

MARCH 2019 COUNCIL MEETING

As recorded following Council's regularly scheduled meeting held on March 25th, 2019.

CHANGES TO COMMITTEE APPOINTMENTS

Ms. Laura Weyland informed Council of recent changes to Committee appointments. Effective immediately, the Chair of the Patient Relations Committee is Ms. Kathy Al-Zand and the Chair of the Registration Committee is Mr. Deep Patel. An updated list of Committee membership has been posted to the College website.

COUNCIL APPROVES AUDITED STATEMENTS FOR COLLEGE OPERATIONS FOR 2018

Council approved the College's 2018 Audited Financial Statement as prepared by Tinkham LLP. Ms. Michelle Tkachenko, Audit Engagement Principal at Tinkham LLP, was on hand to present the audit report and answer any questions. Ms. Tkachenko indicated that it is the opinion of the auditors that the financial statements fairly and accurately reflect the financial position of the College as at December 31, 2018. The auditors also commended the College's financial stewardship practices including effective internal controls and made no recommendations for adjustments to its processes.

COUNCIL APPROVES NEW DISCIPLINE COST RECOVERY FRAMEWORK SUGGESTION

Investigations and prosecutions of allegations of professional

misconduct are often complex, time consuming, and expensive. It is a well-established principle within administrative law that the general membership of the profession should not bear the total costs related to a member's misconduct.

Pursuant to Section 53.1 of the Health Professions Procedural Code (the Code), discipline panels may order costs against members who have been found guilty of misconduct or found incompetent. That provision reads: "In an appropriate case, a panel may make an order requiring a member who the panel finds has committed an act of professional misconduct or finds to be incompetent to pay all or part of the following costs and expenses: 1) the College's legal costs and expenses; 2) the College's costs and expenses incurred in investigating the matter; and 3) the College's costs and expenses in conducting the hearing."

At its March 2019 meeting, Council approved a discipline cost-recovery policy that directs College legal counsel to seek a higher proportion of costs in penalty orders related to expenses directly incurred by the College in prosecuting discipline cases. This may include the College's legal costs and expenses, costs and expenses incurred in investigating the matter, and costs and expenses incurred in conducting a hearing.

Council approved this policy, effective immediately. As well, Council adopted a schedule of

hourly rates applicable to in-house staff engaged in prosecutions and investigations, for use by College counsel when seeking indemnification of College costs at hearings.

To learn more, please refer to the briefing note and appendices starting on page 37 of the March 25, 2019 Council meeting agenda.

ANNUAL REPORT

The 2018 annual report is now available online at www.ocpannualreport2018.ca and can be [downloaded as a PDF](#). This year's report, entitled "*Measuring Performance, Improving Outcomes*", highlights several initiatives underway at the College aimed at using data and information to advance the College's public-protection mandate and influence quality and accountability. The report also includes updated statistics regarding the College's core regulatory programs and statutory activities.

NEXT COUNCIL MEETING

Monday, June 17, 2019

Council meetings are open to the public and are held in the Council Chambers of the College at 483 Huron Street, Toronto, ON M5R 2R4. If you plan to attend, or for more information, please contact Ms. Sarah MacDougall, Council and Committee Liaison at council@ocpinfo.com. You can also follow along via Twitter during Council meetings. 