

**MINUTES OF THE COLLEGE OF CHIROPRACTORS OF ONTARIO'S
COUNCIL MEETING
HELD FRIDAY, FEBRUARY 25, 2022, VIA ZOOM**

PRESENT:

Dr. Dennis Mizel, President and Meeting Chair
Dr. Sarah Green, Vice President
Ms Robyn Gravelle, Treasurer
Ms Anuli Ausbeth-Ajagu
Mr. Markus de Domenico
Mr. Gagandeep Dhanda
Dr. Jarrod Goldin
Dr. Colin Goudreau
Dr. Kyle Grice
Dr. Paul Groulx (in conflict for a portion of the meeting)
Ms Zoe Kariunas
Dr. Steve Lester (in conflict for a portion of the meeting)
Dr. Angelo Santin
Mr. Shawn Southern
Dr. Julia Viscomi

REGRETS:

None

ABSENT:

None

GUESTS:

Mr. Kaveh Katebian, Beaconsfield Group (for a portion of the in camera meeting)
Mr. Richard Steinecke, Steinecke Maciura LeBlanc (for a portion of the meeting)

STAFF:

Mr. Joel Friedman, Director, Policy and Research
Ms Jo-Ann Willson, Registrar and General Counsel

MINUTE-TAKER:

Mrs. Beth Ann Kenny, Recording Secretary

CALL TO ORDER AND WELCOME

Dr. Mizel called the meeting to order at 8:30 a.m.

As noted on the agenda, Council members would serve as their own parliamentarians, being familiar with and complying with the rules of order. If required, Ms Gravelle would serve as parliamentarian.

2.1 Conflict of Interest

Any real or perceived conflicts of interest could be raised during the meeting. Any standing conflicts of interest did not need to be declared at every meeting.

1. CONSENT AGENDA

MOTION moved by Dr. Lester/seconded by Mr. Southern

To approve the consent agenda:

- 1.1 Discipline Committee Report
 - 1.1.2 *CCO v Dr. Joel Kerr* (received January 21, 2022)
 - 1.1.3 *CCO v Dr. Scott Huehn* (received February 8, 2022)
 - 1.1.4 COVID-19 Protocols for In-Person Hearings (draft)
- 1.2 Fitness to Practise Committee Report
- 1.3 Inquiries, Complaints, and Reports Committee (ICRC) Report Health Professions Appeal and Review Board (HPARB) Decisions
 - 1.3.1 Ryan Armstrong and Mathew Posa, Holly McGrady received January 4, 2022 (ICRC decision upheld)
 - 1.3.2 Ryan Armstrong and Benjamin Hardick received February 2, 2022 (ICRC decision returned)
 - 1.3.3 Anwar Kallab and Keith Klover received November 23, 2021 (ICRC decision upheld)
 - 1.3.4 Nathalie Xian Yi Yan and Graham Kucan received December 21, 2021 (ICRC decision upheld)
 - 1.3.5 Gus Tsioafas and Timothy McGuire received February 7, 2022 (ICRC decision upheld)
- 1.4 Patient Relations Committee Report
- 1.5 Registration Committee Report
 - 1.5.1 Communication dated November 18, 2021 from Office of the Fairness Commissioner (OFC) – Phase II of Risk-Informed Compliance Framework 9
 - 1.5.2 Communication dated February 2, 2022 from Office of the Fairness Commissioner re: new Legislated Obligations and Fair Registration Best Practices Guide
- 1.6 Advertising Committee Report

CARRIED UNANIMOUSLY.

2. MAIN AGENDA

MOTION moved by Dr. Green/seconded by Dr. Viscomi

To approve the main agenda with additions of

- 4.1.8 (a) Correspondence dated February 22, 2022 to Sean Court, ADM, from Elinor Larney, Vice-President, HPRO; and
- 4.1.32 (a) Legal advice from Richard Steinecke dated February 23, 2022 re: District 2 (Eastern) candidacy (not circulated to Drs. Groulx and Lester who are candidates in the current elections)

CARRIED UNANIMOUSLY.

3. ADOPTION OF COUNCIL MEETING MINUTES

It was reported that, after the adoption of meeting minutes, the minutes not held in camera would be posted to the CCO website in the spirit of transparency.

3.1 November 25, 2021

MOTION moved by Dr. Viscomi/seconded by Dr. Grice

To adopt the minutes of the November 25, 2021, CCO Council Meeting as presented
CARRIED UNANIMOUSLY.

3.2 November 25, 2021 (in camera)

MOTION moved by Mr. Southern/seconded by Mr. de Domenico

To adopt the minutes of the November 25, 2021, CCO In Camera Council Meeting as presented
CARRIED UNANIMOUSLY.

Received for information:

3.3 November 26, 2021 (Training Session)

3.4 Slide Deck from November 26, 2021 Training Session – *Top Ten Regulatory Practices*

4. COMMITTEE REPORTS

4.1 Executive Committee Report

Received for information:

4.1.1 Confidential Minutes of January 21, 2022 (draft, subject to approval)

Ministry of Health

Received for information:

4.1.33 Feedback dated November 26, 2021 from Ms Zahra Bolouk, Senior Policy Analyst, Ministry of Health re: November 26, 2021 Training Day

College Performance Measurement Framework (CPMF)

It was reported that the draft CPMF report is planned to be available for presentation at the March 25, 2022 Executive Committee Meeting.

Received for information:

4.1.34 Communication dated November 22, 2021 from Sean Court, Assistant Deputy Minister re: Formal launch of the 2nd iteration of the CPMF

4.1.35 CCO's CPMF Action Plan – 2021 (January 14, 2022) and Completion Report

4.1.36 Extract dated January 7, 2022 HPRO CPMF Network Meeting Summary

Other Ministry Matters

4.1.37 Memo dated November 25, 2021 re: Staffing Change

Accessing Centre for Expertise (ACE)

It was noted that the President's Message of December 10, 2021, included the ACE report was circulated to stakeholders including all members. Currently, all Committees are reviewing their relevant material in light of learnings from the ACE report.

Received for information:

- 4.1.38 Context COVID: Understanding the Evidence, Policy and Regulatory Implications of the Relationship between Chiropractic and Immunity (final report dated November 26, 2021)**
- 4.1.39 President's Message dated December 10, 2021 (including circulation of Final report from ACE)**
- 4.1.40 Feedback**
- 4.1.41 A Critical Evaluation of the World Federation of Chiropractic's Fatally Flawed Review of Immunity and Chiropractic (May 7, 2020)**
- 4.1.42 Extrapolating Beyond the Data in a Systematic Review of Spinal Manipulation for Nonmusculoskeletal Disorders: A Fall from the Summit (February 25, 2021)**
- 4.1.43 Information from CPSO re: Consultation Process**

Elections

Received for information:

- 4.1.44 Notice of Election Documents for Districts 2, 3 and 4**
- 4.1.45 Competencies for Council and Committee Members**
- 4.1.46 Terms of Reference for Election Review Sub-Committee**
- 4.1.47 Internal Policy: I-014: Procedures for Striking and Dissolving Sub-Committees**
- 4.1.48 Feedback/documentation relating to 2021 Elections**
- 4.1.49 Information re: Training Module February 23, 2022: Expectations of CCO Council and Committee Members**

Conflicts of interest were declared for Dr. Groulx and Dr. Lester who were invited to remain in the meeting as observers during the general discussion related to the upcoming elections for Districts 2, 3, and 4.

It was noted that Dr. Grice had been acclaimed in District 4 and that Dr. Michael McGarr withdrew his nomination prior to the deadline (the date of the Council meeting). There are two remaining nominees for District 3.

It was also noted that the mandatory training for candidates for Council positions had been held and recorded and that there had been an observer from the Ministry of Health at the session. This first candidate training session is part of CCO's CPMF action plan.

Return to In Person Considerations

Received for information:

4.1.50 COVID-19 Protocols for In-Person Hearings (February 15, 2022)

4.1.51 Survey to Discipline Committee Members

It was shared that options are being considered for in person or hybrid meetings, considering provisions to ensure health and safety of all attendees and keeping in compliance with government directions, including the installation of HEPA filters, additional transparent partitions, hand sanitizing stations, expanding the size of the meeting table, and the use of technology to support hybrid options. Both passive and active screening for COVID-19 could be considered, including potential costs for CCO.

It was offered that some Committee work might be most efficient operating via virtual-only meetings.

Concerns expressed re: the 59 Haydon Condo Board regarding the large number of Humber College students who would be planning to attend classes in person beginning on February 28th were being addressed by the Condo Board.

The Executive Committee will be considering returning to in person meetings, including revising the current survey re. meeting attendee comfort level with in person meetings and considering other information, e.g., other regulators' plans. Return to in person is currently planned for meetings after May 1, 2022.

Other Chiropractic/Health Related Stakeholders

Federation of Canadian Chiropractic (FCC)

Received for information:

4.1.52 Information re: Regulatory Council meeting February 15, 2022 including Agenda, Roadmap to Care, Code of Ethics and meeting schedule

4.1.53 New College of Chiropractors of Alberta Vaccine Policy and Guidance dated December 2021

Ontario Chiropractic Association (OCA)

Received for information:

4.1.54 E-mail dated December 9, 2021 re: Scope request next steps

4.1.55 Correspondence dated January 11, 2022 re: Incentives and Delisting and response dated January 24, 2022

4.1.56 Miscellaneous Bulletins

Health Profession Regulators of Ontario (HPRO)

Recently announced training dates were provided, including Governance Training for *RHPA* Colleges (April 1, 7) and Discipline Orientation Training (April 8 – Basic, May 13 – Advanced). Council members were encouraged to take advantage of these educational opportunities if they have not already done so.

Received for information:

4.1.59 2021 HPRO Communicators' Day Conference Agenda dated November 24, 2021 including presentation by Joel Friedman entitled Social Media Misinformation/Disinformation During COVID-19

4.1.60 Announcement dated January 11, 2022 from College of Nurses entitled Moving Nursing Applicants into the System: College of Nurses of Ontario partners with Ontario Health

4.1.61 Legislative Updates – November 2021, December 2021, January 2022

4.2 QUALITY ASSURANCE COMMITTEE REPORT

Mr. Robert MacKay, whose term as a publicly appointed member of CCO Council had ended, was thanked again for his contributions, including as a member of the Quality Assurance Committee. Ms Kariunas had been appointed to the Committee to replace Mr. MacKay.

4.2.1 Agenda for Peer Assessor Training Workshop January 29, 2022

4.2.2 Feedback re: training session

It was reported that the contributions of Dr. Bruce Walton, Director of Professional Practice, who was leaving his role at CCO, were recognized. Dr. Katherine Tibor was welcomed to her new role as Director of Professional Practice, including support for the Quality Assurance Committee.

MOTION moved by Ms. Gravelle/seconded by Dr. Santin
To accept the Quality Assurance Committee Report
CARRIED UNANIMOUSLY.

5. NEW BUSINESS

5.1 Communication to Council members dated February 7, 2022 re: Diversity, Equity and Inclusion (DEI) Plan Development

It was confirmed that a DEI action plan is being developed and will be included in the CPMF report. Council members were thanked for their participation in the development of the plan by identifying their current DEI initiatives.

5.2 Land Acknowledgement

It was agreed that more information about Indigenous land acknowledgements would be gathered from other regulators and subject matter experts and brought to a future Executive Committee meeting for consideration of a recommendation for Council.

Received for information:

5.3 Extracts from CPMF re: DEI

In camera

MOTION moved by Mr. Shawn Southern/seconded by Ms Anuli Ausbeth-Ajagu
To move in camera
CARRIED UNANIMOUSLY.

MOTION moved by Ms Gravelle/seconded by Dr. Santin
To rise from the in camera session and ratify all decisions made
CARRIED UNANIMOUSLY.

Elections (Continued)

Dr. Groulx and Dr. Lester declared conflicts of interest during the in camera session.

At the direction of Council, information concerning the elections to be held out of camera for transparency.

Mr. Steinecke provided a summary of his advice.

Information was provided regarding District 2 and the nomination from Dr. Groulx made after the 4:00 p.m. deadline on February 11, 2022, noting it was submitted following CCO's announcement of the nominations received. All documentation, it was noted, was received in order, but approximately 11 minutes after the deadline.

Legal advice was received. Council could nominate a person for District 2, including Dr. Groulx or one of the two members nominated for District 3. If no one is nominated, a by-election would need to be held.

Four issues for consideration were raised:

- Demonstration of willingness to serve for a three-year commitment
- Council member competencies
- By-laws favour someone from that District serving if possible (though not binding)
- Diversity considerations that should be taken into account when filling a spot on council or committee

MOTION moved by Dr. Santin/seconded by Dr. Goldin
To nominate Dr. Paul Groulx to the District 2 position for the term.
CARRIED. Dr. Colin Goudreau and Dr. Julia Viscomi asked that their negative votes be recorded.

Government Governance Reform Initiatives

Received for information:

- 4.1.4 Correspondence dated January 26, 2022 to Health Profession Regulatory Colleges from Sean Court, Assistant Deputy Minister re: governance reform**
- 4.1.5 Communication dated January 27, 2022 to Registrars re: Governance Reform including slide deck**
- 4.1.6 Legal Analysis of MOH Governance Reform dated February 3, 2022 from Richard Steinecke**
- 4.1.7 Summary of Questions-Comments re: MOH meeting re: Governance Reform dated February 8, 2022**
- 4.1.8 Draft Correspondence dated February 15, 2022 to Sean Court from HPRO 15**
- 4.1.9 Previous communication exchange in June 2021 between Mr. Court and Ms Willson re: governance reform**

It was shared that CCO's submission to the Ministry's consultation would be finalized and submitted as requested, including issues with proposed increased oversight through the Auditor General, the Patient Ombudsman, and French language services which are already addressed in the *RHPA*. Right touch regulation principles will be highlighted.

Mr. Steinecke was thanked and excused from the meeting.

Received for information in the Compendium Volume:

- 6.1 C Various Provincial News Releases (from December 21, 2021 to February 14, 2022)
- 6.2 C Extract from CCO website COVID-19 page
- 6.3 C Royal College of Dental Surgeons Vaccination Policy dated October 20, 2021
- 6.4 C Information from the CCBC including AGM material and Statement dated December 2, 2021
- 6.5 C Sample Media reports re: health regulation in British Columbia
- 6.6 C Health Professions Review Board dated November 16, 2021 Complainant v College of Chiropractors of British Columbia
- 6.7 C Miscellaneous other Media re: health professionals/vaccinations in Ontario
- 6.8 C Grey Areas – November/December 2021, January 2022, February 2022
- 6.9 C Council Members Terms (dated January 14, 2022)

DATE AND TIME OF MEETINGS

See Appendix A for Executive Committee and Council meeting dates, with the April Council meeting confirmed to be virtual.

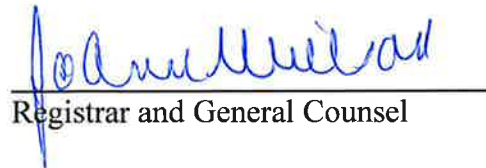
ADJOURNMENT

MOTION moved by Dr. Viscomi/seconded by Mr. Southern

To adjourn this meeting at 11:23 a.m.

CARRIED UNANIMOUSLY


President


Registrar and General Counsel

APPENDIX A – DATE AND TIME OF MEETINGS

All Executive Committee and Council meetings are virtual and are scheduled from **8:30 a.m. – 1:00 p.m.** unless otherwise noted (no in person meetings until it is safe to do so).

Executive Committee Meeting Dates

Year	Date	Time	Event	Location
2022	Friday, March 25	8:30 a.m. – 1:00 p.m.	Meeting	Virtual
	Wednesday, May 18	8:30 a.m. – 1:00 p.m.	Meeting	TBD
	Friday, August 12	8:30 a.m. – 1:00 p.m.	Meeting	TBD
	Friday, October 21	8:30 a.m. – 1:00 p.m.	Meeting	TBD

Council Meeting Dates

Year	Date	Time	Event	Location
2022	Wednesday, April 20	8:30 a.m. – 1:00 p.m.	Meeting	Virtual
	Thursday, April 21	8:30 a.m. – 1:00 p.m.	Meeting (elections/ orientation)	Virtual
	Tuesday, June 21	6:00 p.m. – 9:00 p.m.	Annual General Meeting	TBD
	Wednesday, June 22	8:30 a.m. – 1:00 p.m.	Meeting	TBD
	Friday, September 9	12:00 p.m.-4:30 p.m.	Meeting	TBD
	Saturday, September 10	8:30 a.m.-4:30 p.m.	Strategic Planning/ Topic Specific Meeting	TBD
	Sunday, September 11	8:30 a.m.-11:30 a.m.	Strategic Planning/ Topic Specific Meeting	TBD
	Thursday, November 24	8:30 a.m. – 1:00 p.m.	Meeting (budget)	TBD
	Friday, November 25	8:30 a.m.-11:30 a.m.	Training Module/ Topic Specific Meeting	TBD

Year	Date	Time	Event	Location
	Friday, November 25	6:00 p.m. – 9:00 p.m.	Holiday Party	TBD