

DECEMBER 2013 COUNCIL MEETING

As recorded following Council's regularly scheduled meeting held at the College offices on December 9th, 2013.

TASK FORCE ON GOVERNANCE SEEKS FEEDBACK

Since its establishment in March 2013, the Task Force on Governance (TFG) has met regularly to review the College's governance model and develop new comprehensive governance documents. At this Council meeting, a full discussion was held on several topics on which the TFG wanted direction from Council. The process was chaired by the President, Ms. Tracey Phillips, and facilitated by Mr. Richard Steinecke. Direction and input was received on all the issues identified and it is anticipated that the draft governance documents will be available for Council review and subsequent approval over the next two Council meetings.

BILL 117, ENHANCING PATIENT CARE AND PHARMACY SAFETY (STATUTE LAW AMENDMENT) ACT, 2013

The Registrar provided Council with an overview of Bill 117, which at the time of this Council meeting was in second reading in the legislature. On October 10, 2013, Minister Matthews introduced *Bill 117, Enhancing Patient Care and Pharmacy Safety Act*, which, if passed, will provide authority to this College to regulate hospital pharmacies. In addition to changes

to the *Drugs and Pharmacies Regulation Act* (DPRA) to provide this authority to the College, the Bill includes proposed amendments to the *Regulated Health Professions Act* (RHPA) and the *Public Hospitals Act* (PHA). These amendments (1) enable health regulatory colleges to more readily share information with public health authorities for the purposes of administering the *Health Protection and Promotion Act*; (2) permit health regulatory colleges to share complaints-related information with a hospital; (3) require a hospital or employer to report to health regulatory colleges if a regulated health professional has voluntarily restricted his or her practice or privileges because of concerns regarding the member's conduct or practice; (4) allow the government to more quickly appoint a College supervisor in order to address any serious concerns regarding the quality of a college's governance and management; and (5) provide health regulatory colleges the flexibility to focus their investigation of complaints to matters that are likely to constitute professional misconduct, incompetence or incapacity.

The proposed legislation is intended to improve the health system's ability to identify, communicate and respond quickly to any future incidents affecting patient care and safety. Council

noted for information that since the introduction of this Bill, the Registrar has attended meetings with a number of hospital pharmacy groups across the province to outline and discuss the College's proposed activities in relation to this legislation.

PROFESSIONAL MISCONDUCT REGULATION APPROVED

In June 2013, Council approved for circulation a draft amended regulation to the *Pharmacy Act* addressing professional misconduct. The regulation, which was circulated to members and stakeholders for consultation and feedback, required updates to reflect changes in legislation and evolving practice including; the addition of a new class of registrants (pharmacy technicians), the expanded scope of practice, and the evolving expectation that members exercise professional judgment in choosing to deliver services and/or referring patients to another health professional as needed.

At the December meeting, following consideration of the feedback which resulted in only minor revisions to the circulated draft amended regulation, Council unanimously (with one noted abstention) voted in favour of approving the amendments to *Ontario Regulation 681/93* to the



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Pharmacy Act which will now be submitted to the government for enactment.

The regulation, in addition to giving members further clarity regarding ethical practice and professional boundaries, provides Council, committees and staff with a valuable screening mechanism to support and guide decisions when considering potential professional misconduct.

NEW TASK FORCE ON PROFESSIONAL RESPONSIBILITY IN PRACTICE ESTABLISHED

Council approved the establishment of a Task Force on Professional Responsibility in Practice. The mandate of this Task Force will be to review pharmacists' and pharmacy technicians' practice responsibility in light of the alleged diluted chemotherapy treatment issue. The Task Force will make and communicate recommendations to pharmacists and pharmacy technicians to raise awareness amongst practitioners of their practice responsibilities focused on ensuring safe practice for patients in Ontario. Led by Vice President Scanlon the Task Force, in addition to reporting its findings and recommendations to Council, will share these recommendations with the Standing Committee on Social Policy.

TRANSPARENCY PRINCIPLES UPDATE

As reported previously, this College, together with five other health regulatory colleges, is working on a multi-staged initiative that will see us examine our information-sharing practices and determine how we might make more information available to the public about college decisions and processes. The eight proposed common transparency principles were presented to Council in September and since then, to several committees. As well, they have now been shared and endorsed by the other five college councils.

Council heard that progress continues to be made on this initiative through the Transparency Working Group, as it compares the processes and data collection among Colleges. As well, AGRE, (the Advisory Group for Regulatory Excellence), which has oversight of this initiative, has engaged a public consultation firm to conduct a public poll to determine the type of information the public would consider useful. It is anticipated that more information will be forthcoming at the Council meeting in March 2014.

NAPRA BOARD SETS PRIORITIES FOR 2014

Registrar Moleschi reported to Council that the Board of the National Association of Pharmacy Regulatory Authorities (NAPRA), at its meeting in November, identified three top priorities for 2014: (1) development of Sterile and Non-sterile Pharmacy Compounding Standards; (2) review of the Standards of Practice (pharmacist and pharmacy technician); and (3) coordination of the external consultation on the Pharmacy Practice Management Systems document; all of which align closely with this College's priorities. Ms. Tracy Wiersema, OCP Past President and current NAPRA Vice President, continues to ably represent Ontario at that table. Updates on all these priorities will be communicated to Council, and the membership, as they become available.

NEW PUBLIC MEMBER APPOINTMENTS

Council welcomed to the table Mr. Norman MacDonald, Public Member from Toronto, who has been appointed to College Council for a period of three years beginning November 6, 2013. For the 2013/2014 term, Mr. MacDonald has been appointed to serve on the Discipline and Registration Committees of the College.



BILL 70, RHPA AMENDMENT ACT (SPOUSAL EXCEPTION)

Council noted for information that Bill 70, *The Regulated Health Professions Act (RHPA) (Spousal Exception)*, 2013 had now passed third reading. The Bill amends the Health Professions Procedural Code to allow for an exception to the mandatory revocation of a member's certificate of registration where the patient is the member's spouse. Over the next year, this College will: (1) communicate with members to clarify the College's views on spousal treatment by pharmacists; (b) update current guideline on Maintaining Appropriate Boundaries and Preventing Sexual Abuse and Harassment to reflect passage of this legislation; and (3) draft the necessary regulation under clause 95(1)(O.a) for submission to government.

CITY OF LONDON – METHADONE PHARMACIES AND CLINICS – BY-LAW

This College was recently made aware that the City of London has enacted By-Law L-8 which requires the licensing and regulation of methadone pharmacies and methadone clinics. In keeping with the College's mandate of public protection, the Registrar wrote to Minister Matthews (Health and Long-Term Care) and

Minister Jeffrey (Municipal Affairs and Housing) advising them of the College's concern that this by-law may jeopardize methadone patients' access to continuous care and result in a negative impact on the patients' health. This concern is shared by the College of Physicians and Surgeons of Ontario. Both Colleges are committed to working with the two Ministries involved, as well as the City of London, to find solutions to address this issue without jeopardizing patient care.

UPDATE ON THE COLLEGE/LESLIE DAN FACULTY OF PHARMACY PARTNERSHIP TO ENHANCE COMMUNITY PHARMACY PRACTICE

In Fall 2012, the College signed an agreement with the University of Toronto to establish a Program that will address, through extensive research, the underlying behavioural issues and characteristics of pharmacists that are inhibiting pharmacists from confidently embracing/adopting an expanded scope of practice in the health care system. Dr. Zubin Austin provided a status report to College Council on the research activities undertaken by the University over the past year, as well as their results and the plan for the upcoming year.

To ensure that the Program is collaborative and continues to address the needs arising from an

expanded scope of practice, an Advisory Committee was established. The Committee is chaired by Registrar Moleschi who will be working directly with Dr. Austin this Spring to share and build on this work through a series of workshops throughout the province. Council will continue to be regularly updated on development of this very important initiative. 📌

NEXT COUNCIL MEETINGS:

- Monday 17 March, 2014
- Monday 16 June, 2014
- Monday 15 and Tuesday 16 September 2014

For more information respecting Council meetings, please contact Ms. Ushma Rajdev, *Council and Executive Liaison* at urajdev@ocpinfo.com