



**Ontario College
of Pharmacists**

Putting patients first since 1871

**MINUTES OF MEETING
OF COUNCIL
SEPTEMBER 17 AND 18, 2015**

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THURSDAY, SEPTEMBER 17, 2015 – 9:01 A.M.

COUNCIL CHAMBERS, ONTARIO COLLEGE OF PHARMACISTS

Elected Members

District H Dr. Regis Vaillancourt, Ottawa
District H Ms. Christine Donaldson, Windsor
District K Dr. Esmail Merani, Carleton Place
District K Mr. Mark F. Scanlon, Peterborough
District L Ms. Jillian Grocholsky, Fonthill
District L Dr. Michael Nashat, Brampton
District L Mr. Farid Wassef, Stouffville - **Regrets**
District M Mr. Fayez Kosa, Toronto
District M Mr. Don Organ, Toronto
District M Ms. Laura Weyland, Toronto
District N Mr. Gerry Cook, London
District N Mr. Chris Leung, Windsor
District N Dr. Karen Riley, Sarnia
District P Mr. Jon MacDonald, Sault Ste. Marie
District P Mr. Douglas Stewart, Sudbury
District T Ms. Michelle Filo, Sudbury
District TH Mr. Goran Petrovic, Kitchener

Dr. Heather Boon, Dean, Leslie Dan Faculty of Pharmacy, University of Toronto
Dr. David Edwards, Hallman Director, School of Pharmacy, University of Waterloo

Members Appointed by the Lieutenant-Governor-in-Council

Ms. Kathleen Al-Zand, Ottawa
Ms. Linda Bracken, Marmora
Mr. Ronald Farrell, Sundridge
Mr. Javaid Khan, Markham
Mr. John Laframboise, Ottawa
Mr. Lewis Lederman, Ottawa
Mr. Aladdin Mohaghegh, Toronto
Ms. Sylvia Moustacalis, Toronto
Mr. Shahid Rashdi, Mississauga
Ms. Joy Sommerfreund, London

Staff present

Ms. Connie Campbell, Director, Finance and Administration
Ms. Susan James, Director, Competence
Mr. Marshall Moleschi, Registrar
Ms. Ushma Rajdev, Council and Executive Liaison
Ms. Anne Resnick, Deputy Registrar/Director, Conduct

Invited Guest

Mr. Richard Stenieceke, Partner, Steinecke Maciura LeBlanc

1. Noting Members Present

Member attendance was noted.

2 Declaration of Conflict

There were no conflicts declared.

3. Approval of Agenda

It was moved and seconded that the Agenda be approved. CARRIED.

4. President's Opening Remarks

4.1 Briefing Note - President's Report to Council

Mr. Scanlon referred to his report which summarized his activities since the previous Council meeting. These included attending various committee meetings at the College and various phone calls and meetings with the Registrar and the Vice President. Referencing the Governance Manual, Mr. Scanlon advised that meeting attendance was required to be recorded and reported annually and that this information was attached to his report.

For the benefit of Council members not in attendance at the previous evening's Council Reception, President Scanlon provided a brief summary of Ms. Denise Cole's (Assistant Deputy Minister, Health Human Resources Strategy Division) remarks at that event.

He welcomed new members, Mr. Gerry Cook and Dr. Karen Riley from District N to the Council table. Also welcomed was recently appointed public member, Mr. Ronald Farrell (Sundridge). All new members were requested to briefly introduce themselves to Council. Returning members from District H, Dr. Regis Vaillancourt and Ms. Christine Donaldson, and Mr. Chris Leung from District N, were also welcomed back to the Council table. Council further noted for information

the reappointment of Ms. Joy Sommerfreund (Public member from London) and the resignation by Ms. Katie Mahoney (Public member from Mississauga) on September 8, 2015.

4.2 Briefing Note - June 2015 Council Meeting Evaluation

Mr. Scanlon referred Council members to the June 2015 Council meeting evaluation and noted that although the number of respondents had dropped, the feedback on the whole had been positive. Council members were encouraged to continue to provide feedback which will serve to ensure efficiency and enhance Council members' participation at these meetings.

5. Annual Council Member Orientation and Committee Chair Training

Next, Mr. Scanlon introduced Mr. Richard Steinecke and invited him to conduct this education session. He noted that Mr. Steinecke was recently recognized by CLEAR, the Council on Licensure, Enforcement and Regulation, for his outstanding contribution to the enhancement of professional regulation and was being awarded the 2015 Regulatory Excellence Award.

The Annual Council Member Orientation and Committee Chair Training occurred from 9:16 a.m. to 11:17 a.m. Mr. Steinecke presented the session, provided clarification and answered questions from floor.

6. Approval of Minutes of Previous Meeting

6.1 Minutes of June 2015 Council Meeting

It was moved and seconded that the Minutes of the June 2015 meeting be approved. CARRIED. (Abstentions: Ms. Al-Zand, Mr. Farrell and Mr. Kosa).

7. Notice of Motions Intended to be Introduced

7.1 Motion re Pre-54 Charter Provisions

The Registrar noted that a motion had been received regarding proposed amendments to the Regulation to the Drug and Pharmacies Regulation Act (DPRA) and the pharmacy ownership provisions of the legislation.

President Scanlon suggested the motion be dealt with later in the agenda - under "Other Matters" - in order to allow Council to proceed with the elections.

Following a brief discussion (whether proxy votes could be allowed for members who could not be present during this discussion; a suggestion to delay the discussion until the following Council meeting), the mover of the motion (Mr. Lederman) acceded to dealing with this matter under "Other Matters" the following day.

8. Motions, Notice of Which Had Previously Been Given

8.1 Briefing Note – Lobbyist Registration

At the Council meeting in June, the Registrar announced his registration with the Ontario government's new "Lobbyist Registration System". This prompted discussion by Council and a motion was moved for Council to receive further information on the matter at the September meeting. Mr. Moleschi provided detailed information on the lobbyist registration system, including the definitions of the various types of lobbyists, the benefits and risks of registering or not as a lobbyist and what this means for the College.

Following discussion on this issue, and upon hearing a general approval through the discussion by Council, President Scanlon stated that it did not appear that a vote needed to be obtained in the matter and that the College would continue with the direction as originally proposed i.e. for the Registrar to be registered as an in-house lobbyist for the purposes of demonstrating, and improving, the College's transparency and public accountability obligations.

9. Inquiries

There were none.

10. Registrar's Report on Election of Members to Council

Mr. Moleschi reported that elections were held in Districts H and N and his Report on Elections was received for information by Council.

11. Elections Committee Report No. 1

**A motion to receive the Elections Committee Report was moved and seconded.
CARRIED.**

Mr. Scanlon, Chair of the Elections Committee, presented the report to Council. He advised that the Elections Committee was appointed at the June 2015 Council meeting and the Committee met on August 27, 2015, and subsequently via conference calls and email to put together the slate of members being presented in the Report. He advised that the slate was based on preferences indicated by the Council members and that during the elections process, in addition to the slate being presented, names could be withdrawn or members nominated from the floor.

Council members also noted for information that after the election of President, Vice President, Executive Committee and Committee Chairs had been conducted, Council would continue with the remainder of the items on the agenda and that upon adjournment later that afternoon, the Nominating Committee, together with the new Chairs of the Statutory and Standing Committees, would convene to discuss the appointments. The finalized slate would be presented to Council for approval the following day.

12. Appointment of Tellers

Ms. Campbell and Ms. Resnick were appointed as tellers for the upcoming Council elections.

13. Election of President

It was noted that there was one candidate (Dr. Merani) nominated for the position of President. No further nominations were received from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Dr. Merani was declared President for the 2015/2016 term after which he delivered brief remarks to Council.

14. Election of Vice President

Council noted that there was one candidate (Dr. Vaillancourt) for the position of Vice President. No further nominations were received from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Dr. Vaillancourt was declared Vice President of the College for the 2015/2016 term and he delivered brief remarks to Council.

15. Past President Award

On behalf of Council, Past President Scanlon was recognized and presented with gifts by President Merani.

16. Appointment of Nominating Committee

It was moved and seconded that Mr. Scanlon and Ms. Sommerfreund, together with newly elected President, Dr. Merani and Vice President Dr. Vaillancourt, be appointed to serve on the Nominating Committee. The motion CARRIED.

17. Election of Executive Committee Members

Elections were held for the elected members on the Executive Committee. Council noted that Ms. Donaldson and Dr. Nashat had expressed an interest in serving on the Executive Committee. No further nominations were received from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

The President invited both candidates to briefly address Council. Ms. Donaldson spoke first, followed by Dr. Nashat. In his address, Dr. Nashat advised Council of one of his employers, whose business had some advocacy component and that this could be perceived to be in conflict with the mandate of the College. Council members discussed the matter, including

seeking further clarification from Dr. Nashat on his role at the said organization. Mr. Moleschi also provided some clarification on the matter, noting that the Governance Manual, which was adopted by Council in 2014, provides clarification on the issue of conflict.

Hearing no further discussion, an election was held and Ms. Donaldson was elected to serve on the Executive Committee.

Council next noted that Ms. Al-Zand, Ms. Bracken, Ms. Moustacalis and Ms. Sommerfreund had all expressed an interest in serving on the Executive Committee. No further nominations were received from the floor. **A motion to close the nominations was moved and seconded. The motion CARRIED.** All four candidates provided brief remarks to Council and an election was held for the three appointed member positions. Ms. Bracken, Ms. Moustacalis and Ms. Sommerfreund were elected to serve on the Executive Committee.

18. Election of Committee Chairs

Accreditation Committee

There were two candidates, Mr. Kosa and Dr. Vaillancourt, nominated for the position of Chair of the Accreditation Committee. Mr. Kosa withdrew his name. There were no further nominations from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Dr. Vaillancourt was declared Chair of the Accreditation Committee.

Communications Committee

Council noted that the Election Committee considered that since the duties of the Patient Relations and Communication Committees had similar mandates, it would be prudent to combine the activities into a single committee. Under legislation, the Patient Relations is a Statutory Committee. In addition to its statutory obligations, the committee is “to provide guidance to Council on matters concerning patient relations”. Communications Committee is a standing committee of the College with a mandate to “provide direction to Council, through the Executive committee, on all matters supporting public education and outreach, including but not limited to raising awareness of the value of both the profession and the College”. Accordingly, no election was held for the Communications Committee.

Discipline Committee

The President noted that Mr. Lederman and Mr. Stewart had been nominated for the position of Chair of the Discipline Committee. There were no further nominations from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Following remarks by both candidates, an election was held and Mr. Stewart was declared Chair of the Discipline Committee.

Finance and Audit Committee

The President next noted that Mr. Khan had been nominated for the position of Chair of the Finance and Audit Committee. There were no further nominations from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Mr. Khan was declared Chair of the Finance and Audit Committee.

Fitness to Practise Committee

Council noted that Mr. Kosa and Mr. Scanlon were nominated for the position of Chair of the Fitness to Practise Committee. Mr. Kosa withdrew his name. There were no further nominations from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Mr. Scanlon was declared Chair of the Fitness to Practise Committee.

Inquiries, Complaints and Reports Committee (ICRC)

Council members noted that Mr. Cook and Ms. Weyland had been nominated to serve as Chair of the ICRC. There were no further nominations from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Following remarks by both candidates, an election was held and Ms. Weyland was declared Chair of the Inquiries, Complaints and Reports Committee.

Patient Relations Committee

Council members noted that Mr. Khan and Ms. Sommerfreund had been nominated to serve as Chair of the Patient Relations Committee. Hearing no further nominations from the floor, **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Following remarks by both candidates, an election was held and Ms. Sommerfreund was declared Chair of the Patient Relations Committee.

Professional Practice Committee

Mr. Kosa, Mr. Leung and Dr. Nashat were nominated to serve as Chair of the Professional Practice Committee. Mr. Kosa withdrew his name. There were no further nominations from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Following remarks by candidates, an election was held. The tellers announced that the vote resulted in a tie. Both Mr. Leung and Dr. Nashat agreed to assume the position of co-chairs of the Professional Practice Committee.

Quality Assurance Committee

Mr. MacDonald was nominated to serve as Chair of the Quality Assurance Committee. Mr. Kosa declared his candidacy to run for Chair. There were no further nominations from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Following remarks by both candidates, an election was held and Mr. MacDonald was declared Chair of the Quality Assurance Committee.

Registration Committee

Ms. Donaldson and Mr. Kosa were nominated to serve as Chair of the Registration Committee. Mr. Kosa withdrew his name. There were no further nominations from the floor and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Ms. Donaldson was declared Chair of the Registration Committee.

Motion respecting destruction of ballots

A motion to destroy the ballots was moved and seconded. The motion CARRIED.

Adjournment

At 2:40 p.m. the President declared the meeting adjourned and advised Council members that the Nominating Committee and the newly elected Chairs would now meet to discuss the appointment of members to the Statutory and Standing Committees.

FRIDAY, SEPTEMBER 18, 2015 – 9:05 A.M.

COUNCIL CHAMBERS, ONTARIO COLLEGE OF PHARMACISTS

Elected Members

District H Dr. Regis Vaillancourt, Ottawa
District H Ms. Christine Donaldson, Windsor
District K Dr. Esmail Merani, Carleton Place
District K Mr. Mark F. Scanlon, Peterborough
District L Ms. Jillian Grocholsky, Fonthill
District L Dr. Michael Nashat, Brampton
District L Mr. Farid Wassef, Stouffville
District M Mr. Fayez Kosa, Toronto
District M Mr. Don Organ, Toronto
District M Ms. Laura Weyland, Toronto
District N Mr. Gerry Cook, London - **Regrets**
District N Mr. Chris Leung, Windsor
District N Dr. Karen Riley, Sarnia
District P Mr. Jon MacDonald, Sault Ste. Marie - **Regrets**
District P Mr. Douglas Stewart, Sudbury
District T Ms. Michelle Filo, Sudbury
District TH Mr. Goran Petrovic, Kitchener

Dr. Heather Boon, Dean, Leslie Dan Faculty of Pharmacy, University of Toronto - **Regrets**
Dr. David Edwards, Hallman Director, School of Pharmacy, University of Waterloo - **Regrets**

Members Appointed by the Lieutenant-Governor-in-Council

Ms. Kathleen Al-Zand, Ottawa
Ms. Linda Bracken, Marmora
Mr. Ronald Farrell, Sundridge
Mr. Javaid Khan, Markham
Mr. John Laframboise, Ottawa
Mr. Lewis Lederman, Ottawa
Mr. Aladdin Mohaghegh, Toronto – **Regrets**
Ms. Sylvia Moustacalis, Toronto
Mr. Shahid Rashdi, Mississauga
Ms. Joy Sommerfreund, London

Staff present

Ms. Connie Campbell, Director, Finance and Administration
Ms. Susan James, Director, Competence
Mr. Marshall Moleschi, Registrar
Ms. Ushma Rajdev, Council and Executive Liaison
Ms. Anne Resnick, Deputy Registrar/Director, Conduct

19. Matters Arising from Previous Meetings

19.1 Briefing Note - Registrar's Report to Council

Mr. Moleschi highlighted the salient points from his report and responded to questions from the floor.

Regarding *Bill 21 Safeguarding Health Care Integrity Act/Drug and Pharmacies Regulation Act (DPRA)*, Mr. Moleschi reported that the College had submitted to the Ministry of Health and Long-Term Care for final consideration and proclamation, the amendments to the regulation to the DPRA which, among others, adds provisions for the inspection of pharmacies within public and private hospitals.

Registrar Moleschi also reported that the College was closely monitoring the situation relating to the recent US Food and Drug Administration advisory warning of issues relating to certain syringes which had the potential for reduced drug potency of certain medications that have been prepared in advance and stored in those particular syringes. He advised that the College will be establishing a small working group of practitioners with specific expertise to review current standards and provide recommendations or guidance to enhance safe practice.

Council noted for information that the Government of Canada recently announced federal funding (nearly \$13 million over five years) to increase the number of annual pharmacy inspections carried out by Health Canada with a goal of reducing opportunities for the diversion of controlled drugs for illegal sale and use.

The Registrar also advised that the Ministry of Health and Long-Term Care is expected to propose various amendments to the *Regulated Health Professions Act (RHPA)* that would emphasise a commitment to public transparency. He added that the vision of the Ministry is that Ontario's health professional regulatory colleges will be "Open by Default" and to this end, the Ministry proposes: making more information available, making the decision-making process more open and accountable, making the regulatory framework drive a culture of transparency and making information easier to understand.

In March 2015, following Council's consideration and approval of amendments to the by-law regarding information to be placed on the public register, it was noted that criteria and processes for determining relevance to suitability to practice were required. The College committed to communicating this information once it was established. A comprehensive review of the existing by-law and legislation was undertaken and a tool and framework have now been developed to be used as a guide in determining the risk the member's conduct poses to the public, and the corresponding action required. Over the coming year, training and orientation will

be provided to all committees that will use the tool and framework with general information provided on the College website.

Next, the Registrar reported that the Ministry had announced, the previous day, its intention to introduce legislation that, if passed, would improve privacy, accountability and transparency in the health care system with new measures that put patients first. The *Health Information Protection Act* would amend existing legislation to protect the personal health information of patients. Some of these changes would include: making it mandatory to report privacy breaches, as defined in regulation, to the Information and Privacy Commissioner and to relevant regulatory colleges; strengthening the process to prosecute offences under the Personal Health Information Protection Act by removing the requirement that prosecutions must be commenced within six months of when the alleged offence occurred and doubling the maximum fines for offences from \$50,000 to \$100,000 for individuals and from \$250,000 to \$500,000 for organizations.

In February 2015, the Supreme Court of Canada unanimously struck down the Criminal Code prohibition against physician-assisted dying. The court gave federal and provincial governments 12 months to respond to the ruling. In response to this ruling, Ontario has launched a public consultation on the implementation of physician-assisted dying. Registrar Moleschi reported that together with Deputy Registrar Resnick, he had recently met with the College of Physicians and Surgeons on Ontario to discuss this matter since many of this College's members may be impacted by any decisions that are made.

Registrar Moleschi reported that in early 2015, nine health regulatory Colleges formed the Clinic Regulation Working Group to jointly explore the regulation of clinics in Ontario in order to strengthen protection of the public interest. The Working Group established parameters for clinic regulation, reviewed research about regulatory options, and discussed alternative models for clinic regulation in Ontario. More information on this initiative will be provided to Council as the work proceeds.

Mr. Moleschi then reported on some of the recent changes he made to the organizational structure at the College. These changes were aimed at meeting the expectations outlined in the College's Strategic Plan approved by Council in June 2015. Accordingly, Ms. Susan James has assumed the newly created role of Director, Competence. She will be charged with rationalizing the competence measurement and assessment functions of the College including hospital practice assessments, community practice assessments, member competence at registration and ongoing member competence. She will also retain her responsibility for directing the Projects team.

Ms. Anne Resnick's position was retitled to Deputy Registrar/Director, Conduct. In this capacity, she will assume a more prominent role in representing the College with external stakeholders on behalf of the Registrar. As well, she will continue to provide guidance and direction to the I&R department which will now include the accreditation adjudication processes.

Next, Ms. Campbell was invited to provide a brief overview of the College's Operational Plan. Council members were referred to the changed framework for reporting which essentially now demonstrates the noteworthy accomplishments for the quarter rather than goals and the means by which to achieve them. This new way of reporting will enable Council to better monitor the progress of the goals and priorities set by Council in March 2015.

Next, Ms. Winkelbauer, Manager, Continuing Competency Program, was invited to provide an overview of her program area. The presentation took place between 9:52 a.m. and 10:30 a.m. during which she provided clarification and responded to questions from the floor.

20. For Decision

20.1 Briefing Note – Code of Ethics Task Force

A motion to receive the Briefing Note from the Code of Ethics Task Force was moved and seconded. CARRIED.

The Chair, Mr. Scanlon, provided some background. Council heard that the last substantive update to the Code was in 1996. In the past 10 years, changes were required in several areas which necessitated a review and update of the Code. These include the integration of regulated technicians into the workforce and an expanded scope for pharmacists. As well, the issue of alleged chemotherapy under dosing and an increasing focus on accountability and transparency, highlighted areas where more comprehensive resources could be useful.

Council noted that following the establishment of the Task Force in December 2014, and as reported at previous Council meetings, a project consultant was contracted, a needs assessment was conducted and a comprehensive review of leading Codes within Canada and internationally was undertaken. Draft documents were then prepared and presented to multiple stakeholder groups with representation from a variety of practice settings and perspectives and the final draft documents were now being presented to Council for approval for posting for public consultation. This comprehensive Code supports core ethical principles in healthcare with standards to guide members on how to meet ethical expectations in practice. Mr. Scanlon added that no new expectations had been brought forward however the document more explicitly conveyed those expectations already communicated through legislation, Standards of Practice, College policies and guidelines.

Since this was not a document that required a certain number of days for consultation, the Task Force recommended a 45-day public consultation to ensure sufficient time to review feedback, with a final draft to be presented to Council in December 2015.

Discussion on specific situations which could pose an ethical dilemma for a member ensued and it was clarified that the document outlines for the members and the public, the core ethical principles in healthcare that dictate a healthcare professional's ethical duty to patients and society. The document further supports these principles with standards that indicate how a member is expected to fulfil his/her ethical responsibilities.

It was moved and seconded that Council approve the proposed draft for a 45-day public consultation period. Council members voted in favour of the motion. Mr. Kosa voted against the motion. There were no abstentions. The motion **CARRIED.**

20.3 Briefing Note – Finance and Audit Committee

A motion to receive the Briefing Note from the Finance and Audit Committee was moved and seconded. CARRIED.

Mr. Khan, Chair of the Finance and Audit Committee, presented the Briefing Note to Council. The document outlined the operating and capital budget for 2016 and the corresponding fee structure. The budget supports the Strategic Framework developed by Council in March 2015 and the Operational Plan presented to Council in June 2015. The Framework affirms transparency, accountability and excellence as values and codifies Patients First, Effective Communication and Continuous Quality Improvement as strategic initiatives.

Council noted that the 2016 budget is a balanced budget and reflects the necessary revenue and respective expenses to support the strategic priorities identified in the Operational Plan. While there are no changes to member fees; the budget proposes changes to fees for Registration and Community Pharmacy applications and renewals, as well as fees for application, issuance and renewal of Certificates of Accreditation for Hospital Pharmacies.

Council noted that the proposed DPRA Regulation amendments will provide the College with the authority to license and inspect pharmacies within Ontario's clinics or hospitals. This requires supporting by-law amendments to include fees for the issuance and renewal. The proposed fees for hospital pharmacies were set to recover costs directly attributed to the hospital inspection program and include a flat rate for hospital pharmacy accreditation, regardless of the number of beds in the hospital or services provided.

Together with Ms. Campbell, Director of Finance and Administration, Mr. Khan responded to questions from the floor and provided clarification where necessary.

Following discussion, **a motion to approve the 2016 Operating and Capital Budget and corresponding fee structure was moved and seconded. CARRIED.**

20.4 Briefing Note – Finance and Audit Committee

A motion to receive the Briefing Note from the Finance and Audit Committee was moved and seconded. CARRIED.

Mr. Khan advised that the Finance and Audit Committee had recommended the reappointment of Clarke Henning LLP Chartered Accountants as Auditors for the College for the 2015 fiscal year. The auditors were selected following an external review in 2014 of the auditing and financial services.

A motion to approve the appointment of Clarke Henning LLP as Auditors for 2015 was moved and seconded. CARRIED.

20.2 Briefing Note – Executive Committee

A motion to receive the Briefing Note from the Executive Committee was moved and seconded. CARRIED.

As previously indicated, the proposed 2016 Operating and Capital budget includes changes to fees for member registration, community pharmacy applications and renewals, and introduces fees for application, issuance and renewal of Certificates of Accreditation for hospital pharmacies.

Furthermore, as part of the College's ongoing commitment to transparency and enhanced public reporting, a full review of the College's public register was undertaken in preparation for development of a re-designed register. As a result of the review, by-law amendments were deemed necessary to provide authority for the collection and posting of additional information on members and pharmacies. In addition, the proposed Drug and Pharmacies Regulation Act (DPRA) Regulation amendments approved by Council and submitted to government earlier this year require supporting changes to the by-laws to ensure consistency and clarity of references to hospital and community pharmacies.

Council noted that under legislation, changes to specific by-laws require consultation prior to its enactment. It was noted that the proposed by-law provisions will be posted for a 60-day public consultation and feedback received will be considered at the next Council meeting.

A motion to approve the by-law amendments for consultation was moved and seconded. Council members voted in favour of the motion. Mr. Kosa abstained. There were no negative votes. CARRIED.

21. For Information

21.1 Briefing Note – Statutory and Standing Committee Reports

President Merani next advised Council that as required in the Regulated Health Professions Act and the College by-laws, all statutory committees are required to submit an annual report to Council. He added that the reports were provided for information only and that none of the material in the reports was new but essentially a re-cap of what had occurred and reported during the previous Council year.

22. Other Matters

22.1 Approval of Appointments to Statutory and Standing Committees

The President referred Council to the Committee appointments list distributed earlier in the day and thanked the Nominating Committee and the newly-elected Chairs of the statutory and standing committees, who had met the previous afternoon, for their work in this appointment process. **A motion to approve the appointments to the Statutory and Standing Committees was moved and seconded. CARRIED.**

7.1 Motion re Pre-54 Charter Provisions

At the Chair's invitation, Mr. Lederman addressed Council regarding his motion. Essentially, the motion is three-fold in that it recommends an amendment to the Regulation to the Drug and Pharmacies Regulation Act, specifically to address the scrutiny of the conduct of shareholders under section 8; the second part of the motion proposes an amendment to the shareholding requirement under section 142 of the Drug and Pharmacies Regulation Act and the third part refers to the appointment of a Steering Group to collect feedback on proposed amendments.

Mr. Organ spoke in favour of changes that would remove restrictions on pharmacy ownership, especially in light of the other provisions that the College has which can hold non-pharmacy corporate directors accountable.

Hearing a lot of questions on the intent and purpose of the motion, Mr. Moleschi and Ms. Campbell were requested to provide clarity respecting the proposed amendments to the Regulation and to the Act. As a result, discussion ensued on the significance of the pre-1954 and post-1954 corporations operating pharmacies and what potential conflicts may exist for members of Council, who may be shareholders or directors of corporations, debating the issue. Ms. Al-Zand suggested that the issue of conflict be dealt with first.

Discussion then followed regarding competition, the existence of a two-tier system, accountability issues, public protection mandate and artificial restrictions. Ms. Al-Zand again recommended that the issue of conflict be dealt with prior to discussing the matter further. She suggested that as a public member, declarations of conflicts would enable her to put things in perspective prior to voting on the matter.

A suggestion was then made to split the motion and deal with the individual portions of the motion and following lengthy debate, **it was moved and seconded that the motion be tabled until the following meeting and that background information be available to help inform discussion and debate.** Council members voted unanimously in favour of the motion.
CARRIED.

23. Unfinished Business

None.

24. Registrar's Annual Performance Appraisal

President Merani advised that the Governance Manual sets out the role of the Registrar as well as how the Registrar's performance is to be evaluated by Council as a whole.

Council members were invited by past president (Mr. Scanlon) to provide feedback on the Registrar's performance over the past year. This feedback has now been collated for final approval by Council. Since this issue pertained to a personnel matter, and accordingly met the requirements for having an in-camera session under section 7 of the Health Professions Procedural Code, **it was moved and seconded that Council do now, at 2:48 p.m., move in-camera in order to discuss the Registrar's annual performance appraisal. CARRIED.**

All staff members and observers were requested to leave the Council Chamber during the discussion of this agenda item.

It was moved and seconded that at 3:15 p.m., Council end the closed meeting discussion and return to the public meeting. CARRIED.

Motion respecting Circulation of Minutes

A motion to approve the circulation of the draft minutes of this Council Meeting to Council members was moved and seconded. The motion CARRIED.

25. Motion of Adjournment

It was moved and seconded that the Council meeting be adjourned at 3:20 p.m. and to reconvene on Monday December 7, 2015, or at the call of the President. The motion CARRIED.

**Ushma Rajdev
Council and Executive Liaison**

**Esmail Merani
President**

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