Ontario College of Pharmacists
Council Meeting Minutes – June 2014

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MONDAY, JUNE 16, 2014 – 9:06 A.M.
COUNCIL CHAMBERS, ONTARIO COLLEGE OF PHARMACISTS

1. Noting Members Present

Elected Members

District H  Mr. Regis Vaillancourt, Ottawa
District H  Ms. Christine Donaldson, Windsor
District K  Mr. Esmail Merani, Carleton Place
District K  Mr. Mark Scanlon, Peterborough
District L  Ms. Jillian Grocholsky, Fonthill
District L  Mr. Michael Nashat, Brampton
District L  Mr. Farid Wassef, Stouffville
District M  Mr. Don Organ, Toronto
District M  Ms. Tracey Phillips, Toronto
District M  Ms. Laura Weyland, Toronto
District N  Ms. Bonnie Hauser, Dunnville
District N  Mr. Chris Leung, Windsor
District N  Mr. Ken Potvin, Waterloo
District P  Mr. Jon MacDonald, Sault Ste. Marie
District P  Ms. Rachelle Rocha, Espanola
District T  VACANT
District TH  Mr. Goran Petrovic, Kitchener

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

Members Appointed by the Lieutenant-Governor-in-Council

Ms. Cora dela Cruz, Toronto - Regrets
Mr. Bob Ebrahimzadeh, Woodbridge
Mr. David Hoff, Oakville
Mr. Javaid Khan, Markham
Mr. Lewis Lederman, Ottawa
Mr. Norman MacDonald, Toronto - Regrets
Mr. Aladdin Mohaghegh, Toronto
Mr. Shahid Rashdi, Mississauga
Ms. Joy Sommerfreund, London
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Staff present

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

2. President’s Opening Remarks

2.1 President’s Report to Council

President Phillips welcomed members of Council to the meeting and provided a brief summary of her activities since the previous Council meeting, which included attending various statutory Committee meetings at the College and various phone calls and meetings with the Registrar.

She further noted for information the appointment of Dr. Heather Boon as Dean of the Leslie Dan Faculty of Pharmacy effective July 1st, 2014.

President Phillips also advised Council that staff continue to dialogue regularly with the Ministry for the appointment of additional Public Members and took the opportunity to express her gratitude to the current Public Members for their extraordinary efforts during this Council year to assist in meeting the College’s regulatory obligations.

2.2 March 2014 Council Meeting Evaluation

President Phillips presented Council with a summary of the feedback from Council members following the March Council Meeting. She added that two areas note were - feedback on the governance discussions, with most members expressing positive views on both process and content. There were also a lot of comments regarding the length of the Council meeting and she assured Council that these comments would be borne in mind when planning future meetings.

3. Approval of Agenda

A motion to approve the Agenda was moved and seconded. CARRIED.

4. Declaration of Conflict

There were no conflicts declared.

5. Approval of Minutes of Previous Meeting

Minutes of March 2014 Council Meeting

It was moved and seconded that the Minutes of March 2014 Council meeting be approved. Council members voted in favour of the motion. CARRIED.
6. **Notice of Motions Intended to be Introduced**

There were none.

7. **Motions, Notice of Which Had Previously Been Given**

There were none.

8. **Inquiries**

There were none.

9. **Matters Arising from Previous Meetings**

9.1 **Registrar's Report to Council**

Council received for information a list of meetings that the Registrar attended between March 2014 and June 2014 Council meetings. Mr. Moleschi advised Council that these meetings were in addition to the various internal meetings with staff as well as regular face-to-face meetings and phone calls with the President that he had participated in during the reporting period. He then provided highlights of some of those meetings.

As well, he provided Council with a status report of some of the activities at FHRCO, the Federation of Health and Regulatory Colleges of Ontario, of which he was recently elected President. He reported that AGRE, the Advisory Group for Regulatory Excellence, which is made up of members of FHRCO, has been meeting regularly to work together on the Transparency Project. The project is looking at our information-sharing practices to determine how we might make more information available to the public about our decisions and processes. Council noted that recommendations relating to this issue will be discussed later through the Executive Committee Report.

Council noted for information that in addition to presentations to various stakeholder groups, together with Dr. Zubin Austin of the Leslie Dan Faculty of Pharmacy, University of Toronto, the Registrar made a series of presentations to help educate the membership on scope/practice change issues. As well, he advised that the College’s Quality Assurance and Pharmacy Practice program areas have been investigating models to incorporate a practice site based assessment and have been working with provincial health regulatory colleges in Ontario as well as with other pharmacy regulatory bodies across Canada to review their inspection processes.

He then requested Ms. Tina Perlman and Ms. Sandra Winkelbauer to provide Council with a high-level overview of this project.
10. Discussion and Decision

10.1 Accreditation Committee Report No. 1

A motion to receive Accreditation Committee Report No. 1 for discussion was moved and seconded. CARRIED.

The Chair of the Accreditation Committee, Mr. Hoff, presented the Report to Council. As required under the Drug and Pharmacies Regulations Act (DPRA), Council was requested to approve three resources to be included in the College-approved Required Reference Guide for Ontario Pharmacies. The new resources will provide comprehensive, updated, online drug interaction, pharmacotherapy, and patient counselling tools for pharmacists.

It was moved and seconded that Accreditation Committee Report No. 1 be approved by Council. CARRIED.

10.2 Executive Committee Report No. 1

A motion to receive Executive Committee Report No. 1 for discussion was moved and seconded. CARRIED.

President Phillips presented the Report to Council. She advised that the recommendation is for Council to approve proceeding with the implementation of Phase 1 Recommendations and Next Steps respecting the Transparency Initiative as developed by AGRE, the Advisory Group for Regulatory Excellence.

She then requested Ms. Resnick to provide an overview of the Transparency project. Council heard that all AGRE Councils, have been, or will be, requested to consider moving forward with phased-approach as the next step to this initiative. She outlined for Council the first phase, which focuses primarily on enhancing the consistency and clarity of existing information including notices of discipline committee hearings, publicly available criminal findings of guilt, certain bail conditions, and the identity of non-members who are practicing illegally. It was noted that this will necessitate making amendments to the by-laws which will be drafted this summer and circulated to the membership.

The second phase will focus on the potential provision of information relating to outcomes of the College’s Inquiries, Complaints and Reports Committee. Further discussion with committees, legal analysis and evaluation of process changes will need to occur prior to this phase being implemented.

Council also noted the timelines being contemplated for completion of the two phases. Following lengthy discussion, where both Ms. Resnick and Mr. Moleschi provided clarification on issues that had been discussed by AGRE, as well as assurance that processes would be reviewed to support the enactment of the recommendations, a motion that Council approve OCP proceed with implementation of Phase 1 Recommendations and Next Steps developed by the Advisory Group for Regulatory Excellence (AGRE) was moved and seconded. CARRIED.
10.3 Professional Practice Committee Report No. 1

A motion to receive Professional Practice Committee Report No. 1 for discussion was moved and seconded. CARRIED.

Mr. Merani, Chair of the Professional Practice Committee (PPC), presented the Report to Council. He advised that Council approval was being sought for the updated Methadone Maintenance Treatment and Dispensing Policy. Council noted that this revised policy outlines a number of changes for the appropriate dispensing of methadone maintenance treatment for opioid addiction and pain, and supports the recent introduction of a manufactured product. As well, it provides direction for the exceptions for dispensing a compounded product.

It was further noted that representatives of the Ministry of Health and Long-Term Care (MOHLTC), Centre for Addiction and Mental Health (CAMH), Ontario College of Pharmacists (OCP) and College of Physician and Surgeons of Ontario (CPSO) have discussed and planned for any implications related to the formulary change, including the development of an aligned joint communication. As well, in the interest of patient safety, it was noted that allowances for a transition period will be made so that members engaged in dispensing methadone will have familiarized themselves with the revised policies and will be able to provide appropriate patient counselling and education.

A motion to approve Professional Practice Committee Report No. 1 was moved and seconded. CARRIED.

10.4 Professional Practice Committee Report No. 2

A motion to receive Professional Practice Committee Report No. 2 for discussion was moved and seconded. CARRIED.

Mr. Merani next presented Report No. 2 of the Professional Practice Committee. The recommendation of the Committee is that Council approve the updated Guideline on Preventing Sexual Abuse and Harassment and the related Policy on Treating Self and Family Members. Prior to the passing of Bill 70, Regulated Health Professions Amendment Act (Spousal Exception), which permitted each health professional Council in Ontario to make a determination as to whether the College would permit a member to treat his or her spouse, this College was of the opinion that pharmacists and technicians should not be permitted to routinely treat spouses or other family members.

Accordingly, the guideline on Preventing Sexual Abuse and Harassment adds a definition of spouse and clarifies that providing routine care to a spouse is not permitted. The related Policy on Treating Self and Family Members is meant to be read in conjunction with the above Guideline. The Policy reiterates that it is generally considered to be inappropriate and a conflict of interest to treat self and/or closely related family members and reiterates the information found in the Guideline. The Guideline informs members to use their professional judgment on a case by case basis and to document the circumstances of the care.

A motion to approve Professional Practice Committee Report No. 2 was moved and seconded. CARRIED.
10.5 Professional Practice Committee Report No. 3

A motion to receive Professional Practice Committee Report No. 3 for discussion was moved and seconded. CARRIED.

Next, Mr. Merani presented Professional Practice Committee Report No. 3 to Council. It was noted that the Updated Medical Directives and the Delegation of Controlled Acts policy is being recommended for approval. Essentially, the policy spells out the difference between a directive and an order, and sets out the College’s expectations for members when considering delegation.

Council noted for information that the Federation of Health Regulatory Colleges of Ontario (FHRCO) has developed “An Interprofessional Guide on the Use of Orders, Directives and Delegation for Regulated Health Professionals in Ontario” which contains templates for assessing performance readiness, developing a medical directive and education and competence assurance plan, and additional tools to assist with delegation.

Council further noted that while no significant changes have been made to the policy, information provided in the policy has been reorganized in order to clarify requirements when considering delegation, as well as align with the delegation policies of other regulated professions (e.g. CPSO, CNO, etc.). The revised policy highlights the need for communication between the authorizer and implementer which includes an appropriate assessment of the implementer’s performance readiness.

A motion to approve Professional Practice Committee Report No. 3 was moved and seconded. CARRIED.

10.6 Registration Committee Report No. 1

A motion to receive Registration Committee Report No. 1 for discussion was moved and seconded. CARRIED.

Ms. Donaldson, Chair of the Registration Committee, presented the Report to Council.

Council noted that following an evaluation of the SPT Program to determine its relevance and effectiveness, it was established that there were aspects of the program that could be improved to ensure fairness and objectivity. The current structure, Ms. Donaldson explained, does not adequately take into consideration the diversity in education, practice experience and background of preceptees (pharmacy student, intern or pharmacy technician applicant) and consequently, the Registration Committee has proposed a redesign of the SPT program. The proposed redesign will streamline the process, allowing for applicants to demonstrate their competence earlier, and with support/guidance of their preceptor and the College, be able to formulate and enact a development plan to address the identified gaps.

Council further noted that the operational details necessary for implementation of the redesign will be developed through engagement with various stakeholders, in particular, the University of Toronto and the University of Waterloo, and the new program will be brought back to Council at a future date for final approval. Following discussion, and provision of clarification by
Ms. Donaldson and Ms. James (Manager, Registration Program), a motion to approve Registration Committee Report No. 1 was moved and seconded. CARRIED.

Presentation - National Association of Pharmacy Regulatory Authorities (NAPRA)

President Phillips welcomed Ms. Tracy Wiersema, NAPRA President and OCP representative on NAPRA, as well as Ms. Carole Bouchard, NAPRA Executive Director, to the Council meeting.

From 12:49 p.m. to 1:37 p.m., both Ms. Wiersema and Ms. Bouchard presented to Council an overview of NAPRA, which included the vision and mission of NAPRA, the Strategic Plan, NAPRA’s main accomplishments as well as its current priorities and future initiatives. They also responded to questions from the floor and provided clarification on some of the core activities referenced in their presentation.

10.7 Task Force on Governance Report No. 1

A motion to receive for discussion Report No. 1 of the Task Force on Governance was moved and seconded. CARRIED.

President Phillips reminded Council that in early 2013, Council supported the initiative to undertake a governance review, which included producing a Council Policy Manual and a Handbook that would consolidate existing governance documents to help guide Council in fulfilling its role. Since then, she added, with facilitation by Mr. Richard Steinecke, the Task Force on Governance (TFG) has met regularly and reported its progress at each Council meeting.

Council members also noted that flowing from the governance discussions and the preparation of the Manual, a number of proposed changes to the by-laws were identified. Accordingly, Council was being asked to consider two recommendations: (1) to approve the Governance Manual as a guidance document for Council, Committees and staff, and (2) to approve the proposed by-law amendments that would support implementation of the intent described in the Governance Manual.

Council noted that the TFG has incorporated into the Manual all of the general directions received from Council and has worked diligently to ensure that the document expresses the goals and objectives of governance in positive terms.

She advised Council that the Governance Manual, which gives a comprehensive introduction to governance related issues for new Council members, is also meant to serve as an ongoing resource for current Council, Committee members and College staff about their roles and recurring issues. Particularly, the TFG believes that explaining, educating and evaluating its (and others’) role is an affirming experience and the TFG concludes that holding individuals and entities within the College accountable for their performance both when it exceeds and when it falls below reasonable expectations is necessary and appropriate for the OCP.
Ms. Phillips went on to advise that the proposed document represented the majority views of Council and the Task Force and that some provisions did not have unanimous support as there were differing opinions and she referred members of Council to the appended supplemental documentation provided by a member of the TFG.

The floor was then opened for discussion and questions from the floor.

A substantial amount of time was then spent on discussion and debate of the portion that dealt with the provision for addressing concerns with non-elected council members. Arguments were made both in favour and against this provision and to try to find acceptable middle ground. Following lengthy discussion, the conclusion was that the College should seek independent legal opinion regarding Council’s ability to include in the by-law the process to address any concerns which could include, if appropriate, reporting concerns to the Minister of Health and Long-Term Care regarding appointed members of Council or to the University regarding a Dean.

Accordingly, a motion was moved and seconded that Council approve the Governance Manual as a guidance document for Council, Committees and staff. Mr. Lederman voted against the motion, stating that much of what was being proposed was, in his view, ultra vires. CARRIED.

And, as a result of the discussion regarding the provision noted above, a motion was moved and seconded that legal opinion be sought as to Council’s authority to include in the by-law a process for addressing concerns with non-elected council members. CARRIED.

Accordingly, Ms. Phillips announced that the second recommendation (approval of the by-laws) will be deferred pending the outcome of this legal opinion.

11. For Information

Council next noted for information that subsequent to the March 2014 Council meeting, the Executive Committee met and discussed several issues which were now being provided to Council for information. These include an update regarding the NAPRA meeting, the Government Relations Quarterly Report, correspondence regarding the issue of alleged diluted chemo drugs and correspondence to and from the Standing Committee on Social Policy, appointment of Inspectors, a call for a by-election in District T and the appointment of Scrutineers (Dr. Hindmarsh and Dr. Austin).

The President, together with senior staff, provided clarification on the informational items where necessary.
12. Other Matters

12.1 Appointment of Elections Committee

President Phillips announced that she had appointed Vice President, Mr. Scanlon and Ms. Sommerfreund to serve with her on the Elections Committee. A motion to approve the appointment of the Elections Committee was moved and seconded. CARRIED.

Council members were advised that towards the end of July, Ms. Rajdev will send an email requesting their committee preferences for the 2014-2015 Council year. President Phillips further advised that the Nominating Committee will endeavor to make sure that Council members get to serve on as many Committees of their choice as is possible, however, it is necessary to make appointments to ensure that they are fully constituted and that these appointments will be made at the end of the first day of Council in September.

12.2 Operational Plan Update

Ms. Campbell provided a brief overview of the College’s Operational Plan which included updates for the past quarter. Also included in the document are status updates on what has been accomplished in years 1 and 2 of the Strategic Plan as well as new activity/associated costs required to meet all the outstanding objectives in the 2012-2015 Plan. As well, Council members noted that each Program Area has completed the Reporting Framework Scorecard which sets out the goals, the accomplishments and future goals of all program areas of the College to support fulfillment of Strategic Direction #5.

Ms. Campbell advised that the scorecard, which clearly outlines progress on all activities, serves to provide Council with the assurance that it is meeting its obligation of ensuring that all program areas of the College apply continuous quality improvement and fiscal responsibility in the fulfillment of our mission.

It was further noted that once the objectives in this document were confirmed by Council, staff would use the document to build the budget for approval by Council at its meeting in September.

Investigations and Resolutions Program Overview

From 3:57 p.m. to 4:45 p.m., Ms. Gemus provided Council with an overview of the Investigations and Resolutions Program, and responded to questions from the floor.

13. Unfinished Business

President Phillips referred Council members to the link on the virtual boardroom that would enable them to fill in the online survey to evaluate today’s Council meeting. She added that the responses will be made available only to the President and Vice President for review and discussion and that if further action is deemed necessary by the President and the Vice
President, the matter will be forwarded for discussion by the Registrar and the Executive Committee.

**Motion respecting Circulation of Minutes**

A motion to approve the circulation of the draft minutes of this Council Meeting to Council members for comment, with the final Minutes to be confirmed at the next Council Meeting, was moved and seconded. The motion CARRIED.

14. **Motion of Adjournment**

It was moved and seconded that the Council meeting be adjourned at 4:47 p.m. and to reconvene on Monday, September 15, 2014, or at the call of the President. The motion CARRIED.

Ushma Rajdev
Council and Executive Liaison

Tracey Phillips
President
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