 for both the RN Category and the RPN Category.
(Amended September 2013)

51.02 The Executive Director shall

- i) set the date for each election referred to in Article 51.01, which date shall be before the March Council meeting;
(Amended June 2013)
- ii) set the date for each by-election; and
- iii) set a time deadline for the receipt of ballots.

52. Eligibility for Election

52.01 Subject to the balance of the provisions of Article 52, a member is eligible for election in an electoral district if,

- i) on the deadline for receipt of nominations, the member is the holder of a general or extended class of certificate of registration and the certificate is not subject to a term, condition or limitation other than one applicable to all members of the class;
- ii) on the deadline for receipt of nominations, the member is not in default of the payment of any fee prescribed by the Regulations or required by the by-laws;
- iii) on the deadline for receipt of nominations, the member is not the subject of any disciplinary or incapacity proceeding;

- iv) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election for any reason other than non-payment of fees;
- v) the member has not been the subject of any professional misconduct, incompetence or incapacity finding in the three years preceding the date of the election;
- vi) the member has not been disqualified from the Council nor removed from a committee under the College's conduct of councillors and committee members by-law in the three years preceding the date of the election;
(Amended September 2017; Effective December 2017)
- vii) on the deadline for receipt of nominations, the member has his or her designated address in the electoral district for which he or she is nominated and has been nominated in accordance with this by-law;
(Amended September 2017; Effective December 2017)
- viii) the member has completed and filed with the Executive Director the Conflict of Interest form by the deadline established by the Executive Director in accordance with Article 53.04.1; and
(Amended September 2017; Effective December 2017)
- ix) the member has delivered to the Executive Director a fully completed form, prepared by the Executive Director, expressing understanding of and a commitment to comply with the Code of Conduct.
(Amended September 2017; Effective December 2017)

52.01.1 Subject to Article 52.01.2, a member is not eligible for election as an elected councillor if the member has been an elected councillor, or an appointed committee member, for three consecutive terms.
(Amended March 2013)

52.01.2 A member who is ineligible as a result of Article 52.01.1 shall once again be eligible for election in the third calendar year following the year in which the member last served as an elected councillor, or appointed committee member.
(Amended March 2013)

52.01.3 An employee of the College shall not be eligible for election as an elected councillor unless he or she provides an irrevocable written notice of termination of employment which must be received by the Executive Director and be effective on or before the deadline for receipt of nominations.
(Amended March 2013)

- 52.01.4** An elected councillor shall not be eligible to run in a by-election unless he or she provides a written resignation from his or her position as an elected councillor which resignation must be received by the Executive Director and be effective on or before the deadline for receipt of nominations.
(Amended March 2013)
- 52.02** Deleted March 2013.
- 52.03** Deleted March 2013.
- 52.03.1** An elected councillor who resigns his or her seat is not eligible to run in a by-election which takes place as a result of that resignation or an election for the position which he or she resigned from which takes place within sixteen months of the day following the elected councillor's resignation.
(Amended March 2013)
- 52.04** A member who is both an RN and RPN may not be a candidate in more than one election at the same time.
(Amended March 2013)
- 52.05** A candidate may withdraw from an election by giving notice in writing to the Executive Director. If the notice in writing is received on a date set by the Executive Director that is at least fifty days prior to the date of the election the name of the person shall not be placed on the ballot. In all other cases, the Executive Director shall make reasonable efforts to notify the members eligible to vote that the candidate has withdrawn from the election.
(Amended June 2013)
- 52.06** A member is not eligible for election as a councillor if the member holds a position which would cause the individual, if elected as a councillor, to have a conflict of interest by virtue of having competing obligations to both the College and another organization unless the member files with the Executive Director, prior to the deadline referred to in Article 53.04.1 a written agreement to resign from the other position if elected as a councillor.
(Amended September 2017; Effective December 2017)
- 52.07** A person shall be deemed to have a position which would result in a competing obligation under Article 52.06 if the person has a leadership, employment or contractual role or position with a provincial, national or international entity that advances the interests of nurses, has policy making responsibilities for nurses or oversees the regulation of nurses.
(Amended September 2017; Effective December 2017)

52.08 Disputes as to whether a member is eligible for election or to vote in an election will be determined by the Nominating Committee.
(Amended September 2021)

52.09 Disputes relating to the election of an elected councillor shall be dealt with by the Nominating Committee which shall investigate the facts and report its findings and recommendations to the Council for such decision as Council considers appropriate.
(Amended March 2013 and September 2021)

53. Elections

53.01 The Executive Director shall supervise the nominating and election of elected councillors.
(Amended March 2013)

53.02 At least ninety days before the date of an election or by-election, the Executive Director shall notify in writing each member who is then eligible to vote in that election or by-election of the date of the election, the nomination procedure and the deadline for returning nominations to the College.
(Amended June 2013)

53.03 The nomination of a candidate for election shall be in writing, shall include the written consent of the member wishing to stand for election and the signature of two eligible nominators and must be received prior to the deadline for returning nominations to the College, which deadline shall be set by the Executive Director and shall be at least sixty days before the date of the election.
(Amended June 2013)

53.04 Each nominator shall be a member who is eligible to vote in that election on the date of nomination and on the date on which the nominations close.

53.04.1 The Executive Director shall establish a deadline by which each candidate for election as a councillor shall deliver to the Executive Director a fully completed form, prepared by the Executive Director, expressing understanding of and a commitment to comply with the Code of Conduct, which deadline shall not be less than ten days after the date upon which nominations close.
(Amended September 2017; Effective December 2017)

53.04.2 The Executive Director shall provide each nominated candidate for election as a councillor with a copy of the form referred to in Article 53.04.1, notice of the deadline for the filing of that form and a and copy of By-Law No. 3.
(Amended September 2017; Effective December 2017)

that term of office, the member will not be eligible for election to the council for any additional terms.

Election Date

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12. (1) A regular election shall be held in,

- (a) May or June 2020, and in every third year after that for Districts 5 and 10;
- (b) May or June 2021, and in every third year after that for Districts 6, 7, 8 and 9; and
- (c) May or June 2022, and in every third year after that for Districts 1, 2, 3 and 4.

(2) Subject to subsection (1), the council shall set the date for each election of members to the council.

Eligibility For Election

13. (1) A member is eligible for election to the council in an electoral district if, on the date of the election,

- (a) the member is engaged in the practice of medicine in the electoral district for which he or she is nominated or, if the member is not engaged in the practice of medicine, is resident in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any fees prescribed in any regulation made under the *Regulated Health Professions Act, 1991* or the *Medicine Act, 1991*;
- (c) the member is not the subject of any disciplinary or incapacity proceeding;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of the election;
- (e) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed in any regulation made under the *Regulated Health Professions Act, 1991* or the *Medicine Act, 1991*;
- (f) the member is not, and has not been within one year before the date of the election, a director or officer of the Ontario Medical Association, the Canadian Medical Protective Association, the Canadian Medical Association, the Coalition of Family Physicians and Specialists of Ontario or the Ontario Specialists Association;
- (g) the member does not hold, and has not held within one year before the date of the election, a position which would cause the member, if elected as a councillor, to have a conflict of interest by virtue of having competing fiduciary obligations to both the College and another organization;
- (h) the member is not, and has not been within five years before the date of the election, an employee of the College (whether on contract or permanent, and whether on a full-time or part-time basis);

- (i) council has not disqualified the member from council or from one or more committees during the five years before the election date;
- (j) the member has not resigned from council or from one or more committees during the five years before the election date where there are reasonable grounds to believe that the resignation is related to a proposed disqualification of the member from council or one or more committees;
- (k) the member has completed and filed with the registrar a Conflict of Interest form by the deadline set by the registrar; and
- (l) prior to the member submitting a nomination form and nomination statement for the election, the member has completed the orientation program specified by the College relating to the business and governance of the College and the duties, obligations and expectations of council and committee members.

(2) A member is not eligible for election to the council who, if elected, would be unable to serve completely the three-year term prescribed by subsection 11(1) by reason of (a) the nine-consecutive-year term limit prescribed by subsection 5(2) of the Health Professions Procedural Code, or (b) the total nine-year term limit prescribed by subsection 11(2) of this by-law.

Notice of Election and Nominations

14. No later than sixty days before the day of an election, the registrar shall notify every member who is eligible to vote of the date, time and place of the election and of the nomination procedure.

Nomination Procedure

15. The nomination of a candidate for election as a councillor shall be in writing and shall be given to the registrar at least forty-nine days before the date of the election.

Interruption of Services

16. Where there is an interruption of electronic service provided for or by the College or mail during a nomination or election, the registrar shall extend the holding of nominations and the election for such minimum period of time as the registrar considers necessary to compensate for the interruption.

Acclamation

17. If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in the electoral district, the registrar shall declare the candidates to be elected by acclamation.

- 5.5.6 if there is tie among candidates and it is necessary to break the tie to determine who will receive the longer term between the candidates, the Registrar shall break the tie, by lot.

5.6 Terms of Office - After August 2020.

- 5.6.1 The term of office of an Elected Director who is elected in each annual election beginning with the August 2021 election will be three (3) years, commencing at the first meeting of the Board after the election.
- 5.6.2 No Elected Director who is first elected in the August 2020 election or any subsequent election may serve as a Director for more than six (6) consecutive years.
- 5.6.3 No Director who is a member of Council on the date this By-Law comes into effect may serve for more than nine (9) consecutive years (inclusive of years of service prior to the date this By-Law comes into effect).
- 5.6.4 If an Elected Director reaches the end of his or her maximum service prior to the end of his or her term, the Elected Director will cease to hold office and the procedures set out in paragraph 5.20 will apply.

5.7 Eligibility for Election.

- 5.7.1 A Registrant who holds a valid Certificate of Registration as a pharmacist or as a pharmacy technician is eligible to seek to be a candidate for election to the Board if he or she meets the following requirements:
- (a) the Registrant is not in default of payment of any fees prescribed in the By-Laws;
 - (b) the Registrant is not the subject of any disciplinary or incapacity proceeding;
 - (c) the Registrant has not been found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee.
 - (d) the Registrant is not a registered pharmacy student or intern;
 - (e) the Registrant's Certificate of Registration is not subject to a term, condition or limitation other than one prescribed by regulation;
 - (f) the Registrant is not, and has not within the three (3) years immediately preceding the election been, an employee, officer or director of a Professional Advocacy Association. For greater certainty, nothing in this clause will prevent a Registrant who serves on an association or organization to which he or she has been

appointed by the Board as a representative of the College, from running for election to be an Elected Director;

- (g) the Registrant has not been disqualified from serving on the Board or a Committee within the six (6) years immediately preceding the election;
- (h) where the Registrant was formerly a Director, but is not as of the date of the election a Director, it has been at least three (3) years since he or she was a Director;
- (i) the Registrant is not an adverse party in litigation against the College, the Board, a Committee or any of the College's officers, employees or agents;
- (j) the Registrant commits to devoting sufficient time in his or her schedule to participating in all required Board and Committee activities;
- (k) the Registrant has not, in the opinion of the Screening Committee, engaged in conduct unbecoming a Director; and
- (l) the Registrant is not the Owner or Designated Manager of a pharmacy that, within the six (6) years immediately preceding the election, has undergone a re-inspection, as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection.

5.8 Notice of Election and Call for Applicants.

5.8.1 No later than May 15th in the year in which the election is to be held the Registrar shall notify each Registrant who is eligible to vote of the date of the election and the number of available positions on the Board. Such notification shall be by electronic mail, shall include a link to the Director Profile and application form for election and shall be addressed to each Registrant at his or her electronic address that is on file with the College. Such notice shall also be published on the website of the College.

5.9 Director Competencies.

5.9.1 The Board shall at all times comprise Elected Directors who collectively serve, or have experience working with, the following diverse patient populations:

- (a) patients served by rural community pharmacies;
- (b) patients served by urban community pharmacies;
- (c) patients treated at teaching hospitals;