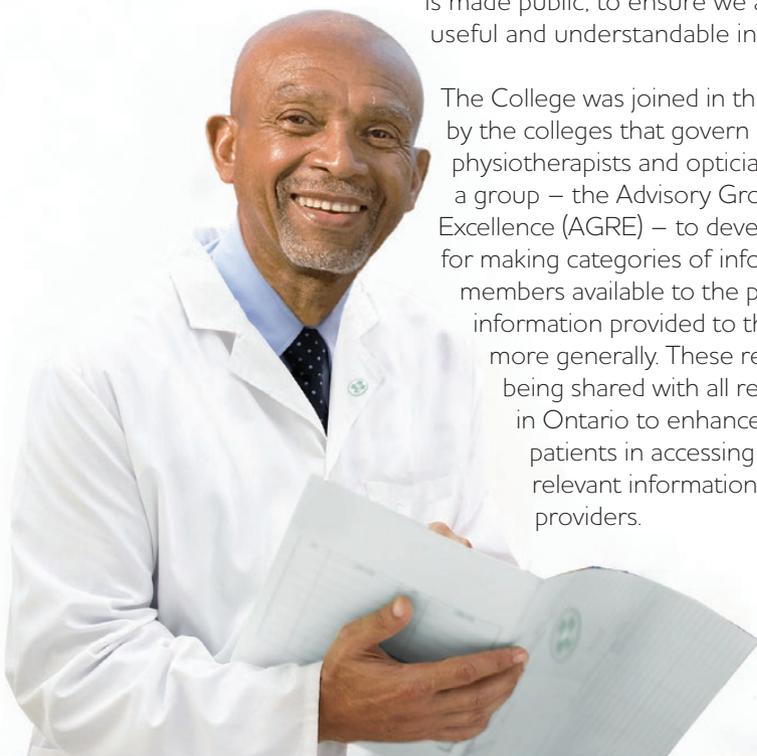


Continued Commitment to Transparency

Transparency has been a core value of the Ontario College of Pharmacists and an integral part of Council's Strategic Plan since 2012. Recently, we've made a number of changes that increase transparency, boost public confidence and provide information that thereby helps patients make more informed healthcare decisions. The College now shares more information about the people and places we oversee, and we're continuing to improve the transparency of the regulatory processes and decision-making that occurs at the College.

"Transparency isn't just something we will *achieve*," explains College Registrar, Marshall Moleschi. "It's something that informs all of the work of the College, and must be considered and applied to everything we do. We're always reviewing the transparency of our operations and looking at what — and how — information is made public, to ensure we are providing the most useful and understandable information to patients."

The College was joined in this transparency initiative by the colleges that govern doctors, dentists, nurses, physiotherapists and opticians. Together we formed a group — the Advisory Group for Regulatory Excellence (AGRE) — to develop recommendations for making categories of information about all our members available to the public; and improve information provided to the public about colleges more generally. These recommendations are being shared with all regulated health colleges in Ontario to enhance consistency and assist patients in accessing and understanding relevant information about their healthcare providers.



UPCOMING CHANGES

It's not just about providing more information – it's also about making that information accessible, clear and easy-to-understand. Significant improvements in this area are coming soon with the launch of a new section of the OCP website called "Find a Pharmacy or Pharmacist". This section is also known as the College's public register, and is home

to lots of helpful information about pharmacies and pharmacy professionals. With an anticipated launch in the coming months, the enhanced register will allow anyone to easily find and understand information about pharmacists, registered pharmacy students and interns, pharmacy technicians, community pharmacies, drug preparation premises and remote dispensing locations. It is anticipated that information about hospital pharmacies will be

ADDITIONAL INFORMATION NOW PUBLIC

Earlier this year, Council passed several by-laws that allow for more information to be available about pharmacy professionals. Here's a quick summary of the information we disclose:

Criminal charges: A summary of any federal or provincial charges against a member, made after April 1, 2015, if the College knows about them, and the Registrar believes that they are relevant to the member's suitability to practise*.

Findings of guilt: A summary of any federal or provincial findings of guilt against a member, made after April 1, 2015, if the College knows about them, and the Registrar believes that they are relevant to the member's suitability to practise*.

Bail, custody or release conditions: A summary of current custody or release conditions in provincial or federal offence processes that the College knows about, and the Registrar believes are relevant to the member's suitability to practise*.

Licenses in other jurisdictions: A summary of current pharmacy licenses held in other jurisdictions where the College is aware.

Applications for re-instatement: A summary if a former practitioner who previously had their license revoked applies to the Discipline Committee for re-instatement.

Notices of hearing: A notice of hearing for any discipline hearing regarding professional or proprietary misconduct where the matter has not yet been resolved. If the hearing is awaiting scheduling, the College will post a statement of that fact. If the hearing is completed and awaiting a decision, the College will post a statement of that fact.

Oral cautions: A summary of any oral caution ordered by the Inquiries, Complaints and Reports Committee (ICRC) for complaints or reports filed after April 1, 2015. An oral caution is ordered when the ICRC has a significant concern about conduct or practice that can have a direct impact on patient care, safety or the public interest if it is not addressed. An oral caution is a face-to-face discussion between the practitioner and the Committee, to review the practice and the changes the practitioner will make to help avoid a similar incident from occurring in the future. (It will be noted if the decision has been appealed or varied and, if the decision is overturned it will be removed.)

Specified continuing education or remediation programs (SCERPs): A summary of any education or remediation requirements that were ordered by the ICRC for complaints or reports filed after April 1, 2015. A SCERP is ordered when a serious care or conduct concern requires a pharmacist or pharmacy technician to upgrade his or her skills has been identified. The ICRC orders SCERPs when they believe that remediation is necessary. (It will be noted if the decision has been appealed or varied and, if the decision is overturned it will be removed.)

Undertakings: Undertakings are binding and enforceable promises from a practitioner to the College. A pharmacist may enter into an undertaking to practise differently — or not practise at all — when there is an identified concern about practice. For example, a pharmacist might agree not to act as a Designated Manager or dispense narcotics.

*See page 30 for more on relevance to suitability to practise.

added to the public register once the necessary regulations have been approved by government in early 2016.

Although information on the public register is available to anyone, the new register is being re-designed with a single audience in mind — the public. The focus is on making things easy-to-find and simple-to-understand. Terminology that is specific to the profession of pharmacy is being minimized and regulatory processes and decision-making will have supporting information to provide context and explanations wherever possible. All other health regulatory colleges in Ontario are committed to making similar enhancements to their own public registers.

Earlier this year, Council passed a number of new by-laws that used the wording “relevant to the member’s suitability to practise” — including by-laws that allow for the posting of criminal charges, findings of guilt, or bail conditions. The College has developed a process for determining if a practitioner’s conduct or behaviour is relevant to their suitability to practise, and more information on this process is available on page 30.

WHAT INFORMATION IS NOT AVAILABLE ON THE PUBLIC REGISTER?

Transparency can have different meanings for different people. Some people believe that transparency means nothing should be kept confidential and that any and all information about people, places, regulatory processes and decision-making should be publicly available.

Research has shown that members of the public want information about the most important concerns,

and they want it to be brief and understandable. We support this concept and believe that the information we provide should enhance public confidence and be balanced with consideration of fairness and respect for the privacy of pharmacy professionals.

Therefore, while there is a lot of relevant and helpful information available about pharmacy professionals on our public register, some information does remain confidential. For example, a pharmacy professional’s birth date, email address, home address or personal health information is not posted as it would breach their personal privacy.

One of the eight guiding principles of the transparency initiative states that “the greater the potential risk to the public, the more important transparency becomes.” This specific principle led to one of the more significant transparency changes as of late — the disclosure of additional outcomes of investigations by the College’s Inquiries, Complaints & Reports Committee (ICRC.) The “Measurement of Risk Framework” to the right, outlines both the previous and new models for disclosing ICRC outcomes — with a focus on risk to the public.

Previously, we disclosed outcomes resulting from the most serious behaviour or competence concerns — those that fell into the “high risk” category. Now, we disclose outcomes within the “moderate risk” category as well.

For outcomes that fall into the low risk category — i.e. no action, advice/recommendation, or remedial agreements — ICRC is satisfied that there are no concerns with the pharmacist’s or pharmacy technician’s care or conduct, or that the concerns posed little to no risk to the public. Therefore, these outcomes are not posted on the public register.

TRANSPARENCY PRINCIPLES

PRINCIPLE 1:

The mandate of regulators is public protection and safety. The public needs access to appropriate information in order to trust that this system of self-regulation works effectively.

PRINCIPLE 2:

Providing more information to the public has benefits, including improved patient choice and increased accountability for regulators.

PRINCIPLE 3:

Any information provided should enhance the public’s ability to make decisions or hold the regulator accountable. This information needs to be relevant, credible and accurate.

PRINCIPLE 4:

In order for information to be helpful to the public, it must:

- be timely, easy to find and understand.
- include context and explanation.

Additionally, we do not post the “fact of” an investigation on the public register — whether a complaint from the public, an inquiry into capacity or practise related to a pharmacy professional’s health, or an investigation into a mandatory report or a concern arising from another source. Since a decision about the investigation has not been made, it is premature to provide information about the investigation. It’s essential to balance public safety with procedural fairness.

We also do not post most health-related information that is contained in or related to undertakings that arise from an incapacity investigation. These undertakings usually require a pharmacy professional to comply with a treatment regime. If the professional follows the required regime, the information is not posted but the public is still protected by reasons of the treatment. Pharmacy

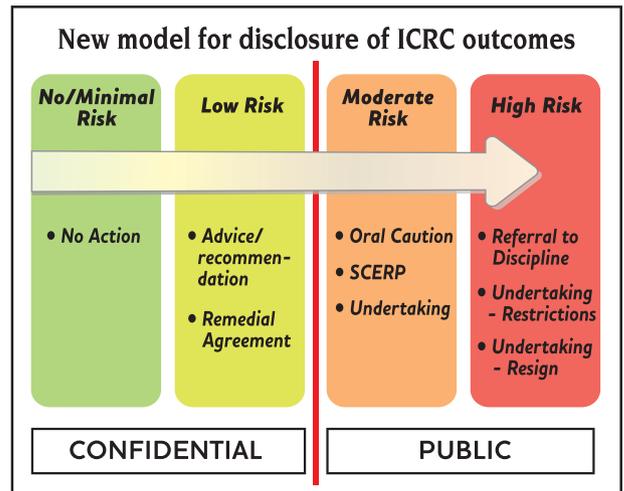
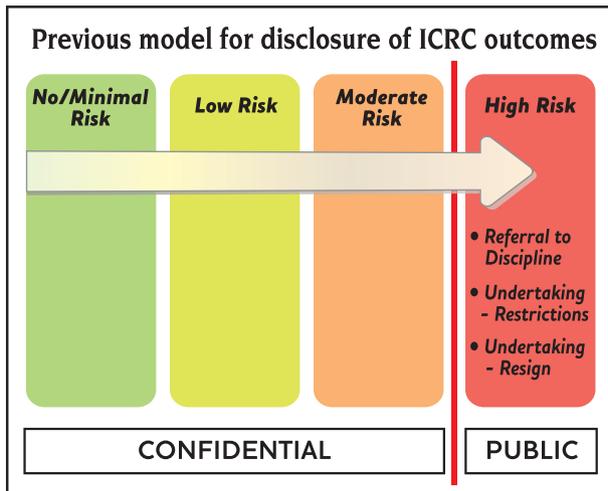
professionals are entitled, just like anyone else, to have their health information remain private. However, if practice restrictions arise from health inquiries, they will be made public.

WHAT’S NEXT?

As we move forward into 2016, the College will continue to examine and evolve our transparency practices to ensure the public has access to the information they need. We are, first and foremost, committed to public safety and openness, and will work to provide information and context to help patients make the best decisions they can.

More information about transparency can be found on the [Transparency Key Initiative](#) on the College website.^{PC}

MEASUREMENT OF RISK FRAMEWORK



PRINCIPLE 5:
Certain regulatory processes intended to improve competence may lead to better outcomes for the public if they happen confidentially.

PRINCIPLE 6:
Transparency discussions should balance the principles of public protection and accountability, with fairness and privacy.

PRINCIPLE 7:
The greater the potential risk to the public, the more important transparency becomes.

PRINCIPLE 8:
Information available from Colleges about members and processes should be similar.